



Cape Elizabeth Town Council Agenda

Special Meeting - Monday, May 7, 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.

Convening by Town Council Chairman Jessica L. Sullivan

Pledge Allegiance to the Flag

Roll Call by the Town Clerk

Public Hearing on the Fiscal Year 2019 Budget-

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 and shall be limited to three minutes per person.

Budgets are available on the town's website in the Government/Rules and Regulations/Budget section.

Draft Motions are based on what was set for public hearing. Councilors may make any motion of their choosing. It is recommended that the general fund budget consideration contained in Item ##71 - 76 be tabled to May 14, 2018. This will enable the school budget to be approved within 30 days of the scheduled June 12, 2018 citizen vote on the school budget. The "within 30 days" is required by Maine statute.

It is recommended the special fund budgets Item ##77 - 85 be voted on this evening.

Item #71-2018

Municipal Budget Approval

Moved by and Seconded by

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby adopt the municipal budget for Fiscal Year 2019 and hereby makes the following gross appropriations for each listed department.

	Expenditures by Department	Budget FY 2019
110	ADMINISTRATION	\$ 619,268
120	ASSESSING/CODES PLANNING	\$ 394,897
130	TOWN COUNCIL	\$ 500
135	LEGAL AND AUDIT	\$ 110,000
140	ELECTIONS	\$ 38,576
150	BOARDS AND COMMISSIONS	\$ 19,506
530	PUBLIC INFORMATION	\$ 65,409
	Subtotal General Government	\$ 1,248,156
160	INSURANCE	\$ 108,000
170	EMPLOYEE BENEFITS/HR SUPPORT	\$ 1,429,500
180	DEBT SERVICE	\$ 1,365,841
520	CONTRIBUTIONS	\$ 120,414
710	INTERGOVT. ASSESSMENTS	\$ 77,624
	Subtotal-Nondistributed	\$ 3,101,379
210	POLICE DEPARTMENT	\$ 1,477,465
215	ANIMAL CONTROL	\$ 25,620
220	PUBLIC SAFETY COMMUNICATIONS	\$ 192,593
225	WETeam	\$ 24,392
230	FIRE DEPARTMENT	\$ 460,212
235	FIRE POLICE UNIT	\$ 14,204
240	MISC. PUBLIC PROTECTION	\$ 160,158
250	EMERGENCY PREPAREDNESS	\$ 4,986
	Subtotal-Public Safety	\$ 2,359,630
310	PUBLIC WORKS	\$ 1,315,779
320	REFUSE DISPOSAL/RECYCLING	\$ 517,068
	Subtotal-Public Works	\$ 1,832,847
410	HUMAN SERVICES	\$ 53,995
510	LIBRARY	\$ 547,306
600	FACILITIES MANAGEMENT	\$ 255,482
610	TOWN HALL	\$ 23,141

615	LIBRARY BUILDING	\$	42,328
620	TOWN CENTER FIRE STATION	\$	25,372
621	COMMUNITY CENTER BUILDING	\$	74,950
622	DONALD RICHARDS POOL FACILITY	\$	224,157
630	POLICE STATION	\$	54,616
631	CAPE COTTAGE FIRE STATION	\$	6,735
	Subtotal-Facilities	\$	706,781
633	COMMUNITY SERVICES ADMINISTRATION	\$	274,363
634	FITNESS CENTER	\$	61,888
635	RICHARDS POOL PROGRAMS	\$	231,724
636	COMMUNITY SVCS ADULT PROGRAMS	\$	119,614
637	COMMUNITY SERVICES YOUTH PROGRAMS	\$	419,799
638	CAPE CARE	\$	138,467
640	PARKS & TOWN LANDS	\$	109,103
641	SCHOOL GROUNDS	\$	170,678
645	FORT WILLIAMS PARK	\$	236,352
660	TREES	\$	25,613
	Subtotal-Parks and Recreation	\$	1,787,601
715	CAPITAL PROJECTS	\$	741,900

Item #72- 2018

School Budget Approval

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

Regular Instruction	<u>\$ 12,268,865</u>
Special Education	<u>\$ 3,377,782</u>
Career and Technical Education	<u>\$ 0</u>
Other Instruction	<u>\$ 886,866</u>
Student and Staff Support	<u>\$ 2,626,017</u>
System Administration	<u>\$ 763,056</u>
School Administration	<u>\$ 1,163,413</u>
Transportation	<u>\$ 820,343</u>
Facilities Maintenance	<u>\$ 3,180,055</u>
Debt Service	<u>\$ 492,050</u>
All Other Expenditures	<u>\$ 62,829</u>
Total Appropriations	<u>\$ 25,641,276</u>

2. ORDERED: **State/Local EPS Funding Allocation**. That the Town of Cape Elizabeth appropriate **\$16,812,487** 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 **\$15,566,076** 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 **\$492,050** 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: **Food Service Transfer**. That the Town of Cape Elizabeth raise and appropriate **\$62,829** to transfer to the Food Service Program.

Explanation: Monies raised for Food Service are not to be included in the calculation of the Local Additional Funds article because they are outside of the State's Essential Programs and Services funding model.

5. ORDERED: **Additional Local Funds**. That the Town of Cape Elizabeth raise and appropriate **\$7,751,344** in additional local funds, which exceeds the State's Essential Programs and Services funding model by **\$7,751,344** 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.

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.

6. ORDERED: **Total School Budget Summary**. That the Town of Cape Elizabeth authorizes the School Board to expend **\$25,641,276** for the fiscal year beginning July 1, 2018 and ending June 30, 2019 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: **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.

8. **ORDERED:** Changes in Anticipated State Subsidy (50% to reduce taxes/50% to fund balance): That in the event the Town receives more state general purpose aid for education than the \$1,246,411 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 Town Treasurer shall execute a journal entry in the amount of any shortfall to be debited from.

Item #73-2018 Approval of Cumberland County Assessment

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby approve for inclusion in the Fiscal Year 2019 budget the assessment from Cumberland County for 2019 amounting to \$1,392,240.

Item #74-2018 Approval of Local Homestead Exemption Funds

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby approve for inclusion in the Fiscal Year 2019 budget the amount of \$300,000 for the local share of homestead exemptions.

Item #75-2018 Property Tax Levy Limit

ORDERED, The Cape Elizabeth Town Council in accordance with Title 30-A M.R.S.A Section 5721-A the Town of Cape Elizabeth hereby increases the property tax levy limit for municipal services to \$7,456,365.

Item #76-2018 Proposed FY 2019 General Fund Budget Summary Motion

ORDERED, the Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018, does hereby adopt the General Fund Budget for Fiscal Year 2019 with gross expenditures of \$39,701,890, and gross revenues of \$6,800,984 and with the amount of \$32,900,906 to be raised from taxation, and to fix Monday, October 1, 2018, and Monday, April 1, 2019 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 eight percent (8.00%) 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.

	FY 2018	FY 2019	\$ Change	% Change
	BUDGET	BUDGET	FY 18 to FY 19	FY 18 to FY 19
<u>EXPENDITURES</u>				
TOTAL MUNICIPAL	\$ 12,137,599	\$ 12,368,374	\$ 230,775	1.9%
COUNTY ASSESSMENT	\$ 1,331,050	\$ 1,392,240	\$ 61,190	4.6%
Local Homestead Exemption	\$ 375,630	\$ 300,000	\$ (75,630)	-20.1%
SCHOOL DEPARTMENT	\$ 24,879,013	\$ 25,641,276	\$ 762,263	3.1%
	\$ 38,723,292	\$ 39,701,890	\$ 978,598	2.5%
<u>REVENUE</u>				
TOTAL MUNICIPAL	\$ 4,938,670	\$ 5,032,007	\$ 93,337	1.9%
SCHOOL DEPARTMENT	\$ 3,332,211	\$ 1,768,977	\$ (1,563,234)	-46.9%
TOTAL	\$ 8,270,881	\$ 6,800,984	\$ (1,469,897)	-17.8%
<u>NET TO TAXES</u>				
TOWN SERVICES	\$ 7,198,929	\$ 7,336,367	\$ 137,438	1.9%
Local Homestead Exemption	\$ 375,630	\$ 300,000	\$ (75,630)	-20.1%
COUNTY ASSESSMENT	\$ 1,331,050	\$ 1,392,240	\$ 61,190	4.6%
SCHOOL DEPARTMENT	\$ 21,546,802	\$ 23,872,299	\$ 2,325,497	10.8%
TOTAL	\$ 30,452,411	\$ 32,900,906	\$ 2,448,495	8.0%
<u>TAX RATES (Rounded to nearest ¢)</u>				
Local Homestead Exemption	\$ 0.22	\$ 0.18	\$ (0.05)	-20.6%
TOTAL MUNICIPAL	\$ 4.25	\$ 4.31	\$ 0.06	1.4%
COUNTY ASSESSMENT	\$ 0.79	\$ 0.82	\$ 0.03	4.0%
SCHOOL DEPARTMENT	\$ 12.74	\$ 14.03	\$ 1.29	10.1%
TOTAL	\$ 18.00	\$ 19.33	\$ 1.33	7.4%
TAX RATE VALUATION BASIS	1,692,995,900	\$ 1,702,025,100	\$ 9,029,200.00	0.5%

Item #77-2018

Cape Elizabeth Rescue Fund Budget

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby approve the Cape Elizabeth Rescue Fund Budget for Fiscal Year 2019 with approved expenditures of \$539,200 and approved revenues of \$300,000.

Item #78-2018

Cape Elizabeth Sewer Fund Budget

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby approve the Cape Elizabeth Sewer Fund Budget for Fiscal Year 2019 with approved expenditures of \$2,030,598 and approved revenues of \$2,032,300.

Item #79-2018 **Cape Elizabeth Spurwink Church Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby approve the Cape Elizabeth Spurwink Church Fund Budget for Fiscal Year 2019 with approved expenditures of \$10,491 and approved revenues of \$1,200.

Item #80-2018 **Cape Elizabeth Riverside Cemetery Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby approve the Cape Elizabeth Riverside Cemetery Fund Budget for Fiscal Year 2019 with approved expenditures of \$66,589 and approved revenues of \$67,000.

Item #81-2018 **Portland Head Light Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby approve the Portland Head Light Fund Budget for Fiscal Year 2019 with approved expenditures of \$628,035 and approved revenues of \$636,000.

Item #82-2018 **Fort Williams Park Fund**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby approve the Fort Williams Park Special Fund Budget for Fiscal Year 2019 with approved expenditures of \$173,246 and approved revenues of \$199,800.

Item #83-2018 **Cape Elizabeth Infrastructure Improvement Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby approve the Infrastructure Improvement Fund Budget for Fiscal Year 2019 with approved expenditures of \$0 and approved revenues of \$0.

Item #84-2018 **Thomas Jordan Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby approve the Thomas Jordan Fund Budget for Fiscal Year 2019 with approved expenditures of \$37,035 and approved revenues of \$40,000.

Item #85-2018 **Land Acquisition Fund Budget**

ORDERED, The Cape Elizabeth Town Council, having held a public hearing on Monday, May 7, 2018 does hereby approve the Land Acquisition Fund Budget for Fiscal Year 2019 with approved expenditures of \$167,714 and approved revenues of \$112,914.

Summary of Items ##77-85: Shown for summary purposes. Operational actions are in above motions.

	Budget	Estimated	Budget	Estimated	Budget	\$ Change	% Change
Expenditures	FY 2017	FY 2017	FY 2018	FY 2018	FY 2019	2018 to 2019	2018 to 2019
Cape Elizabeth Rescue Fund	\$ 440,936	\$ 440,936	\$ 447,336	\$ 429,161	\$ 539,200	\$ 91,864	20.5%
Cape Elizabeth Sewer Fund	\$ 2,271,587	\$ 2,151,587	\$ 2,099,300	\$ 2,178,559	\$ 2,030,598	\$ (68,702)	-3.3%
Spurwink Church Fund	\$ 9,209	\$ 9,209	\$ 9,209	\$ 7,990	\$ 10,491	\$ 1,282	13.9%
Riverside Cemetery Fund	\$ 55,784	\$ 55,784	\$ 57,328	\$ 54,235	\$ 66,589	\$ 9,261	16.2%
Fort Williams Park Capital Fund	\$ 485,600	\$ 44,180	\$ 264,135	\$ 258,885	\$ 173,246	\$ (90,889)	-34.4%
Portland Head Light Fund	\$ 543,230	\$ 543,230	\$ 560,643	\$ 615,663	\$ 628,035	\$ 67,392	12.0%
Thomas Jordan Fund	\$ 52,035	\$ 52,035	\$ 52,035	\$ 12,035	\$ 37,035	\$ (15,000)	-28.8%
Infrastructure Improvement Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
Land Acquisition Fund	\$ -	\$ -	\$ -	\$ -	\$ 167,714	\$ 167,714	100.0%
Use of General Fund carry Forward	\$ 107,000	\$ 107,000	\$ 317,400	\$ 317,400	\$ 77,000	\$ (240,400)	-75.7%
Total Budget	\$ 3,858,381	\$ 3,403,961	\$ 3,807,386	\$ 3,873,928	\$ 3,729,908	\$ (77,478)	-2.0%
	Budget	Estimated	Budget	Estimated	Budget	\$ Change	% Change
Revenues	FY 2017	FY 2017	FY 2018	FY 2018	FY 2019	2016 to 2017	2016 to 2017
Cape Elizabeth Rescue Fund	\$ 390,000	\$ 390,000	\$ 390,000	\$ 280,000	\$ 300,000	\$ (90,000)	-23.1%
Cape Elizabeth Sewer Fund	\$ 2,000,300	\$ 2,000,300	\$ 2,028,300	\$ 2,040,270	\$ 2,032,300	\$ 4,000	0.2%
Spurwink Church Fund	\$ 4,700	\$ 4,700	\$ 4,700	\$ 900	\$ 1,200	\$ (3,500)	-74.5%
Riverside Cemetery Fund	\$ 44,500	\$ 44,500	\$ 44,300	\$ 69,000	\$ 67,000	\$ 22,700	51.2%
Fort Williams Park Capital Fund	\$ 195,650	\$ 195,650	\$ 201,355	\$ 204,225	\$ 199,800	\$ (1,555)	-0.8%
Portland Head Light Fund	\$ 555,800	\$ 555,800	\$ 576,000	\$ 676,000	\$ 636,000	\$ 60,000	10.4%
Thomas Jordan Fund	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ -	0.0%
Infrastructure Improvement Fund	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
Land Acquisition Fund	\$ 32,914	\$ 32,914	\$ 32,914	\$ 32,914	\$ 112,914	\$ 80,000	243.1%
Total Revenues	\$ 3,293,864	\$ 3,263,864	\$ 3,317,569	\$ 3,343,309	\$ 3,389,214	\$ 71,645	2.2%

Adjournment