



Cape Elizabeth Town Council Agenda

Monday, April 9, 2018

7:00 p.m. Cape Elizabeth Town Hall

Council Chambers

Jessica L. Sullivan, Chairman
James M. "Jamie" Garvin
Caitlin R. Jordan
Penelope A. Jordan
Sara W. Lennon
Valerie A. Randall
Christopher M. Straw

Public Participation at Town Council Meetings

After an item has been introduced, any person wishing to address the council shall signify a desire to speak by raising their hand or by approaching the lectern. When recognized by the chairman, the speaker shall give his or her name and address or name and local affiliation, if the affiliation is relevant, prior to making other comments. All remarks should be addressed to the Town Council. Comments shall be limited to three minutes per person; however, the time may be extended by majority vote of councilors present. For agenda items that are not formally advertised public hearings, the time for public comments is limited to 15 minutes per agenda item. This time may be extended by a majority of the Town Council. The chairman may decline to recognize any person who has already spoken on the same agenda item and may call on speakers in a manner so as to balance debate. Once the Council has begun its deliberations on an item, no person shall be permitted to address the Council on such item.

Speaking at the meeting on topics not on the agenda at regular Council meetings

Persons wishing to address the Council on an issue or concern local in nature not appearing on the agenda may do so at a regular Town Council meeting before the town manager's report and/or after the disposition of all items appearing on the agenda. Any person wishing to address the Council shall signify a desire to speak by raising their hand or by approaching the lectern. When recognized by the chairman, the speaker shall give his or her name and address or name and local affiliation if the local affiliation is pertinent. Comments in each comment period shall be limited to three minutes per person and 15 minutes total; however, the time may be extended by majority vote of councilors present.

Decorum

Persons present at Council meetings shall not applaud or otherwise express approval or disapproval of any statements made or actions taken at such meeting. Persons at Council meetings may only address the Town Council after being recognized by the chairman.

Roll Call by the Town Clerk

The Pledge of Allegiance to the Flag

Town Council Reports and Correspondence

Report from the Town Assessor Relating to a Draft Senior Citizen Tax Relief Ordinance and Program - 2018 Town Council Goal - Explore the creation and implementation of a senior citizen property tax relief program. [Link to presentation](#)

Finance Committee Report and [Dashboard](#)

Update by the Town Manager on the Capital Improvement Plan

[Appropriation Control](#)

[Expense Distribution](#)

[Revenue Control](#)

[Revenue Distribution](#)

Citizen Opportunity for Discussion of Items Not on the Agenda

Town Manager's Monthly Report

Review of Draft Minutes of March 12, 2018 and Special Meetings held March 20 and 21, 2018

[Link to March 12, 2018](#)

[Link to March 20, 2018](#)

[Link to March 21, 2018](#)

Item #56-2018 The Well, LLC Qualified Catering [Application](#)

The Well, LLC/Jason Williams is seeking approval for the renewal of a qualified catering application for The Well at Jordan's Farm, 21 Wells Road. This application is required for catering with liquor on and off-premise. Last year was the first year The Well requested this license.

The application has been reviewed by the police, fire and code enforcement. There are no concerns to report relating to this application.

Proposed Draft Motion:

ORDERED, the Cape Elizabeth Town Council approves the renewal application of the qualified catering application for The Well at Jordan's Farm located at 21 Wells Road as presented.

Item #57-2018 Review and Discussion – Fiscal Year 2017 Audit Results

Link to Audit Documents

[Annual Financial Report](#)

[Government Accounting Standards](#)

[SAS Letter](#)

[Statement of Assurance](#)

The town council and school board have met twice in workshop session, January 8 and March 14, 2018, relating to the fiscal year 2017 (July 1, 2016 – June 30, 2017) audit results.

Due to the results of the municipal audit, Jennifer Connors of Runyon Kersteen Ouellette will be available to provide information on steps taken to correct items identified as significant deficiencies, as well as future actions to insure ongoing remediation.

Item #58-2018 Pay/Display at Fort Williams Park

At a joint town council workshop with the Fort Williams Advisory Committee on February 5, 2018 pay/display parking at Fort Williams Park was discussed. The town council asked the town manager to further review pay/display for future council discussion.

Proposed Draft Motion:

ORDERED, the Cape Elizabeth Town Council refers the discussion of pay/display at Fort Williams Park to a workshop on May 1, 2018.

Proposed Draft Motion:

ORDERED, the Cape Elizabeth Town Council directs the town manager to create a request for proposals for providing pay/display parking units for Fort Williams Park and receive responses to the request from vendors.

Item #59-2018 Fort William Park Foundation [Request](#) for Naming the Historic Stone Bandstand in the Children’s Garden at Fort Williams Park

[Link](#) to Policy for Naming Facilities

The Fort Williams Park Foundation is requesting the Town of Cape Elizabeth name the historic stone bandstand within the Children’s Garden of Fort Williams Park as the “Council Ring.” The Fort Williams Park Foundation states “Council Ring” connotes its intended use which is a community gathering spot, an outdoor classroom and meeting place for conversation song, dance and storytelling.

Item #60-2018 Proposed Drone Policy

[Link](#) to State and Local Regulation of Unmanned Aircraft Systems (UAS) Fact Sheet

In recent years citizens have expressed concerns about the use of drones at Fort Williams Park, and the issue was discussed at a town council workshop with the Fort Williams Park Committee on February 5, 2018. It is recommended that the town council consider adopting a drone policy to address public safety and privacy concerns, as well as a potential permitting process and fee schedule.

Proposed Draft Motion:

ORDERED, the Cape Elizabeth Town Council refers the subject of drones at Fort Williams Park to a future workshop.

Item #61-2018 Conservation Committee Recommendation Relating to the Request of the Cape Elizabeth Land Trust for Funding for the Purchase of Robinson Woods III

[Link](#) to Memo from the Conservation Committee

On December 11, 2017 the town council referred the request from the Cape Elizabeth Land Trust for funding to assist with the purchase of 51.9 acres abutting the Robinson Woods Preserve to a future workshop. CELT is requesting 1/3 or \$281,666 of the purchase price from the town.

At the town council workshop on March 5, 2018 the Cape Elizabeth Land Trust presented the request.

On March 12, 2018 the town council voted to refer the request of the Cape Elizabeth Land Trust to the conservation committee for review and recommendation.

The conservation committee voted unanimously at the March 20 meeting to recommend support for the Robinson Woods preserve extension subject to an easement held by the town similar to the town easement provided for the Glew property.

The town council may approve the funding request or refer to a future meeting or workshop for further review and deliberation.

Item #62-108 Town Center Intersection

Recently the town council received an email regarding safety concerns, pedestrian crossing, at the intersection of Route 77/Scott Dyer Road/Shore Road.

[Link to Email](#)

Proposed Draft Motion:

ORDERED, the Cape Elizabeth Town Council refers pedestrian crossing safety concerns in the town center at the intersection of Route 77/Scott Dyer Road/Shore Road to a future workshop.

Item #63-2018 Corporate Credit Card [Agreement](#) – People’s United Bank

The town manager is recommending the town enter into a corporate credit card agreement with People’s United Bank. Credit cards are issued to town department heads for authorized purchases, training and travel. The current credit card agreement is with Bank of America.

Proposed Draft Motion:

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the town manager to enter an agreement with People’s United Bank, entitled Commercial Card Resolution Form, for the issuance of credit cards and authorizes the town manager, the town council chairman and two members of the town council to sign.

Item #64-2018 [Draft](#) Code of Ethics/Town Council Rules

At the December 14, 2017 town council workshop Town Attorney Thomas Leahy provided an overview of FOAA, conflicts of interest and bias. During the workshop it was a consensus of the town council to ask Mr. Leahy to review the council rules and code of ethics and suggest amendments to closer align the two documents relating to conflicts of interest.

On February 12, 2018 the town council referred a draft revised code of ethics prepared by Mr. Leahy to a future workshop.

The town council discussed Mr. Leahy’s draft at a special meeting on March 21, 2018. It was a consensus of the town council to refer the code of ethics and rules back to Mr. Leahy requesting revisions to the documents based on the council discussion with a revised draft to the council in April.

The town council may adopt, edit, refer back to the town attorney for further review, refer to workshop or the next regular meeting for further review and deliberation.

Item #65-2018 Appointment of Election Clerks and Warden

[Link to Memo](#)

The municipal officers of each municipality shall appoint election clerks no later than May 1st of the even-numbered years to serve at the polling place.

In a town, with the approval of the municipal officers, the clerk of the municipality shall appoint a warden and may appoint one or more deputy wardens to assist in the duties on election day.

The town clerk recommends the approval of the following draft motion.

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the Town Clerk for Carol Anne Jordan as Warden and Victoria Gilman, Meagan Winker and Debra Lane to serve as Deputy Wardens and until successors are sworn.

IT IS FURTHER ORDERED: The Cape Elizabeth Town Council approves the following list of residents who may be considered to serve as election clerks for the Town of Cape Elizabeth for a period of 2 years and until successors are sworn.

Democrat	Republican	Unenrolled Voters
Priscilla Armstrong	Scott Berry	Kris Murray
Lillian Bates	Beverly Brooking	Teresa Olsen
Edna Chace	Kathy Cotter	Patrick Winker
Janice Chapman	Marguerite Hallowell	
Margaret Davenport	Debra Harney	
Sheila Heatley	Kathy Maxwell	
Roy Herrmann	James Walsh	
Karen Kerrigan	Kathy Walsh	
James Rowe	Linda Winker	
Antionetta Sweeney		
Meagan Winker		

Item #66-2018 School Budget Validation Referendum Election [Warrant](#)

The town council will vote on the school budget on May 14, 2018 and the citizen vote will be held on Tuesday, June 12, 2018 in conjunction with the state primary and referendum election.

The town clerk recommends the approval of the following draft motion.

ORDERED, the Cape Elizabeth Town Council approves the warrant for the school budget validation referendum election warrant as presented.

TOWN OF CAPE ELIZABETH

SCHOOL BUDGET VALIDATION REFERENDUM

Tuesday, June 12, 2018

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 QUESTIONS

School Budget Validation Referendum

Do you favor approving the Town of Cape Elizabeth school budget for the upcoming school year that was adopted at the latest school budget meeting of the Town Council?

Yes

No

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 14, 2018 Town Council's school budget meeting to be:

---- TOO HIGH ---- ACCEPTABLE ---- TOO LOW

Election to be held on Tuesday, June 12, 2018, 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, State Green Independent Party and State Libertarian 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 #67-2018 Municipal Budget Guidance for Fiscal Year 2020

During the recent municipal budget deliberations for fiscal year 2019, a number of items were identified for discussion for the following fiscal year 2020 (July 1, 2019 – June 30, 2020).

It is recommended the town council refer to the June 5 workshop a discussion on budget guidelines and parameters for fiscal year 2020.

Item #68-2018 Board and Committee Goals – Conservation Committee

One of the 2018 goals of the town council is for boards and committees to present their goals and work plans for the year.

It is recommended the town council acknowledge receipt of the conservation committee's 2018 goals and objectives.

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

Adjournment