



Cape Elizabeth Town Council Agenda

Wednesday, October 10, 2018

6:00 p.m. Cape Elizabeth Town Hall

Jordan Conference Room/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

The town council will vote to go into executive session at 6:00 p.m. in the Jordan Conference Room. The remainder of the agenda will not start prior to 7:00 p.m. in the council chamber.

Item #132-2018

Proposed Motion:

ORDERED, the Cape Elizabeth Town Council enters into executive session in conformance with 1 M.R.S.A §405 6 E to discuss with Attorney Durward Parkinson current litigation, legal rights and duties of the town council related to paper streets.

The Pledge of Allegiance to the Flag

Roll Call by the Town Clerk

Town Council Reports and Correspondence

November Town Council Meeting Dates

Regular Meeting – Wednesday, November 14, 7:00 p.m. Town Hall - Council Chamber
2019 Council Caucus – Tuesday, November 13, 7:00 p.m. Town Hall – Lower Level Conference Room

Finance Committee Report

Dashboard and Financial Reports as of 9/30/2018

[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 September 10, 2018 and September 19, 2018 Special Meeting

Public Hearing General Assistance [Appendices](#) (A – D)

Comments shall be limited to three minutes per person; however, the time may be extended by majority vote of councilors present.

Item #133-2018 General Assistance [Appendices](#)

On September 10, 2018 the town council set to public hearing the General Assistance Ordinance Appendix (A – D) as recommended by the Maine Municipal Association effective October 1, 2018 – September 30, 2019.

It is anticipated the town council will vote following the public hearing.

Recommended Motion:

ORDERED, the Cape Elizabeth Town Council approves the General Assistance Ordinance Appendix (A – D) as recommended by the Maine Municipal Association effective October 1, 2018 – September 30, 2019 as presented.

Item #134-2018 [Proposed](#) Commercial Van, Bus and Vehicle Traffic & Fees

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

The Fort Williams Commercial Passenger Vehicle Subcommittee was established by the Fort William Park Committee to review commercial passenger vehicle fees at Fort Williams Park. On May 3, 2018 the Fort Williams Park Committee reviewed the recommendations of the subcommittee and voted (6-0) to make recommendations to the town council relating to commercial vehicle fees. On May 14, 2018 the town council acknowledged receipt of the recommendations and referred to a future workshop.

The recommendations were reviewed in workshop session on July 16, 2018.

The town council will consider adoption of the recommendations and next steps.

Item #135-2018 Harbors Committee [Report](#)

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

On October 5, 2016 the town council established a temporary harbors committee. On May 14, 2018 the town council acknowledged receipt of the report and referred to future workshops.

The town council reviewed the report in workshop sessions on September 17 and October 2, 2018.

It is recommended to refer to the ordinance committee proposed amendments to Chapter 10 Coastal Waters and Harbor Ordinance for review and recommendation as recommended by the harbors committee.

Item #136-2018 Pay and Display Parking Regulations in Fort Williams Park

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

June 11, 2018 – The town council tasked the Fort Williams Park Committee to craft a proposal for pay/display parking at Fort Williams Park.

August 13, 2018 - The town council referred the report to a workshop on September 17.

September 17 & October 2, 2018 Workshops – The town council continued review of the feasibility of pay and display parking at Fort Williams Park and possible next steps.

To continue the review in preparation for pay and display, if that is what is decided, it is recommended to refer to the ordinance committee Chapter 13 Traffic Regulations to address pay and display parking regulations at Fort Williams Park.

Item #137-2018 Sewer Service Area [Amendment](#) – 33 Wells Road

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

Sue and Greg Sarka, 33 Wells Road are requesting to have the sewer service area expanded to include their residence at 33 Wells Road so the property may connect to the municipal sewer.

On August 13, 2018 the town council referred the request to the planning board for review and recommendation.

The planning board reviewed the amendment at the September 4 workshop and held a public hearing on September 18 at which they voted unanimously to recommend the request based on the facts presented by Sue and Greg Sarka.

It is in order for the town council to set a public hearing for Wednesday, November 14, 2018. It is anticipated the town council will vote following the public hearing.

Item #138-2018 ecomaine Rates

Memo – ecomaine 9/10/2018

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

The town council will discuss ecomaine rates on solid waste and single stream recycling. This item is for informational purposes; no action or next step is required.

Item #139-2018 Municipal Election Warrant

Opportunity for Public Comment (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.)

The municipal election for town council, school board and local referendum will be held on Tuesday, November 6, 2018. It is in order for the town council to approve the warrant.

Proposed Motion:

ORDERED, the Cape Elizabeth Town Council approves the municipal election warrant for Tuesday, November 6, 2018 as presented.

TOWN OF CAPE ELIZABETH

**MUNICIPAL ELECTION
WARRANT**

TUESDAY, NOVEMBER 6, 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.

Voting for three members of the Town Council to serve a three-year term until December 13, 2021.

Voting for three members of the School Board to serve a three-year term until December 13, 2021.

Referendum Question Do you favor a plan for the Cape Elizabeth School Department to join the Greater Sebago Education Alliance Regional Service Center through an interlocal agreement that will allow the School Department to receive additional revenue through the state funding formula and to more efficiently procure goods and services?

Election to be held on Tuesday, November 6, 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 at 9:00 a.m. Saturday, November 3, 2018 and Monday, November 5, 2018 at Town Hall. If requested, inspection time is 9:00 - 10:00 a.m.

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 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. The Registrar is also available on Election Day at the polls 7:00 a.m. - 8:00 p.m. Proof of residency and identity is required.

Municipal Officers of Cape Elizabeth, Maine

Dated at Cape Elizabeth this 10th day of October 2018.

A true copy. Attest: _____ Constable

 Attest: _____ Town Clerk

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