



## **Cape Elizabeth Town Council Minutes**

**Monday, May 11, 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.**

### **Pledge of Allegiance to the Flag**

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

All town councilors were present.

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

Councilor Sullivan is a member of the Metro Coalition for Governments and reported the committee is conducting a long-term study of the possibilities for combining resources among municipalities.

Councilor Jordan, Chairman Firing Range Committee reported the committee received an application from the Spurwink Rod & Gun Club. The application was deemed incomplete and returned to the club for completion. The club has been asked to report back at the June 8 meeting.

### **Finance Committee Report**

Finance Chairman James Walsh reviewed the financial dashboard. The dashboard is available on the town website.

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

None

### **Town Manager's Monthly Report**

Barbara Powers, Chairman of the 250<sup>th</sup> Anniversary Committee outlined the upcoming spring and summer events. For more information please go to [www.capeelizabeth.com](http://www.capeelizabeth.com) and click on the 250<sup>th</sup> icon.

It was consensus to move Item #74-2015 out of order.

### **Item # 74-2015      Approval of Use of Gull Crest Property for Boy Scout Camporee**

Present – Mark Dorval, Representing Boy Scout Troop 30

Moved by Jessica L. Sullivan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the Conservation Commission to approve a request from Boy Scout Troop 30 to host a “Camporee” for troops from the Casco Bay District at Gull Crest Farm on October 23-26, 2015 or the alternate dates of October 16-18, 2015 as presented.

(7 yes) (0 no)

**Page 2 Town Council Minutes  
May 11, 2015**

**Review of Draft Minutes of April 6, 2015 and April 27, 2015 meetings.**

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

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meetings held April 6, 2015 and April 27, 2015 as written.

(7 yes) (0 no)

**Item #58-2015**

**Public Hearing on the Fiscal Year 2016 Budget**

Chairman Ray opened the public hearing at 7:16 p.m.

Jo Morrissey, Chairman School Board presented the town council with three options; Option A Reinstate the original School Board recommended budget. Option B Original School Board recommended budget less \$50,000 for accounting software and Option C 0% tax rate budget. Ms. Morrissey requested a hold harmless clause that if state aid is reduced the school budget be made whole and if state aid is increased the \$110,539 be reinstated and any additional be returned to the taxpayers.

Cindy Voltz, 33 Philip Road presented the results of an online petition requesting the council to restore the original budget proposed by the school board.

Bill DeSena, 11 Wainwright Drive commended the council for the 0% tax rate budget and encouraged collaboration as a community to reduce the impact on property taxes.

Mary Townsend, 5 Pearl Street is “shocked” by the town council’s decision. Why wasn’t the budget workshop filmed? The term “windfall” should not be used. Question of process – why wasn’t the school board’s budget as recommended sent to the voters?

John Voltz, 33 Philip Road is “shocked” with the town council’s decision. The time for participation is “within the process.” He encouraged the council to “make the right choice and restore the school board’s recommended budget.”

Joe Kozlowski, 31 Park Circle supports the 0% tax rate budget. We need to “delineate between necessities and wants as we do within our own budgets.”

Elizabeth Scifres, 22 Longfellow Drive encouraged the council to “listen to the voters” and look at the history of voters passing school budgets. There is “no reason to believe voters would not approve a modest increase.” She encouraged the council to send Option B to voters.

Cynthia Garfield, 38 Stonybrook Road encouraged the council the send the recommended school board budget to the voters.

Dr. Celine Mainville, 43 Cottage Farms Road supports the school board’s budget as recommended.

Bill Gross, 7 Sea View Avenue favors the 0% tax rate budget for two reasons. It’s a “special year with windfall savings.” What will happen next year if we don’t “restrict” this year. Savings should be shared with taxpayers.

**Page 3 Town Council Minutes**  
**May 11, 2015**

Tom Dunham, 11 Becky's Cove Lane favors the 0% tax rate budget. "Why angst over a small amount of money?"

Anne Swift-Kayatta, 14 Stone Bridge Road supports the schools and favors the 0% tax rate budget based on increased revenue and declining enrollment. Sending the 0% tax rate budget to the voters is the "prudent thing to do."

Dan Fishbein, 6 Hunts Points Road said there is "good news" for increased revenue and savings within the school budget "however it's only 1/2 of the story." There are expenses increasing and funds are going back to taxpayers. Either way it's a small amount to the town or school.

Sara Lennon, 54 Cranbrook Drive said the "central issue is the small amount of money." The council has set "an arbitrary number for the school but not for the town." Is it worth the conflict?

Polly Wilcox, 17 Cape Woods Drive said when she ran for state representative she heard concern from residents of how will they be able to stay in Cape Elizabeth because of taxes. "I don't know the answer but I do know there is good will on both sides." Whatever happens everyone is trying to do what is best for the kids and the town.

Tim Thompson, 6 Pine Ridge Road favors the 0% tax rate budget. The "tone" is important. Don't want to see "battle lines" drawn. Consider the amount of homes without kids in the schools however they continue to support the schools.

Amy Partridge-Barber, 7 Charles Road said if you "feed the teachers you feed your community and students." She encouraged the council to send the school board's recommended budget to the voters.

After hearing no further comments the hearing was closed at 8:08 p.m.

Finance Chairman Walsh reviewed the budget process.

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

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby adopt the municipal budget for Fiscal Year 2016 and hereby makes the following gross appropriations for each listed department as presented.

(7 yes) (0 no)

Expenditures by Department		BUDGET FY 2016
110	ADMINISTRATION	576,343
120	ASSESSING/CODES PLANNING	420,488
130	TOWN COUNCIL	500
135	LEGAL AND AUDIT	77,000
140	ELECTIONS	29,790
150	BOARDS AND COMMISSIONS	15,006
530	PUBLIC INFORMATION	56,821
160	INSURANCE	103,000
170	EMPLOYEE BENEFITS	1,179,000
180	DEBT SERVICE	1,185,780
520	CONTRIBUTIONS	48,414
710	INTERGOVT. ASSESSMENTS	31,598
210	POLICE DEPARTMENT	1,293,908
215	ANIMAL CONTROL	24,500
220	PUBLIC SAFETY COMMUNICATIONS	177,548
225	WETeam	24,267
230	FIRE DEPARTMENT	321,871
235	FIRE POLICE UNIT	13,504
240	MISC. PUBLIC PROTECTION	152,409
250	EMERGENCY PREPAREDNESS	4,652
310	PUBLIC WORKS	1,171,046
320	REFUSE DISPOSAL/RECYCLING	487,271
410	HUMAN SERVICES	52,607
510	LIBRARY	535,006
600	FACILITIES MANAGEMENT	212,345
610	TOWN HALL	26,016
615	LIBRARY BUILDING	26,433
620	TOWN CENTER FIRE STATION	26,306
630	POLICE STATION	64,349
635	CAPE COTTAGE FIRE STATION	6,640
640	PARKS & TOWN LANDS	110,938
641	SCHOOL GROUNDS	160,818
645	FORT WILLIAMS PARK	224,383
660	TREES	24,325
715	CAPITAL PROJECTS	950,000
	<b>Grand Total</b>	<b>9,814,882</b>

Item # 59-2015      School Budget Approval

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

VOTED: The Town of Cape Elizabeth hereby agrees to accept the following estimated state and federal funds as presented.

**Education**

State Education Subsidy:	\$2,980,229
Title IA:	\$40,000
Title IIA:	\$43,000
Local Entitlement:	\$407,000
Food Service State Subsidy	\$82,500

#1 VOTED: Cost Center Summary. That the Town of Cape Elizabeth appropriate **\$11,087,797** for Regular Instruction; **\$3,126,818** for Special Education; **\$55,153** for Career and Technical Education; **\$832,408** for Other Instruction; **\$2,287,397** for Student and Staff Support; **\$719,162** for System Administration; **\$1,175,259** for School Administration; **\$754,046** for Transportation; **\$2,816,590** for Facilities Maintenance; **\$672,019** for Debt Service; **\$10,000** for All Other Expenditures.

#2 VOTED: State/Local EPS Funding Allocation. That the Town of Cape Elizabeth appropriate **\$17,343,794.01** for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that the Town of Cape Elizabeth raise **\$14,363,565.34** as the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

*Explanation: The Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that the Town must raise in order to receive the full amount of state dollars.*

#3 VOTED: Non-State Funded Debt Service. That the Town of Cape Elizabeth raise and appropriate **\$672,019** for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, or non-state funded portions of school construction projects in addition to the funds appropriated as the local share of the Town's contribution to the total cost of funding public education from kindergarten to grade 12.

*Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the Town's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.*

#4 VOTED: Additional Local Funds. That the Town of Cape Elizabeth raise and appropriate **\$6,079,893** in additional local funds, which exceeds the State's Essential Programs and Services funding model by **\$5,676,299** as required to fund the budget recommended by the school board. The School Board recommends an appropriation which exceeds the State Essential Program and Services model for the following reasons:

**Page 6 Town Council Minutes**  
**May 11, 2015**

The state's funding model does not support all of the costs for K-12 education. It includes only those costs considered essential by the state's Essential Programs and Services (EPS) model.

*Explanation: The additional local funds are those locally raised funds over and above the Town's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the Town's budget for educational programs.*

#5 VOTED: Total School Budget Summary. That the Town of Cape Elizabeth authorize the School Board to expend \$23,536,649. for the fiscal year beginning July 1, 2015 and ending June 30, 2016-0 from the Town's contributions to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

#6 VOTED: Special Funds. That the town of Cape Elizabeth hereby appropriates, in addition to the school budget amounting to \$23,536,649, the sum of \$1,113,000, said amount being the estimated amount expected to be received as revenues from the school lunch program, Title IA, Title IIA and Local Entitlement Funds. If the actual revenues shall be less than the appropriated funds, then the appropriation shall be lowered to an equivalent level.

#7 VOTED: Additional Unanticipated State School Subsidy. That the town of Cape Elizabeth will reduce the additional local appropriation raised pursuant to Maine Revised Statutes, Title 20-A, §15690(3) for public schooling by the amount of any unanticipated state general purpose aid received for the fiscal year beginning July 1, 2015 and ending June 30, 2016.

VOTED: Special Funds. That the town of Cape Elizabeth hereby appropriates, in addition to the school budget amounting to \$23,536,649 the sum of \$1,113,000 said amount being the estimated amount expected to be received as revenues from the school lunch program, Title IA, Title IIA and Local Entitlement Funds. If the actual revenues shall be less than the appropriated funds, then the appropriation shall be lowered to an equivalent level.

Title IA:	\$ 40,000
Title IIA:	\$ 43,000
Local Entitlement:	\$407,000
Food Service Budget	<u>\$623,000</u>
Total:	\$1,113,000

Councilor Walsh disclosed his wife is a 5<sup>th</sup> grade teacher in the Cape Elizabeth School Department. No concerns were voiced from the town council to allow Councilor Walsh from discussion and voting on the school budget amount to be sent to the voters.

Moved by James R. Wagner and Seconded by Patricia K. Grennon

ORDERED, the Cape Elizabeth Town Council amends the motion to approve Option B as presented by the School Board to reinstate the original School Board's recommended budget less \$50,000 for accounting software.

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

**Page 7 Town Council Meeting Minutes  
May 11, 2015**

Vote on Item # 59: (4 yes) (3 no Councilors Grennon, Jordan and Wagner)

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

ORDERED, the Cape Elizabeth Town Council votes to consider Item # 60 through 73 en bloc.  
(7 yes) (0 no)

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

ORDERED, the Cape Elizabeth Town Council approves Item ## 60 -73 as presented.  
(7 yes) (0 no)

**Item # 60-2015      Approval of Cumberland County Assessment**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve for inclusion in the Fiscal Year 2016 budget the assessment from Cumberland County for 2015 amounting to \$1,171,612.

**Item # 61-2015      Approval of Local Homestead Exemption Funds**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve for inclusion in the Fiscal Year 2016 budget the amount of \$199,200 for the local share of homestead exemptions.

**Item # 62-2015      Approval of Community Services Special Funds Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve for inclusion in the Fiscal Year 2016 General Fund budget the amount of \$533,790 for the local taxation share of the Community Services budget and the full Community Services budget in the amount of \$1,798,139 in authorized expenditures and estimated revenues of \$1,798,139 is hereby approved.

**Item # 63-2015      Property Tax Levy Limit**

ORDERED, The Cape Elizabeth Town Council in accordance with Title 30-A MRSA Section 5721-A the Town of Cape Elizabeth hereby increases the property tax levy limit for municipal services to the legally allowed limit of \$6,673,274. The actual property tax levy for municipal purposes is \$6,330,482.

**Item # 64-2015      Proposed FY 2016 General Fund Budget Summary Motion**

ORDERED, the Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015, does hereby adopt the General Fund Budget for Fiscal Year 2016 with gross expenditures of \$35,256,133, and gross revenues of \$6,688,129 and with the amount of \$28,568,004 to be raised from taxation, and to fix Thursday, October 1, 2015, and Friday, April 1, 2016 as the dates upon each of which one-half of such tax is due and payable, with interest to accrue upon taxes due and unpaid after each such date at the rate of seven percent (7.00%) per annum. In accordance with 36 M.R.S.A. Section 506, the Tax Collector and Town Treasurer are authorized to accept prepayment or decline prepayment of taxes not yet committed or prior to any due date and pay no interest thereon. In accordance with 36 M.R.S.A. Section 506-A, a taxpayer who pays an amount accepted by the tax collector and town treasurer in excess of that finally assessed shall be repaid the amount of overpayment plus interest from the date of overpayment at the minimum annual rate per annum set by the State of Maine.

**Page 8 Town Council Minutes**  
**May 11, 2015**

	FY 2015	FY 2016	\$ Change	% Change
	BUDGET	Proposed	FY 15 to FY 16	FY 15 to FY 16
<b>EXPENDITURES</b>				
TOWN SERVICES	\$ 9,226,784	\$ 9,814,882	\$ 588,098	6.4%
COUNTY ASSESSMENT	\$ 1,108,992	\$ 1,171,612	\$ 62,620	5.6%
SCHOOL DEPARTMENT	\$ 23,240,174	\$ 23,536,649	\$ 296,475	1.3%
COMMUNITY SERVICES	\$ 465,000	\$ 533,790	\$ 68,790	14.8%
Local Homestead Exemption	\$ 199,200	\$ 199,200	\$ -	0.0%
	\$ 34,240,150	\$ 35,256,133	\$ 1,015,983	3.0%
<b>REVENUE</b>				
TOWN SERVICES	\$ 3,348,264	\$ 3,484,400	\$ 136,136	4.1%
SCHOOL DEPARTMENT	\$ 3,005,579	\$ 3,203,729	\$ 198,150	6.6%
TOTAL	\$ 6,353,843	\$ 6,688,129	\$ 334,286	5.3%
<b>NET TO TAXES</b>				
TOWN SERVICES	\$ 5,878,520	\$ 6,330,482	\$ 451,962	7.7%
COUNTY ASSESSMENT	\$ 1,108,992	\$ 1,171,612	\$ 62,620	5.6%
SCHOOL DEPARTMENT	\$ 20,234,595	\$ 20,332,920	\$ 98,325	0.5%
COMMUNITY SERVICES	\$ 465,000	\$ 533,790	\$ 68,790	14.8%
Local Homestead Exemption	\$ 199,200	\$ 199,200	\$ -	0.0%
TOTAL	\$ 27,886,307	\$ 28,568,004	\$ 681,697	2.4%
<b>TAX RATES (Rounded to nearest ¢)</b>				
TOWN SERVICES	\$ 3.54	\$ 3.79	\$ 0.25	7.0%
COUNTY ASSESSMENT	\$ 0.67	\$ 0.70	\$ 0.03	5.3%
SCHOOL DEPARTMENT	\$ 12.19	\$ 12.19	\$ 0.00	0.0%
COMMUNITY SERVICES	\$ 0.28	\$ 0.32	\$ 0.04	14.8%
SUBTOTAL	\$ 16.68	\$ 17.00	\$ 0.32	1.9%
Local Homestead Exemption	\$ 0.12	\$ 0.12	\$ -	0.0%
TOTAL	\$ 16.80	\$ 17.12	\$ 0.32	1.9%
			\$ -	
TAX RATE VALUATION BASIS	1,660,000,000	1,668,000,000	\$ 8,000,000.00	0.5%

**Item# 65-2015 Cape Elizabeth Rescue Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve the Cape Elizabeth Rescue Fund Budget for Fiscal Year 2016 with approved expenditures of \$340,177 and approved revenues of \$360,000.

**Item# 66-2015 Cape Elizabeth Sewer Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve the Cape Elizabeth Sewer Fund Budget for Fiscal Year 2016 with approved expenditures of \$1,904,798 and approved revenues of \$1,955,300.

**Item# 67-2015 Cape Elizabeth Spurwink Church Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve the Cape Elizabeth Spurwink Church Fund Budget for Fiscal Year 2016 with approved expenditures of \$9,209 and approved revenues of \$4,700.



**Item# 68-2015          Cape Elizabeth Riverside Cemetery Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve the Cape Elizabeth Riverside Cemetery Fund Budget for Fiscal Year 2016 with approved expenditures of \$54,019 and approved revenues of \$44,500.

**Item# 69-2015          Portland Head Light Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve the Portland Head Light Fund Budget for Fiscal Year 2016 with approved expenditures of \$545,330 and approved revenues of \$547,200.

**Item# 70-2015          Fort Williams Park Fund**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve the Fort Williams Park Special Fund Budget for Fiscal Year 2016 with approved expenditures of \$69,010 and approved revenues of \$173,550.

**Item# 71-2015          Cape Elizabeth Infrastructure Improvement Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve the Infrastructure Improvement Fund Budget for Fiscal Year 2016 with approved expenditures of \$0 and approved revenues of \$30,000.

**Item# 72-2015          Thomas Jordan Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve the Thomas Jordan Fund Budget for Fiscal Year 2016 with approved expenditures of \$35,535 and approved revenues of \$40,000.

**Item# 73-2015          Land Acquisition Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 11, 2015 does hereby approve the Thomas Jordan Fund Budget for Fiscal Year 2016 with approved expenditures of \$0 and approved revenues of \$32,014.

**Page 10 Town Council Minutes**  
**May 11, 2015**

**Summary of Items # 65-73: Shown for summary purposes. Operational actions are in above motions.**

	Actual	Budget	Actual	Budget	Estimated	Budget	\$ Change	% Change
Expenditures	FY 2013	FY 2014	FY 2014	FY 2015	FY 2015	FY 2016	FY 15 to FY 16	FY 15 to 16
Cape Elizabeth Rescue Fund	\$ 229,683	\$ 267,318	\$ 239,227	\$ 274,207	\$ 274,207	\$ 340,177	\$ 65,970	24.1%
Cape Elizabeth Sewer Fund	\$ 1,827,026	\$ 2,163,963	\$ 1,857,370	\$ 1,853,424	\$ 1,756,468	\$ 1,904,798	\$ 51,374	2.8%
Spurwink Church Fund	\$ 7,735	\$ 10,847	\$ 6,194	\$ 9,209	\$ 9,209	\$ 9,209	\$ -	0.0%
Riverside Cemetery Fund	\$ 63,064	\$ 52,640	\$ 45,693	\$ 54,520	\$ 52,663	\$ 54,019	\$ (501)	-0.9%
Fort Williams Park Capital Fund	\$ 206,807	\$ 169,950	\$ 159,472	\$ 96,305	\$ 66,305	\$ 69,010	\$ (27,295)	-28.3%
Portland Head Light Fund	\$ 461,655	\$ 544,061	\$ 568,816	\$ 541,406	\$ 541,506	\$ 545,330	\$ 3,924	0.7%
Thomas Jordan Fund	\$ 22,688	\$ 35,535	\$ 24,201	\$ 35,535	\$ 35,535	\$ 35,535	\$ -	0.0%
Infrastructure Improvement Fund	\$ 13,040	\$ 100,000	\$ 25,763	\$ -	\$ -	\$ -		
Land Acquisition Fund	\$ 150,000	\$ -	\$ 8,142		\$ -	\$ -		
Total Budget	<b>\$ 2,981,698</b>	<b>\$ 3,344,314</b>	<b>\$ 2,934,878</b>	<b>\$ 2,864,606</b>	<b>\$ 2,735,893</b>	<b>\$ 2,958,078</b>	<b>\$ 93,472</b>	<b>3.3%</b>
	FY 2013	FY 2014	FY 2014	FY 2015	Estimated	Budget	\$ Change	% Change
Revenues	Actual	Revenues	Estimated	Budget	FY 2015	FY 2016	FY 15 to FY 16	FY 15 to 16
Cape Elizabeth Rescue Fund	\$ 241,265	\$ 260,000	\$ 253,091	\$ 270,000	\$ 270,000	\$ 360,000	\$ 90,000	33.3%
Cape Elizabeth Sewer Fund	\$ 1,827,026	\$ 1,850,300	\$ 1,991,608	\$ 1,850,300	\$ 1,850,300	\$ 1,955,300	\$ 105,000	5.7%
Spurwink Church Fund	\$ 7,430	\$ 4,700	\$ 3,711	\$ 4,700	\$ 4,700	\$ 4,700	\$ -	0.0%
Riverside Cemetery Fund	\$ 51,984	\$ 44,500	\$ 43,650	\$ 44,500	\$ 44,500	\$ 44,500	\$ -	0.0%
Fort Williams Park Capital Fund	\$ 151,161	\$ 154,000	\$ 169,137	\$ 161,400	\$ 161,400	\$ 173,550	\$ 12,150	7.5%
Portland Head Light Fund	\$ 572,621	\$ 547,200	\$ 564,212	\$ 547,200	\$ 547,200	\$ 547,200	\$ -	0.0%
Thomas Jordan Fund	\$ 88,240	\$ 60,000	\$ 112,238	\$ 40,000	\$ 40,000	\$ 40,000	\$ -	0.0%
Infrastructure Improvement Fund	\$ 36,114	\$ 24,000	\$ 47,717	\$ 30,000	\$ 30,000	\$ 30,000	\$ -	0.0%
Land Acquisition Fund	\$ 9,368	\$ 16,457	\$ 16,710	\$ 32,914	\$ 32,914	\$ 32,914	\$ -	0.0%
Total Revenues	<b>\$ 2,985,209</b>	<b>\$ 2,961,157</b>	<b>\$ 3,202,074</b>	<b>\$ 2,981,014</b>	<b>\$ 2,981,014</b>	<b>\$ 3,188,164</b>	<b>\$ 207,150</b>	<b>6.9%</b>

**Item # 75-2015 Proposed Zoning Amendment**

Intro – Councilor Grennon

Moved by Councilor Grennon and Seconded by James T. Walsh

ORDERED, the Cape Elizabeth Town Council refers Councilor Grennon’s proposal to the planning board relating to a zoning amendment to modify the Town Center minimum/maximum setback requirement when a village green is proposed. The Planning Board should begin with the amendment draft included as Appendix H of the Town Center Plan, revise it as needed, and make a recommendation to the Town Council.

(7 yes) (0 no)

See Appendix H below.

Appendix H

Sample Zoning Ordinance Text Amendment

This ordinance amendment is a rough draft prepared for illustrative purposes and will need to be fine-tuned as part of the Zoning Ordinance amendment process.

Sec. 19-6-4. TOWN CENTER DISTRICT (TC)

**D. Standards**

*2. The following Space and Bulk Standards shall apply:*

**MINIMUM SETBACKS**

(5) *All other uses* (c) Front yard setback Minimum 25 ft.  
Maximum 35 ft.

The Planning Board may allow some flexibility in applying this setback when the overall development includes a public village green and the proposed structure will front on or serve to frame the village green.

**Item # 76-2015 Approval of Warrant for Vote on School Budget**

Moved by Jessica L. Sullivan and Seconded by Martha MacAuslan

ORDERED, the Cape Elizabeth Town Council approves the warrant for the School Budget Validation Referendum to be held Tuesday, June 9, 2015 as presented.

(7 yes) (0 no)

**TOWN OF CAPE ELIZABETH  
SCHOOL BUDGET VALIDATION REFERENDUM  
WARRANT  
TUESDAY, JUNE 9, 2015**

County of Cumberland, ss.

To Neil R. Williams, a constable of Cape Elizabeth. You are hereby directed to notify the voters of Cape Elizabeth of the election described in the warrant.

**School Budget Validation Referendum**

YES Do you favor approving the Town of Cape Elizabeth school budget for the upcoming  
NO school year that was adopted at the latest school budget meeting of the Town  
Council?

**The following is a non-binding expression of opinion for the consideration of the School Board and Town Council.**

I find the school budget adopted at the May 11, 2015 Town Council's school budget meeting to be:

TOO HIGH  
ACCEPTABLE  
TOO LOW

**Page 12 Town Council Minutes**  
**May 11, 2015**

Election to be held on Tuesday, June 9, 2015, at the Cape Elizabeth High School Gymnasium. Polls open at 7:00 a.m. and Close at 8:00 p.m.

**Absentee Ballot Processing:**

Absentee ballots will be processed on Election Day, on the hour every hour until close, beginning at 7:00 a.m. The Cape Elizabeth Town Democratic Committee, the Cape Elizabeth Town Republican Committee and State Green Independent Party have also been notified, in writing, of the absentee ballot process.

The Registrar of Voters is available to accept new registrations and corrections to the voter list on Election Day at the polls and prior to Election Day at Town Hall, 320 Ocean House Road. Town Hall is open Mondays 7:30 a.m. - 5:00 p.m. and Tuesday - Friday, 7:30 a.m. - 4:00 p.m. Proof of residency and identity is required.

**Item # 77-2015                      Approval of Collective Bargaining Agreement with Cape Elizabeth Police Association for the next three years.**

Intro – Mr. McGovern

Moved by Martha MacAuslan and Seconded by Jessica L. Sullivan

ORDERED, the Cape Elizabeth Town Council approves the collective bargaining agreement between The Town of Cape Elizabeth and The Cape Elizabeth Police Benevolent Association for a three year contract July 1, 2015 to June 30, 2018 as presented.

(7 yes) (0 no)

See attachment.

Mr. McGovern mentioned the new language (below) for citizens' discussion of items not on the agenda. This clarifies that citizens use the opportunity for topics related/pertinent to Cape Elizabeth local government and not a forum for other topics. If any town councilor has any concerns with the new language please contact the town manger.

**Citizens may at this point in the meeting raise any topic that is not on the agenda that pertains to Cape Elizabeth local government.**

None

**Adjournment**

Moved by Martha MacAuslan and Seconded by James T. Walsh

ORDERED, the Cape Elizabeth Town Council adjourns at 9:04 p.m.

(7 yes) (0 no)

Respectfully Submitted,

---

Debra M. Lane, Town Clerk