



Cape Elizabeth Town Council Minutes

Monday, December 8, 2014

7:00 p.m.

Cape Elizabeth Town Hall

Jessica L. Sullivan, Chairman

Patricia K. Grennon

Caitlin R. Jordan

Molly MacAuslan

Katharine N. Ray

Jamie Wagner

James T. Walsh

Convening by 2014 Town Council Chair Jessica L. Sullivan

The Oath of Office was administered by Town Clerk Debra M. Lane to Barbara S. Powers, School Board-Elect and Patricia K. Grennon and Katharine M. Ray, Town Council-Elect.

Roll Call by the Town Clerk

All members were present.

Jessica L. Sullivan	Term Expires 12/2015	jsullivan08@maine.rr.com
Patricia K. Grennon	Term Expires 12/2017	patricia.grennon@capeelizabeth.org
Caitlin R. Jordan	Term Expires 12/2016	caitlin.jordan@capeelizabeth.org
Molly MacAuslan	Term Expires 12/2016	mmacauslan@gmail.com
Katharine N. Ray	Term Expires 12/2017	retbank@maine.rr.com
James R. "Jamie" Wagner	Term Expires 12/2015	jamiewagnerlaw@gmail.com
James T. Walsh	Term Expires 12/2015	jim.walsh@capeelizabeth.org

The Pledge of Allegiance to the Flag

Recognition of 2014 Town Council Chair Jessica L. Sullivan

On behalf of the town council and citizens of Cape Elizabeth, Councilor Ray presented outgoing chairman Jessica Sullivan with a mantle clock in recognition of her service as chairman.

Chairman Sullivan sent thoughts and prayers to the family of Herbert Dennison following the tragic accident at the recycling center.

Citizen Opportunity for Discussion of Items Not on the Agenda

Mark Dennison, son of Herbert Dennison, on behalf of his family thanked the town for their assistance following the death of his father. Mr. Dennison acknowledged the help and professionalism of Chief Gleeson, Robert Malley and Chief Williams. He also encouraged the town to look carefully at safety improvements at the recycling center.



Remembrance of Herbert B. Dennison -1935-2014

Department of Public Works- 1955-1981

Director of Public Works- 1968-1981

Sewer Superintendent and Road Commissioner- 1968-1981

Acting Town Manager-Several Time s Incl. 6 Months in 1978

Member of Hose Company # 2 of the Fire Department

Town Manager's Monthly Report

Mr. McGovern expressed his sympathy to the Dennison family. He also thanked and acknowledged the staff for their work and professionalism during and after this tragic accident.

The town is pursuing short and long term reviews of the recycling center. The study, originally scheduled for fiscal year 2016, has begun with the hiring of Woodward & Curran. The initial report is due 12/22.

George Rallis, former director of the Thomas Memorial Library recently passed away. Thoughts and prayers to his wife Nancy Rallis and family.

Finance Committee Report – Councilor Walsh

Councilor Walsh is working with Business Manager Scott Wyman and Town Manager Michael McGovern to create a dashboard – an easier view of the financial reports. The November reports are included in the council packet.

Review of Draft Minutes of October 6, 2014 and November 6, 2014 meetings.

Moved by Katharine N. Ray and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meetings held October 6, 2014 and November 6, 2014 as presented.

(7 yes) (0 no)

Item# 1-2015 Election of Town Council Chair

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

ORDERED, the Cape Elizabeth Town Council elects Katharine N. Ray to serve as chairman for the 2015 council year.

(7 yes) (0 no)

Item# 2-2015 Adoption of Town Council Rules

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

ORDERED, the Cape Elizabeth Town Council approves the **Town Council Rules** as presented.

(7 yes) (0 no)

See attachment.

Item# 3-2015 Appointment of the Finance Committee

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

ORDERED, the Cape Elizabeth Town Council appoints James T. Walsh as chairman of the finance committee and the Council as a whole to serve as the finance committee.

(7 yes) (0 no)

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Item# 4-2015 Appointment of an Ordinance Committee

Moved by James T. Walsh and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council appoints Jamie Wagner as chairman of the ordinance committee and Caitlin Jordan and Jessica Sullivan as members.

(7 yes) (0 no)

Item# 5-2015 Appointment of an Appointments Committee

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

ORDERED, the Cape Elizabeth Town Council appoints Molly MacAuslan as chairman of the appointments committee and Patricia K. Grennon and James T. Walsh as members.

(7 yes) (0 no)

Consent Agenda

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

ORDERED, the Cape Elizabeth Town Council considers Items ## 6-17 en bloc and approves the items as presented.

(7 yes) (0 no)

Item# 6-2015 Appointment of Representatives to ecomaine Board of Directors

Jamie Wagner and Michael K. McGovern for terms to expire on December 31, 2016

Item# 7-2015 Appointment of Representative to Greater Portland Council of Governments Executive Committee

Jessica L. Sullivan

Item# 8-2015 Appointment of Representative and Alternate to Greater Portland Council of Governments General Assembly

Jessica L. Sullivan and James T. Walsh, Alternate

Item# 9-2015 Appointment of Representative to PACTS Policy Committee

Michael K. McGovern

Item# 10-2015 Appointment of Representative to MMA Legislative Policy Committee and MMA Convention Delegate

Molly MacAuslan

Item# 11-2015 Appointment of Representative to Thomas Memorial Library Foundation

Jessica L. Sullivan

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Item# 12-2015 Appointment of Representative to Greater Portland Economic Development Corporation

Michael K. McGovern

Item# 13-2015 Appointment of Representative to Portland Jetport Noise Advisory Committee

James T. Walsh

Item# 14-2015 Appointment of Representatives to Thomas Jordan Grants Subcommittee

Caitlin R. Jordan to 12/17
Jamie Wagner to 12/15
Molly MacAuslan to 12/16

Item# 15-2015 Appointment of Vice Chair of Museum at Portland Head Light

James T. Walsh

Council Chairman Katharine N. Ray is Chairman per the by-laws.

Item# 16-2015 Designation of Town Council Liaisons to Boards and Commissions for 2015

Board	2015 Town Council Liaison
Conservation Commission	Molly MacAuslan
Fort Williams Advisory Commission	James T. Walsh
Planning Board	Jamie Wagner
Recycling Committee	Jessica Sullivan
Riverside Memorial Cemetery Trustees	Katharine N. Ray
Thomas Memorial Library Trustees	Patricia K. Grennon.
Zoning Board of Appeals	Caitlin Jordan

Item# 17-2015 Schedule of Council Meetings for 2015

Regular meetings:

December 8, 2014
January 12, 2015
February 9, 2015
March 9, 2015
April 6, 2015
May 11, 2015
June 15, 2015
July 13, 2015
August 10, 2015
September 14, 2015
October 14, 2015
November 2, 2015
December 14, 2015

Item# 18-2015 Purpoodock Club Beverage Licenses

Councilors Walsh and Sullivan disclosed they are members of the Purpoodock Club. No council objections were raised to their participation in the discussion and voting on this item.

No public comments or objections were raised.

Moved by Caitlin R. Jordan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council approves the malt, vinous, spirituous liquor license, Special Amusement Permit and new mobile cart license for the Purpoodock Club at 300 Spurwink Avenue as presented.

(7 yes) (0 no)

Item# 19-2015 Council Consideration of Proposed School Bond

Public Hearing: Proposed School Bond

Chairman Ray opened the public hearing at 7:35 p.m.

William Gross, 7 Sea View Avenue, provided the council with a spreadsheet of his calculations of the proposed debt. He also expressed his objection to the bond for two reasons 1) projects can be funded out of savings on retiring debt service 2) since the projects, in total, exceed \$1M the voters should vote.

After hearing no further comments the hearing was closed at 7:40 p.m.

Overview – School Board Finance Chairman Michael Moore

Moved by James T. Walsh and Seconded by Caitlin R. Jordan

ORDERED, the Cape Elizabeth Town Council approves the proposed school bond of up to \$1,750,000 as presented.

(7 yes) (0 no)

TOWN OF CAPE ELIZABETH, MAINE

TOWN COUNCIL VOTE

AUTHORIZING EXPENDITURE FOR VARIOUS SCHOOL PROJECTS AND THE ISSUANCE OF UP TO \$1,750,000 IN BONDS TO FINANCE SUCH PROJECTS

VOTED: That the Cape Elizabeth Town Council hereby authorizes the expenditure of the following amounts for the following school projects (each a “Project” and together the “Projects”):

Project 1. The sum of up to \$800,000 for repair and replacement of roofs at the Cape Elizabeth High School and for costs and expenses related thereto.

Project 2. The sum of up to \$175,000 for repair and replacement of roofs at the Cape Elizabeth Middle School and costs and expenses related thereto.

Project 3. The sum of up to \$175,000 for repair and replacement of roofs at the Cape Elizabeth Pond Cove Elementary School and costs and expenses related thereto.

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Project 4. The sum of up to \$275,000 for upgrading electrical systems at the Cape Elizabeth High School and costs and expenses related thereto.

Project 5. The sum of up to \$325,000 for repair and replacement of heating, ventilation and air conditioning equipment at the Cape Elizabeth Middle School and costs and expenses related thereto.

VOTED: That if the costs of any Project are less than the amount approved by the preceding votes, any surplus funds from that Project may be applied to any other approved Project, provided that the total amount expended on any Project shall not exceed \$1,000,000.

VOTED: Pursuant to the provisions of Section 5772 of Title 30-A of the Maine Revised Statutes and all other authority thereto enabling, and in order to provide funds for the Projects authorized by the foregoing votes and the costs and expenses related thereto, the Town Council of the Town of Cape Elizabeth hereby authorizes the Treasurer to borrow on behalf of the Town up to \$1,750,000 in principal amount.

VOTED: That in order to effect the borrowing heretofore authorized, the Treasurer be and hereby is authorized to prepare, issue and sell notes or bonds of the Town in the aggregate principal amount not to exceed \$1,750,000, such notes or bonds to be signed by the Treasurer, countersigned by the Chairman of the Town Council and attested by the Town Clerk.

VOTED: The form, maturity, interest rate and other details of said notes or bonds shall be as determined by the Treasurer and the Chairman of the Town Council by their execution thereof, but shall have a final maturity not later than 20 years from date of issuance, and shall not be inconsistent with the provisions hereof. Such notes or bonds and any notes issued in anticipation thereof may be issued as callable notes or bonds in the discretion of the Treasurer and Chairman of the Town Council.

VOTED: That the Treasurer and the Chairman of the Town Council are hereby authorized on behalf of the Town to borrow money in anticipation of the issuance of said notes or bonds by the issuance and sale of notes and renewal notes in anticipation thereof, such notes and renewal notes to be in such form, have such maturity and bear interest at such rate as may be approved by the Treasurer and Chairman of the Town Council by their execution thereof.

VOTED: That the Town covenants and certifies that no part of the proceeds of the issue and sale of the notes and bonds authorized to be issued by the foregoing resolutions (including any notes and bonds in renewal thereof) shall be used, directly or indirectly, to acquire any securities or obligations, the acquisition of which would cause such notes or bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code").

VOTED: That the Treasurer of the Town be authorized to covenant on behalf of the Town and for the benefit of the holders of the notes and bonds, that the Town will take whatever steps, and refrain from taking any action, as may be necessary or appropriate to ensure that interest on the notes and bonds will remain exempt from federal income taxes.

VOTED: That said notes and bonds are hereby designated "qualified tax exempt obligations" under Section 265(b)(2) of the Code.

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- VOTED: That this Bond Resolution shall constitute the Town's official declaration of intent for purposes of Section 1.150 of the Internal Revenue Regulations, and to the extent that any costs of the Projects are paid by the Town from the general fund or other fund, such payments may be reimbursed from the proceeds of said notes or bonds.
- VOTED: That the notes and bonds authorized by this Bond Resolution may, if so determined by the Treasurer, be combined with any other notes or bonds duly authorized by the Town of Cape Elizabeth and together issued as a single bond issue in the aggregate amount of the notes and bonds so authorized.
- VOTED: That during the term any of the Bonds are outstanding, the Treasurer be and hereby is authorized to issue and deliver refunding bonds to refund some or all of the Bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed 20 years from the date of issuance of the original Bonds) and all other details of such refunding bonds, including the form and manner of their sale and award. The Treasurer be and hereby is further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed by the Treasurer and the Chairman of the Town Council, and shall be sealed with the seal of the Town, attested to by its Clerk.
- VOTED: That the Treasurer is authorized to negotiate, execute, and deliver, in the name of and on behalf of the Town such contracts, agreements, and other documents, Bond Purchase Agreements, instruments and certificates as may be necessary or appropriate as determined and approved by the Treasurer in connection with the issuance of the Bonds, which documents shall be in such form and contain such terms and conditions, not inconsistent herewith, as may be approved by the Treasurer such approval to be conclusively evidenced by his execution thereof.
- VOTED: That the Treasurer be and hereby is authorized to engage Moors & Cabot, Inc. as financial advisor to the Town in connection with the issuance and sale of the Bonds.
- VOTED: That the Treasurer be and hereby is authorized to select the underwriter for the Bonds heretofore authorized and the Treasurer be and hereby is authorized and empowered to execute and deliver such contracts or agreements as may be necessary or appropriate in connection therewith.
- VOTED: That the Treasurer be and hereby is authorized to prepare, or cause to be prepared, a Preliminary Official Statement and an Official Statement for use in the offering and sale of the Bonds heretofore authorized, such Preliminary Official Statement and Official Statement to be in such form and contain such information as may be approved by the Treasurer, with the advice of the bond counsel for the Town, and that the use and distribution of the Preliminary Official Statement and the Official Statement in the name of and on behalf of the Town in connection with offering the Bonds for sale be and hereby is approved.
- VOTED: That the Treasurer be and hereby is authorized to select the registrar, paying agent and transfer agent (the "Transfer Agent") for the Bonds heretofore authorized and to execute and deliver such contracts and agreements as may be necessary or appropriate to secure their services.

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VOTED: That the Bonds heretofore authorized shall be transferable only on the registration books of the Town kept by the Transfer Agent, and said Bonds of one maturity may be exchanged for an equal aggregate principal amount of the bonds of the same maturity (but not of other maturity) in minimum denominations of \$5,000 and any integral multiple in excess thereof (or such other minimum denomination as the Treasurer shall approve) upon surrender thereof at the principal office of the transfer agent, with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or his attorney duly authorized in writing. Upon each exchange or transfer of a bond the Town and the Transfer Agent shall make a charge sufficient to cover any tax, fee or any other governmental charge required to be payable with respect to such exchange or transfer, and with respect to such exchange or transfer, and subsequent to the first exchange or transfer, the cost of preparing new bonds upon exchanges or transfer thereof to be paid by the person requesting the same.

VOTED: That the Treasurer be and hereby is authorized to undertake all acts necessary to provide for the issuance and transfer of such Bonds heretofore authorized in book-entry form pursuant to the Depository Trust Company Book-Entry Only System, as an alternative to the provisions of the foregoing paragraph above regarding physical transfer of Bonds, and the Treasurer be and hereby is authorized and empowered to enter into a Letter of Representation or any other contract, agreement or understanding necessary or, in his opinion, appropriate in order to qualify the Bonds for and participate in the Depository Trust Company Book-Entry Only System.

VOTED: That the Treasurer and Chairman of the Town Council from time to time shall execute such Bonds as may be required to provide for exchanges or transfers of Bonds as heretofore authorized, all such Bonds to bear the original signature of the Treasurer and Chairman of the Town Council.

VOTED: That the officers executing the Bonds be and hereby are individually authorized to covenant, certify and agree, on behalf of the Town, for the benefit of the holders of such Bonds, that the Town will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to insure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met.

VOTED: That the Treasurer, Chairman of the Town Council and Clerk and other proper officials of the Town be, and hereby are authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, not inconsistent herewith, as may be necessary or desirable in order to effect the issuance, sale and delivery of the Bonds hereinabove authorized.

VOTED: That if any of the officers of the Town who have signed or sealed the Bonds shall cease to be such officers before the Bonds so signed and sealed shall have been actually authenticated or delivered by the Town, such Bonds nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Bonds had not ceased to be such officer; and also any such bonds or notes may be signed and sealed on behalf of the Town by those persons who, at the actual date of the execution of such Bonds, shall be the proper officers of the Town, although at the nominal date of such Bonds any such person shall not have been such officer.

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- VOTED: That if the Treasurer, Chairman of the Town Council or Clerk are for any reason unavailable to approve and execute the Bonds or any other documents necessary or convenient to the issuance, execution and delivery of the Bonds, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had performed such act.
- VOTED: That the investment earnings on the proceeds of the Bonds, if any, and the excess proceeds of the Bonds (including premium), if any, be and hereby are authorized to be used to pay issuance costs for the Bonds, interest during construction, and debt service on the Bonds, in that order of priority.
- VOTED: The Bonds herein authorized shall be either sold at public sale upon sealed bid, or by negotiated sale in such manner as the Treasurer deems appropriate and in the best interest of the Town, and the Treasurer be and hereby is authorized to provide that any of the Bonds herein authorized be made callable, with or without premium, prior to their maturity.
- VOTED: That the Cape Elizabeth Town Council finds and determines that each of the five Projects described above is a separate, distinct and unrelated Project not involving a capital expenditure in excess of \$1,000,000 and therefore not subject to voter referendum under Article VIII Section 2 of the Town's Charter.

Item# 20-2015 Proposed Amendments to the Zoning Ordinance for Special Event Facilities

Intro – Mr. McGovern

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

ORDERED, the Cape Elizabeth Town Council refers to the Planning Board amendments to the Zoning Ordinance regarding special event facilities with a report due back to the council by 3/30/2015.
(7 yes) (0 no)

Item# 21-2015 Annual Acceptance of Gifts

Moved by Patricia K. Grennon and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council accepts gifts and donations offered to the town in 2014 with appreciation.
See attachment.
(7 yes) (0 no)

Item# 22-2015 Appointments Committee Recommendations

Intro – Councilor Jordan, Chairman Appointments Committee

Moved by Caitlin R. Jordan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council approves the recommendations of the Appointments Committee to appoint the following citizens to various boards and commissions as presented.
(7yes) (0 no)

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(Terms are effective January 1, 2015 unless otherwise noted.)

Board or Commission		Term Expires
Board of Assessment Review		
Michael R. Connell	6 Gladys Road	12/31/2017
Conservation Commission		
Jeremy Gabrielson	5 Rocky Knoll Road	12/31/2017
Mark Fleming	54 Hunts Point Road	12/31/2017
Fort Williams Advisory Commission		
Suzanne McGinn	1180 Shore Road	12/31/2017
Joseph Kozlowski	31 Park Circle	12/31/2017
Chris Straw	597 Shore Road	12/31/2017
Personnel Appeals Board		
Jonathan Sahrbeck	60 Longfellow Drive	12/31/2017
Leonard Cole	11 Fieldstone Road	12/31/2016
<i>(Serving an unexpired term to begin immediately following appointment.)</i>		
Planning Board		
Josef Chalot	12 Channel View Road	12/31/2017
Peter L. Curry	8 Stonybrook Road	12/31/2017
Recycling Committee		
Jennifer H. MacDonald	5 Olde Colony Lane	12/31/2017
Tracy Floyd	5 Fairway Drive	12/31/2017
Riverside Memorial Cemetery Trustees		
Gerald B. Sherry	19 Starboard Drive	12/31/2017
Thomas Memorial Library Trustees		
Gil Brennan	4 Baker Road	12/31/2017
Julia Bassett Schwerin	6 Cottage Lane #2	12/31/2017
Zoning Board of Appeals		
Josh Carver	40 Stonybrook Road	12/31/2017
Stanley Wisniewski	25 Littlejohn Road	12/31/2017

Item# 23-2015 Citizens Committee to Review Municipal Solid Waste and Recycling Options

Intro – Mr. McGovern

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

ORDERED, the Cape Elizabeth Town Council authorizes the town council chairman to appoint a seven member committee to review solid waste and recycling options for the community. The committee shall consist of one representative of the town council, one representative of the recycling committee and five other citizens.

(3 yes) (4 no Councilors Grennon, MacAuslan, Sullivan and Walsh)

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Moved by Jessica L. Sullivan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council authorizes the town council chairman to appoint a five member committee to review solid waste and recycling options for the community. The committee shall consist of one representative of the town council, one representative of the recycling committee and three other citizens. The committee will seek citizen input into its deliberations. The committee will review recommendations from an independent engineering firm and will look at long term solutions for the handling of solid waste and recyclable materials. Its recommendations shall be submitted to the town council by June 30, 2015.

(7 yes) (0 no)

Item # 24-2015 Update on Bottle Shed Recycling Program

Intro – Mr. McGovern
Jamie Garvin, Recycling Committee

Moved by Jessica L. Sullivan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council approves the new bottle shed recycling program that effective in January 2015 groups no longer have monthly responsibility for the bottle shed. Citizens may continue to leave unsorted bottles and cans in containers in the shed. A vendor will do the sorting offsite with specialized equipment. All proceeds will continue to benefit youth programs in Cape Elizabeth with a three member committee appointed by the town council to propose an annual allocation of net proceeds. The committee will determine the allocation near the beginning of the year so everyone will know who their bottles and cans are benefitting.

(7 yes) (0 no)

Item # 25-2015 Update of Personnel Code

Intro – Mr. McGovern

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

ORDERED, the Cape Elizabeth Town Council amends Chapter 3 Personnel Code to provide additional health insurance options effective March 1, 2015 that are intended to permit savings for the town and for employees. In addition to the current Point of Service Plan, a PPO 500 and PPO 2500 plan would also be offered.

(7 yes) (0 no)

~~The Town of Cape Elizabeth participates in the Maine Municipal Employees Health Trust (MMEHT). Employees have the option of participating in either the MMEHT Indemnity Choice Plan or the MMEHT Comprehensive Point of Service Plan. Any employee who chooses the MMEHT Indemnity Choice Plan instead of the MMEHT Comprehensive Point of Service Plan, shall assume 100% of the additional incremental cost in addition to the applicable cost sharing. The Town reserves the right to substitute plans from other providers with similar coverages and claims service and has the right to offer additional MMEHT plans. Coverage is effective on the first day of the next month after employment commences provided the MMEHT or substitute plan has accepted the enrollment. (Rev. Eff. 01/10/11)~~

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The Town participates in the Maine Municipal Employees Health Trust (MMEHT) Comprehensive Plan. Employees have the option of choosing the MMEHT Comprehensive Point of Service Plan (POS C), and effective March 1, 2015 may also choose from among the MMEHT PPO 500 plan and the MMEHT PPO 2500 plan. Single employees shall assume 10% of the cost of their health insurance premium. Employees who have coverage other than single coverage shall assume 20% of the total premium. Any employee who chooses the MMEHT PPO 500 plan or the MMEHT PPO 2500 plan will have established a Health Reimbursement Account which shall provide reimbursement of deductibles and co-pays for up to 70% of the applicable out of pocket maximum. The amount of the monthly premium paid by the employee shall not be included as part of the out of pocket expense.

Coverage will begin on the first day of the next month after employment begins provided the MMEHT has approved all required forms. The Town of Cape Elizabeth reserves the right to participate in a different medical insurance plan, with comparable or better benefits, costs and claims service. The Town also reserves the right to change the health insurance plans if mandated to do so by the federal or state governments. Upon leaving Town employment, federal COBRA requirements permit employees to continue on the Town policy at employee expense. MMEHT will notify departing employees of their options.

Any employee eligible for more than single coverage, but who opts for single coverage or no coverage, shall receive in lieu of coverage, \$120.00 in each two week paycheck or if an employee elects for no coverage and is eligible for family coverage, then that employee shall receive \$250.00 in each two week paycheck in lieu of coverage. If an employee elects for employee and children coverage and is eligible for full family coverage, then that employee shall receive \$90.00 in each two week pay check in lieu of coverage. All payments shall be prorated for part time employees. Any employee who opts for no coverage must annually show that evidence of coverage elsewhere.

The Town pays 90% of the cost of the premium for those with single coverage. The Town pays 80% of the cost of the premium for those with dependent coverage.

Regular permanent employees working at least 35 hours per week are eligible for the above premium payments. Employees working a regular year round schedule of at least 20 hours per week, but less than 35 hours per week receive a pro rata health benefit based on their percentage of hours worked based on a 40 hour work week. (For example, an employee working 25 hours year round per week would receive 25/40ths or 62.5% of the applicable premium. A single employee would have 62.5% of their premium paid. An employee with dependents would have 62.5% of 80% of their premium paid which is 50%)

~~If any employee is eligible for coverage that is more expensive than single coverage, they may choose single coverage. If an employee can document that they are on a partner's plan, they may opt out of having coverage through the Town. Any savings resulting from the lesser coverage shall be shared 50% by the Town and 50% by the employee. The amount accruing to the employee shall be paid in early June and early December of each year based on the previous six months savings. The payment shall not be considered part of compensation for purposes of retirement, life insurance and computing hourly wages. The employee shall be responsible for any tax liability. Affected employees must elect their coverage level once a year during the enrollment period or upon hiring. Coverage must be elected before they become effective. Elections are binding for the plan year unless during the year the employee has a lifestyle change such as:~~

1. Marriage or divorce
2. Birth, adoption, or change in custody of a child
3. Death of a spouse or child
4. Gain or loss of a spouse's employment
5. Change in job status from full time to part time by you or your spouse and/or
6. An unpaid leave of absence by you or your spouse.

The change an employee makes must be on account of and consistent with the event.

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Item # 26-2015 Appointment of Registrar of Voters

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

ORDERED, the Cape Elizabeth Town Council reappoints Debra M. Lane to serve as Registrar of Voters for a term to expire January 1, 2017.

(7 yes) (0 no)

Citizen Opportunity for Discussion of Items Not on the Agenda

None

Adjournment

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

ORDERED, the Cape Elizabeth Town Council adjourns at 8:29 p.m.

(7 yes) (0 no)

Town Council Workshop January 5, 2015 Town Council Goals

Respectfully Submitted,

Debra M. Lane, Town Clerk