



Cape Elizabeth Town Council Minutes

Special Meeting Monday, May 15, 2017

7:00 p.m.

Cape Elizabeth Town Hall

James M. "Jamie" Garvin, Chairman
Patricia K. Grennon
Caitlin R. Jordan
Penelope A. Jordan

Katharine N. Ray
Jessica L. Sullivan

The meeting was convened at 7:05 p.m. by Town Councilor Chairman James M. "Jamie" Garvin.

Pledge of Allegiance to the Flag

Roll Call by the Town Clerk

All six members of the council were present.

Debra M. Lane, Town Clerk
Matthew S. Sturgis, Town Manager

Citizen Opportunity for Discussion of Items Not on the Agenda

None

Item #75-2017 – #80-2017

Tabled from the meeting held on May 8, 2017

Chairman Garvin announced Item ##75-80 were tabled from the meeting held on May 8, 2017 and ready for action this evening. Hearing no objections Item #75-2017 was introduced.

School Board Chairman Elizabeth Scifres presented the council with more information regarding the school department's capital improvement projects. The school CIP was discussed at prior workshops. Ms Scifres explained School Board rationale behind moving funds from the CIP budget to offset loss of state subsidy funds. Although there were items in the School Board's FY2018 budget identified for future bonding and included in the approved School Board budget binder, Ms Scifres said that there had been no School Board level discussion on possible bonding projects.

Item #75-2017

Mr. Sturgis reported the 600 account includes a \$48,000 allocation for an administrative assistant for the facilities department. It was agreed during the budget workshops the town would fund the position based on a restructure of the facilities department. Since then, Facilities Director Greg Marles announced he will be leaving at the end of May for another similar position.

Mr. Sturgis met with Superintendent Colter and Business Manager Catherine Messmer. There will be a restructure of the administration of facilities/custodial/transportation therefore the administrative assistant position will not need to be funded. Mr. Sturgis recommends the 600 account be reduced by \$48,000.

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Moved by Jessica L. Sullivan and Seconded by Penelope A. Jordan

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 8, 2017 does hereby adopt the municipal budget for Fiscal Year 2018 and hereby makes the following gross appropriations for each listed department and reduces the proposed motion in the 600 Facilities Management account by \$48,000 from \$283,379 to \$235,379.

(6 yes) (0 no)

	Expenditures by Department	BUDGET FY 2018
110	ADMINISTRATION	581,640
120	ASSESSING/CODES PLANNING	399,045
130	TOWN COUNCIL	500
135	LEGAL AND AUDIT	79,000
140	ELECTIONS	33,032
150	BOARDS AND COMMISSIONS	19,506
530	PUBLIC INFORMATION	64,709
160	INSURANCE	106,500
170	EMPLOYEE BENEFITS	1,368,900
180	DEBT SERVICE	1,368,908
520	CONTRIBUTIONS	45,414
710	INTERGOVT. ASSESSMENTS	71,871
210	POLICE DEPARTMENT	1,353,331
215	ANIMAL CONTROL	25,397
220	PUBLIC SAFETY COMMUNICATIONS	188,094
225	WETeam	24,767
230	FIRE DEPARTMENT	362,440
235	FIRE POLICE UNIT	14,004
240	MISC. PUBLIC PROTECTION	158,816
250	EMERGENCY PREPAREDNESS	4,712
310	PUBLIC WORKS	1,249,743
320	REFUSE DISPOSAL/RECYCLING	459,761
410	HUMAN SERVICES	54,372
510	LIBRARY	534,624
		<u>235,379</u>
600	FACILITIES MANAGEMENT	<u>283,379</u>
610	TOWN HALL	23,141
615	LIBRARY BUILDING	46,046
620	TOWN CENTER FIRE STATION	27,323
630	POLICE STATION	65,041
621	COMMUNITY CENTER BUILDING	154,850
622	DONALD RICHARDS POOL FACILITY	223,145
631	CAPE COTTAGE FIRE STATION	6,735
640	PARKS & TOWN LANDS	109,006
633-638	COMMUNITY SERVICES	1,234,635
641	SCHOOL GROUNDS	167,085
645	FORT WILLIAMS PARK	245,742
660	TREES	30,024
715	CAPITAL PROJECTS	1,000,000

Item #76-2017 School Budget Approval

Proposed School Board Budget ##1-7

1. ORDERED: **Cost Center Summary.** That the Town of Cape Elizabeth appropriate the following:

Regular Instruction	\$11,929,721
Special Education	\$ 3,138,332
Career and Technical Education	\$ 72,659
Other Instruction	\$ 851,514
Student and Staff Support	\$ 2,600,502
System Administration	\$ 759,123
School Administration	\$ 1,149,925
Transportation	\$ 750,772
Facilities Maintenance	\$ 3,060,457
Debt Service	\$ 503,900
All Other Expenditures	\$ 62,109

2. ORDERED: **State/Local EPS Funding Allocation.** That the Town of Cape Elizabeth appropriate **\$16,332,444** 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 **\$14,505,704** 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. ORDERED: **Non-State Funded Debt Service.** That the Town of Cape Elizabeth raise and appropriate **\$503,900** 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. ORDERED: **Additional Local Funds.** That the Town of Cape Elizabeth raise and appropriate **\$6,856,753** in additional local funds, which exceeds the State's Essential Programs and Services funding model by **\$6,483,184** 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:

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.

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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. ORDERED: **Total School Budget Summary.** That the Town of Cape Elizabeth authorizes the School Board to expend **\$24,879,014.** for the fiscal year beginning July 1, 2017 and ending June 30, 2018 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. ORDERED: **Special Funds.** That the Town of Cape Elizabeth authorizes the School Board to expend sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs, or other sources do not require the expenditure of other funds not previously appropriated.

7. ORDERED: Changes in Anticipated State Subsidy: That in the event the Town receives more state general purpose aid for education than the \$1,827,740 amount included in the school budget, the Town shall use 100% of the extra amount to reduce the amount of taxes raised for the school budget; and that in the event the amount of that state aid is less than the amount included in the school budget, the school department shall curtail spending to offset any shortfall.

Moved by Jessica L. Sullivan and Seconded by Katharine N. Ray

ORDERED, the Cape Elizabeth Town Council appropriate \$24,660,350 to the school budget which is a 1% reduction from the recommended school board budget of \$24,879,014.

Moved by Caitlin R. Jordan and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council amends the motion in #7 to read:

7. ORDERED: Changes in Anticipated State Subsidy: That in the event the Town receives more state general purpose aid for education than the \$1,827,740 amount included in the school budget, the Town shall use 100% of the extra amount to reduce the amount of taxes raised for the school budget; and that in the event the amount of that state aid is less than the amount included in the school budget, the school department ~~shall~~ may curtail spending to offset any shortfall.

(6 yes) (0 no)

Original Motion as Amended

(3 yes) (3 no Councilors Garvin, Grennon and Caitlin Jordan)

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Moved by Katharine N. Ray and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council appropriate \$24,682,945 to the school budget which is the Superintendent's original proposed budget dated 3/7/2017.

Moved by Caitlin R. Jordan and Seconded by Patricia K. Grennon

ORDERED, the Cape Elizabeth Town Council amends the motion in #7 to read:

7. ORDERED: Changes in Anticipated State Subsidy: That in the event the Town receives more state general purpose aid for education than the \$1,827,740 amount included in the school budget, the Town shall use 100% of the extra amount to reduce the amount of taxes raised for the school budget; and that in the event the amount of that state aid is less than the amount included in the school budget, the school department ~~shall~~ may curtail spending to offset any shortfall.

(6 yes) (0 no)

Original Motion as Amended

(3 yes) (3 no Councilors Garvin, Grennon and Caitlin Jordan)

Moved by Caitlin R. Jordan and Seconded by Patricia K. Grennon

ORDERED, the Cape Elizabeth Town Council appropriate \$24,879,014 to the school budget which is the recommended school board budget and amend #7 to read:

7. ORDERED: Changes in Anticipated State Subsidy: That in the event the Town receives more state general purpose aid for education than the \$1,827,740 amount included in the school budget, the Town shall use 100% of the extra amount to reduce the amount of taxes raised for the school budget; and that in the event the amount of that state aid is less than the amount included in the school budget, the school department ~~shall~~ may curtail spending to offset any shortfall.

(3 yes) (3 no Councilors Penelope Jordan, Ray and Sullivan)

It was noted if the school board's recommended budget is approved, less the \$48,000 reduction in the municipal budget to the 600 account, the tax rate increase would be 3.71%.

Moved by Jessica L. Sullivan and Seconded by Katharine N. Ray

ORDERED, the Cape Elizabeth Town Council appropriate \$24,682,945 to the school budget which is the Superintendent's original proposed budget dated 3/7/2017 and amend #7 to read:

7. ORDERED: Changes in Anticipated State Subsidy: "That in the event the Town receives more state general purpose aid for education than the \$1,827,740 amount included in the school budget, the Town shall use 50% of the extra amount to reduce the amount of taxes raised for the school budget, and 50% to supplement the school department unassigned fund balance; and that in the event the amount of that state aid is less than the amount included in the school budget, the school department may curtail spending to offset any shortfall."

(3 yes) (3 no Councilors Garvin, Grennon and Caitlin Jordan)

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Moved by Caitlin R. Jordan and Seconded by Patricia K. Grennon

ORDERED, the Cape Elizabeth Town Council appropriate \$24,879,013 to the school budget which is \$1.00 less than the recommended school board budget and amend #7 to read:
(4 yes) (2 no Councilors Ray and Sullivan)

Note: #5 has been amended to accurately reflect the approved school budget.

Cost Center Summary:

Regular Instruction	\$11,929,721
Special Education	\$ 3,138,332
Career and Technical Education	\$ 72,659
Other Instruction	\$ 851,514
Student and Staff Support	\$ 2,600,502
System Administration	\$ 759,123
School Administration	\$ 1,149,925
Transportation	\$ 750,772
Facilities Maintenance	\$ 3,060,457
Debt Service	\$ 503,900
All Other Expenditures	\$ 62,109 <u>62,108</u>

5. ORDERED: **Total School Budget Summary.** That the Town of Cape Elizabeth authorizes the School Board to expend ~~\$24,879,014~~ **\$24,879,013** for the fiscal year beginning July 1, 2017 and ending June 30, 2018 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.

7. ORDERED: Changes in Anticipated State Subsidy: That in the event the Town receives more state general purpose aid for education than the \$1,827,740 amount included in the school budget, the Town shall use 100% of the extra amount to reduce the amount of taxes raised for the school budget; and that in the event the amount of that state aid is less than the amount included in the school budget, the school department ~~shall~~ may curtail spending to offset any shortfall.

Item # 77-2017 Approval of Cumberland County Assessment

Moved by Caitlin R. Jordan and Seconded by Penelope A. Jordan

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 8, 2017 does hereby approve for inclusion in the Fiscal Year 2018 budget the assessment from Cumberland County for 2018 amounting to \$1,331,050.
(6 yes) (0 no)

Item # 78-2017 Approval of Local Homestead Exemption Funds

Moved by Caitlin R. Jordan and Seconded by Patricia K. Grennon

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 8, 2017 does hereby approve for inclusion in the Fiscal Year 2018 budget the amount of \$320,000 for the local share of homestead exemptions.
(6 yes) (0 no)

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Item # 79-2017 Property Tax Levy Limit

Moved by Caitlin R. Jordan and Seconded by Penelope A. Jordan

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 \$7,246,929.

(6 yes) (0 no)

Item # 80-2017 Proposed FY 2018 General Fund Budget Summary Motion

Moved by Caitlin R. Jordan and Seconded by Patricia K. Grennon

ORDERED, the Cape Elizabeth Town Council, having held a public hearing on Monday, May 8, 2017, does hereby adopt the General Fund Budget for Fiscal Year 2018 with gross expenditures of \$38,667,662, and gross revenues of \$7,951,328 and with the amount of \$30,716,334 to be raised from taxation, and to fix Monday, October 2, 2017, and Monday, April 2, 2018 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.

(5 yes) (1 no Councilor Sullivan)

See Pro Forma based on approved budget:

	FY 2017	FY 2018	\$ Change	% Change
	BUDGET	BUDGET	FY 17 to FY 18	FY 17 to FY 18
EXPENDITURES				
TOTAL MUNICIPAL	\$ 12,052,688	\$ 12,137,599	\$ 84,911	0.7%
COUNTY ASSESSMENT	\$ 1,247,048	\$ 1,331,050	\$ 84,002	6.7%
Local Homestead Exemption	\$ 312,000	\$ 320,000	\$ 8,000	2.6%
SCHOOL DEPARTMENT	\$ 24,287,545	\$ 24,879,013	\$ 591,468	2.4%
	\$ 37,899,281	\$ 38,667,662	\$ 768,381	2.0%
REVENUE				
TOTAL MUNICIPAL	\$ 4,950,000	\$ 4,938,670	\$ (11,330)	-0.2%
SCHOOL DEPARTMENT	\$ 3,433,270	\$ 3,012,658	\$ (420,612)	-12.3%
TOTAL	\$ 8,383,270	\$ 7,951,328	\$ (431,942)	-5.2%
NET TO TAXES				
TOWN SERVICES	\$ 7,102,688	\$ 7,198,929	\$ 96,241	1.4%
Local Homestead Exemption	\$ 312,000	\$ 320,000	\$ 8,000	2.6%
COUNTY ASSESSMENT	\$ 1,247,048	\$ 1,331,050	\$ 84,002	6.7%
SCHOOL DEPARTMENT	\$ 20,854,275	\$ 21,866,355	\$ 1,012,080	4.9%
TOTAL	\$ 29,516,011	\$ 30,716,334	\$ 1,200,323	4.1%
TAX RATES (Rounded to nearest ¢)				
Local Homestead Exemption	\$ 0.18	\$ 0.19	\$ 0.01	5.6%
TOTAL MUNICIPAL	\$ 4.22	\$ 4.26	\$ 0.04	0.9%
COUNTY ASSESSMENT	\$ 0.74	\$ 0.79	\$ 0.05	6.6%
SCHOOL DEPARTMENT	\$ 12.40	\$ 12.95	\$ 0.55	4.4%
TOTAL	\$ 17.54	\$ 18.19	\$ 0.65	3.7%
TAX RATE VALUATION BASIS	1,682,000,000	1,688,300,000	\$ 6,300,000.00	0.4%

**Item #91-2017 Appointments Committee Recommendation– Fort Williams Park Committee
Vacancy**

Intro – Councilor Sullivan, Appointments Committee

Moved by Jessica L. Sullivan and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the appointments committee to appoint Jim Kerney, 1015 Shore Road to serve the unexpired term on the Fort Williams Park Committee. The term is effective immediately through 12/31/2018.
(6 yes) (0 no)

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 Caitlin R. Jordan and Seconded by Penelope A. Jordan
ORDERED, the Cape Elizabeth Town Council adjourns at 8:45 p.m.
(6 yes) (0 no)

Respectfully Submitted,

Debra M. Lane, Town Clerk