



## Cape Elizabeth Town Council Special Meeting

**Agenda Monday, May 18, 2020**

**7:00 p.m.**

**Zoom Online Meeting**

Valerie A. Adams, Chairman  
Valerie J. Deveraux  
Jeremy A. Gabrielson  
James M. "Jamie" Garvin  
Caitlin R. Jordan  
Penelope A. Jordan  
Christopher M. Straw

Please click the link below to join the webinar:

<https://zoom.us/j/93352408124>

Or iPhone one-tap :

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Or Telephone:

Dial(for higher quality, dial a number based on your current location):

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Webinar ID: 933 5240 8124

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### COVID-19 Update

In response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) the Governor signed [LD 2167, An Act To Implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency](#), which is now PL 2019, c. 617.

Part G enacts Title 1, section 403-A, Public proceedings through remote access during declaration of state of emergency due to COVID-19. It authorizes conducting public proceedings through telephonic, video, electronic or other similar means of remote participation with specific conditions. The section is repealed 30 days after the termination of the state of emergency

### **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 Pro-Tem James M. “Jamie” Garvin**

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

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

**Citizen Opportunity for Discussion of Items Not on the Agenda** (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.) Persons wishing to address the council shall indicate their desire using the Raise Hand function of the Zoom meeting. When recognized by the chairman, the speaker shall give his or her name and address or local affiliation, if the affiliation is pertinent.

### **Public Hearing      Fiscal Year 2021 Municipal General Fund and Special Funds Budgets**

**Comments shall be limited to three minutes per person; however, the time may be extended by majority vote of councilors present.** Persons wishing to address the council shall indicate their desire using the Raise Hand function of the Zoom meeting. When recognized by the chairman, the speaker shall give his or her name and address or local affiliation, if the affiliation is relevant.

[Link](#) to FY 2021 Municipal General Fund Proforma, Revenues and Expenditures by Department

[Link](#) to FY 2021 Capital Improvement Projects

[Link](#) to FY 2021 Special Funds Budgets (Revenues and Expenditures)

### **Item #76-2020      Fiscal Year 2021 Municipal General Fund Budget**

On May 11, 2020 the town council voted to hold a public hearing on May 18 relating to the fiscal year 2021 municipal general fund and special funds budgets. The municipal general fund budget includes the Cumberland County assessment.

It is anticipated the school budget will be voted on June 15 with the validation election on July 14.

### **Draft Motion**

Moved by and Seconded by

ORDERED, The Cape Elizabeth Town Council following the public hearing does hereby schedule a vote on the fiscal year 2021 Municipal General Fund Budget for the Town of Cape Elizabeth, Maine for Wednesday, May 27, 2020 at 7:00 p.m. via the virtual Zoom platform with proposed expenditures of \$18,321,267, not including overlay and revenues of \$9,982,192.

**Note: The information below is intended to provide an overview of the status of the budget to date, understanding that the municipal budget will be voted on May 27 and the school budget on June 15 with an anticipated school budget validation vote on July 14.**

| <b>GENERAL FUND EXPENDITURES</b> |  |                   |                   |                   |                   |                       |                       |
|----------------------------------|--|-------------------|-------------------|-------------------|-------------------|-----------------------|-----------------------|
|                                  |  | <b>BUDGET</b>     | <b>ACTUAL</b>     | <b>BUDGET</b>     | <b>BUDGET</b>     | <b>\$ CHANGE</b>      | <b>% CHANGE</b>       |
|                                  |  | <b>FY 2019</b>    | <b>FY 2019</b>    | <b>FY 2020</b>    | <b>FY 2021</b>    | <b>FY 20 to FY 21</b> | <b>FY 20 to FY 21</b> |
| 110                              | ADMINISTRATION                             | 619,268           | 632,875           | 762,703           | 826,385           | 63,682                | 8.35%                 |
| 120                              | ACP  | 396,743           | 391,181           | 421,830           | 421,576           | -254                  | -0.06%                |
| 130                              | TOWN COUNCIL                               | 500               | 262               | 500               | 500               | 0                     | 0.00%                 |
| 135                              | LEGAL & AUDIT                              | 190,000           | 209,231           | 190,000           | 115,000           | -75,000               | -39.47%               |
| 140                              | ELECTIONS                                  | 38,576            | 29,861            | 70,150            | 77,180            | 7,030                 | 10.02%                |
| 150                              | BOARDS AND COMMISSIONS                     | 19,506            | 11,003            | 19,506            | 21,006            | 1,500                 | 7.69%                 |
| 160                              | INSURANCE                                  | 108,000           | 111,543           | 120,000           | 128,000           | 8,000                 | 6.67%                 |
| 170                              | EMPLOYEE BENEFITS                          | 1,429,500         | 1,418,043         | 1,556,100         | 1,654,000         | 97,900                | 6.29%                 |
| 180                              | DEBT SERVICE                               | 1,354,016         | 1,678,691         | 1,772,386         | 1,596,335         | -176,051              | -9.93%                |
| 210                              | POLICE DEPARTMENT                          | 1,477,464         | 1,449,570         | 1,516,806         | 1,576,686         | 59,880                | 3.95%                 |
| 215                              | ANIMAL CONTROL                             | 25,620            | 25,609            | 26,522            | 26,718            | 196                   | 0.74%                 |
| 220                              | PUBLIC SAFETY COMMUNICATIONS               | 192,593           | 189,063           | 198,274           | 213,188           | 14,914                | 7.52%                 |
| 225                              | WETeam                                     | 24,392            | 10,349            | 21,150            | 28,565            | 7,415                 | 35.06%                |
| 230                              | FIRE DEPARTMENT                            | 467,543           | 419,104           | 665,302           | 667,978           | 2,676                 | 0.40%                 |
| 231                              | RESCUE (FORMERLY RESCUE FUND - 0735)       | 0                 | 0                 | 0                 | 642,117           | 642,117               | 0.00%                 |
| 235                              | FIRE POLICE UNIT                           | 14,204            | 8,124             | 13,227            | 12,115            | -1,112                | -8.41%                |
| 240                              | MISC PUBLIC PROTECTION                     | 160,158           | 165,656           | 166,801           | 173,449           | 6,648                 | 3.99%                 |
| 250                              | EMERGENCY PREPAREDNESS                     | 4,986             | 4,596             | 5,075             | 6,952             | 1,877                 | 36.99%                |
| 310                              | PUBLIC WORKS                               | 1,267,570         | 1,268,213         | 1,386,984         | 1,421,320         | 34,336                | 3.48%                 |
| 320                              | REFUSE DISPOSAL                            | 508,091           | 520,176           | 624,949           | 625,205           | 256                   | 0.04%                 |
| 410                              | HUMAN SERVICES                             | 51,676            | 59,120            | 64,510            | 137,200           | 72,690                | 112.68%               |
| 510                              | LIBRARY                                    | 547,306           | 540,560           | 562,138           | 558,948           | -3,190                | -0.57%                |
| 520                              | CONTRIBUTIONS                              | 87,500            | 117,748           | 130,414           | 105,500           | -24,914               | -19.10%               |
| 530                              | PUBLIC INFORMATION                         | 65,409            | 61,406            | 72,300            | 72,293            | -7                    | -0.01%                |
| 600                              | FACILITIES MANAGEMENT                      | 255,482           | 251,239           | 287,611           | 315,869           | 28,258                | 9.83%                 |
| 610                              | TOWN HALL                                  | 23,141            | 24,387            | 22,000            | 22,000            | 0                     | 0.00%                 |
| 615                              | LIBRARY BUILDING                           | 42,328            | 36,335            | 41,526            | 44,664            | 3,138                 | 7.56%                 |
| 620                              | TOWN CENTER FIRE STATION                   | 25,372            | 24,805            | 25,460            | 22,960            | -2,500                | -9.82%                |
| 621                              | COMMUNITY CENTER BUILDING                  | 80,950            | 101,137           | 121,954           | 130,751           | 8,797                 | 7.21%                 |
| 622                              | RICHARDS POOL BUILDING                     | 224,157           | 236,608           | 237,437           | 252,203           | 14,766                | 6.22%                 |
| 630                              | POLICE STATION                             | 54,616            | 63,060            | 57,965            | 67,462            | 9,497                 | 16.38%                |
| 631                              | CAPE COTTAGE FIRE STATION                  | 6,735             | 5,914             | 6,735             | 6,735             | 0                     | 0.00%                 |
| 633                              | COMMUNITY SERVICES ADMINISTRATION          | 274,363           | 267,633           | 297,185           | 304,671           | 7,486                 | 2.52%                 |
| 634                              | FITNESS CENTER                             | 61,888            | 58,140            | 64,372            | 65,232            | 860                   | 1.34%                 |
| 635                              | RICHARDS POOL PROGRAMS                     | 231,724           | 258,189           | 234,225           | 285,923           | 51,698                | 22.07%                |
| 636                              | COMMUNITY SVCS ADULT PROGRAMS              | 119,614           | 94,936            | 112,248           | 111,856           | -392                  | -0.35%                |
| 637                              | COMMUNITY SVCS YOUTH PROGRAMS              | 419,799           | 470,536           | 492,057           | 502,675           | 10,618                | 2.16%                 |
| 638                              | CAPE CARE                                  | 138,467           | 156,161           | 151,145           | 156,743           | 5,598                 | 3.70%                 |
| 640                              | PARKS AND TOWN LANDS                       | 109,103           | 123,447           | 128,921           | 128,753           | -169                  | -0.13%                |
| 641                              | SCHOOL GROUNDS & ATHLETIC FIELDS           | 167,635           | 138,962           | 201,615           | 178,155           | -23,460               | -11.64%               |
| 645                              | FORT WILLIAMS PARK                         | 232,747           | 189,517           | 290,959           | 348,772           | 57,813                | 19.87%                |
| 660                              | TREES                                      | 25,612            | 51,445            | 30,838            | 31,688            | 851                   | 2.76%                 |
| 709                              | INTERFUND TRANSFERS                        | 0                 | 0                 | 0                 | 326,457           | 326,457               | 0.00%                 |
| 710                              | INTERGOVERNMENTAL ASSESSMENTS              | 77,624            | 143,989           | 81,573            | 32,209            | -49,364               | -60.52%               |
|                                  | <b>OPERATING BUDGET</b>                    | <b>11,621,981</b> | <b>12,018,425</b> | <b>13,253,453</b> | <b>14,443,994</b> | <b>1,190,541</b>      | <b>8.98%</b>          |
| 715                              | CAPITAL IMPROVEMENT PROJECTS               | 4,892,988         | 2,079,568         | 4,723,021         | 2,358,800         | -2,364,221            | -50.06%               |
|                                  | <b>SUBTOTAL OPERATING &amp; CIP BUDGET</b> | <b>16,514,969</b> | <b>14,097,993</b> | <b>17,976,474</b> | <b>16,802,794</b> | <b>-1,173,680</b>     | <b>-6.53%</b>         |
|                                  | <b>OTHER EXPENSES</b>                      |                   |                   |                   |                   |                       |                       |
| 710                              | OVERLAY                                    | 426,900           | 87,272            | 401,607           | 0                 | -401,607              | -100.00%              |
| 710                              | COUNTY TAX                                 | 1,392,240         | 1,376,569         | 1,456,670         | 15,184.73         | 61,803                | 4.24%                 |
|                                  | <b>GRAND TOTAL MUNICIPAL GENERAL FUND</b>  | <b>18,334,109</b> | <b>15,561,835</b> | <b>19,834,751</b> | <b>18,321,267</b> | <b>-1,513,484</b>     | <b>-7.63%</b>         |

| <b>GENERAL FUND REVENUES</b>                |                   |                   |                   |                   |                   |                |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|----------------|
|   | BUDGET            | ACTUAL            | BUDGET            | BUDGET            | \$ CHANGE         | % CHANGE       |
|   | FY 2019           | FY 2019           | FY 2020           | FY 2021           | FY 20 to FY 21    | FY 20 to FY 21 |
| <b>GENERAL FUND REVENUES BY SOURCE</b>      |                   |                   |                   |                   |                   |                |
| LOCAL FEES AND CHARGES FOR SERVICE          | 1,787,307         | 2,009,252         | 2,425,300         | 2,715,740         | 290,440           | 11.98%         |
| BORROWED FUNDS                              | 1,500,000         | 1,500,000         | 225,000           | 1,035,100         | 810,100           | 360.04%        |
| INVESTMENT INCOME                           | 35,000            | 167,455           | 50,000            | 50,000            | 0                 | 0.00%          |
| EXCISE TAXES                                | 2,165,000         | 2,343,551         | 2,215,000         | 2,116,100         | -98,900           | -4.47%         |
| FEDERAL REVENUES                            | 100               | 13                | 100               | 100               | 0                 | 0.00%          |
| STATE REVENUES                              | 1,040,865         | 1,104,181         | 1,221,393         | 1,414,800         | 193,407           | 15.83%         |
| INTERFUND TRANSFERS IN                      | 1,149,700         | 1,141,293         | 426,112           | 631,252           | 205,140           | 48.14%         |
| USE OF FUND BALANCE                         | 2,723,791         | 0                 | 4,344,487         | 2,019,100         | -2,325,387        | -53.53%        |
| SUBTOTAL NON-PROPERTY TAX REVENUES          | 10,401,763        | 8,265,744         | 10,907,392        | 9,982,192         | -925,200          | -834/8%        |
| REAL ESTATE TAXES (net of overlay & county) | 8,735,814         | 9,026,070         | 6,986,602         | 6,820,602         | -166,000          | -2.38%         |
| <b>GRAND TOTALS</b>                         | <b>19,137,577</b> | <b>17,291,815</b> | <b>17,893,994</b> | <b>16,802,794</b> | <b>-1,091,200</b> | <b>-6.10%</b>  |
|   | BUDGET            | ACTUAL            | BUDGET            | BUDGET            | \$ CHANGE         | % CHANGE       |
|   | FY 2019           | FY 2019           | FY 2020           | FY 2021           | FY 20 to FY 21    | FY 20 to FY 21 |
| <b>GENERAL FUND REVENUES BY DEPARTMENT</b>  |                   |                   |                   |                   |                   |                |
| ADMINISTRATION                              | 4,079,100         | 4,323,531         | 3,184,100         | 3,837,890         | 653,790           | 20.53%         |
| ACP   | 150,000           | 248,739           | 150,000           | 237,200           | 87,200            | 58.13%         |
| POLICE                                      | 21,000            | 21,536            | 21,000            | 20,100            | -900              | -4.29%         |
| FIRE  | 0                 | 26                | 0                 | 300,000           | 300,000           | 0.00%          |
| PUBLIC WORK                                 | 158,000           | 192,273           | 158,000           | 154,000           | -4,000            | -2.53%         |
| LIBRARY                                     | 1,125             | 2,183             | 1,300             | 1,650             | 350               | 26.92%         |
| COMMUNITY SERVICES                          | 1,221,182         | 1,419,664         | 1,559,000         | 1,568,000         | 9,000             | 0.58%          |
| TRANSFER FROM OTHER FUNDS                   | 1,149,700         | 1,141,293         | 426,112           | 631,252           | 205,140           | 48.14%         |
| USE OF SURPLUS AND CARRY FORWARD            | 2,723,791         | 0                 | 4,344,487         | 2,019,100         | -2,325,387        | -53.53%        |
| TAXES AND COMPONENT REVENUES                | 9,633,679         | 9,942,569         | 8,049,995         | 8,033,602         | -16,393           | -0.20%         |
| <b>GRAND TOTALS</b>                         | <b>19,137,577</b> | <b>17,291,815</b> | <b>17,893,994</b> | <b>16,802,794</b> | <b>-1,091,200</b> | <b>-6.10</b>   |

**Item #77-2020 Fiscal Year 2021 Special Funds Budgets**

**Draft Motion**

Moved by and Seconded by

ORDERED, The Cape Elizabeth Town Council following the public hearing does hereby schedule a vote on the fiscal year 2021 Special Funds Budgets for the Town of Cape Elizabeth, Maine for Wednesday, May 27, 2020 at 7:00 p.m. via the virtual Zoom platform with proposed expenditures of \$3,816,447 and revenues of \$4,017,281.

|                                 | Budget           | Actual           | Budget           | Budget           | Change         | % Change       |
|---------------------------------|------------------|------------------|------------------|------------------|----------------|----------------|
|                                 | FY 2019          | FY 2019          | FY 2020          | FY 2021          | FY 20 to FY 21 | FY 20 to FY 21 |
| <b>Revenues</b>                 |                  |                  |                  |                  |                |                |
| Cape Elizabeth Rescue Fund      | 350,000          | 447,449          | 325,000          | 300,000          | -25,000        | -7.69%         |
| Cape Elizabeth Sewer Fund       | 2,032,300        | 2,162,398        | 2,190,371        | 2,249,406        | 59,035         | 2.70%          |
| Spurwink Church Fund            | 1,200            | 1,400            | 10,491           | 10,491           | 0              | 0.00%          |
| Riverside Cemetery Fund         | 44,300           | 74,422           | 84,000           | 84,000           | 0              | 0.00%          |
| Fort William Park CIP Fund      | 199,800          | 216,700          | 270,700          | 419,000          | 148,300        | 54.78%         |
| Portland Head Light Fund        | 636,000          | 708,900          | 688,200          | 703,851          | 15,651         | 2.27%          |
| Thomas Jordan Fund              | 0                | 46,799           | 37,035           | 106,000          | 68,965         | 186.22%        |
| Infrastructure Improvement Fund | 0                | 82,216           | 0                | 55,000           | 55,000         | 0.00%          |
| Turf Field Fund                 | 0                | 20,000           | 0                | 20,000           | 20,000         | 0.00%          |
| Land Acquisition Fund           |                  | 122,914          |                  |                  | 0              | 0.00%          |
| Tax Increment Financing Fund    | 0                | 0                | 0                | 69,533           | 69,533         | 0.00%          |
| <b>Total Revenue Budget</b>     | <b>3,263,600</b> | <b>3,883,198</b> | <b>3,605,797</b> | <b>4,017,281</b> | <b>411,484</b> | <b>11.41%</b>  |

|                                 |                  |                  |                  |                  |               |                |
|---------------------------------|------------------|------------------|------------------|------------------|---------------|----------------|
| <b>Expenditures</b>             |                  |                  |                  |                  |               |                |
| Cape Elizabeth Rescue Fund      | 539,200          | 529,700          | 549,917          | 0                | -549,917      | -100.00%       |
| Cape Elizabeth Sewer Fund       | 2,161,346        | 2,012,483        | 2,190,371        | 2,249,406        | 59,035        | 2.70%          |
| Spurwink Church Fund            | 10,491           | 6,859            | 10,491           | 10,491           | 0             | 0.00%          |
| Riverside Cemetery Fund         | 66,589           | 59,362           | 60,343           | 52,784           | -7,559        | -12.53%        |
| Fort William Park CIP Fund      | 173,246          | 170,398          | 290,975          | 419,000          | 128,025       | 44.00%         |
| Portland Head Light Fund        | 628,035          | 654,433          | 680,741          | 703,851          | 23,110        | 3.39%          |
| Thomas Jordan Fund              | 37,035           | 11,910           | 37,035           | 106,000          | 68,965        | 186.22%        |
| Infrastructure Improvement Fund | 0                | 100,000          | 0                | 0                | 0             | 0.00%          |
| Turf Field Fund                 | 0                | 0                | 0                | 274,915          | 274,915       | 0.00%          |
| Land Acquisition Fund           | 0                | 180,874          | 0                | 0                | 0             | 0.00%          |
| Tax Increment Financing Fund    | 0                | 25,000           | 0                | 0                | 0             | 0.00%          |
| <b>Total Expenditure Budget</b> | <b>3,615,942</b> | <b>3,751,019</b> | <b>3,819,873</b> | <b>3,816,447</b> | <b>-3,426</b> | <b>- 0.09%</b> |

|   |                 |                |                 |                |                |                 |
|---|-----------------|----------------|-----------------|----------------|----------------|-----------------|
| <b>Revenues less Expenditures</b>       |                 |                |                 |                |                |                 |
| Cape Elizabeth Rescue Fund              | -189,200        | -82,251        | -224,917        | 300,000        | 524,917        | -233.38%        |
| Cape Elizabeth Sewer Fund               | -129,046        | 149,915        | 0               | 0              | 0              | 0.00%           |
| Spurwink Church Fund                    | -9,291          | -5,459         | 0               | 0              | 0              | 0.00%           |
| Riverside Cemetery Fund                 | -22,289         | 15,060         | 23,657          | 31,216         | 7,559          | 31.95%          |
| Fort William Park CIP Fund              | 26,554          | 46,302         | -20,275         | 0              | 20,275         | -100.00%        |
| Portland Head Light Fund                | 7,965           | 54,467         | 7,459           | 0              | -7,459         | -100.00%        |
| Thomas Jordan Fund                      | -37,035         | 34,889         | 0               | 0              | 0              | 0.00%           |
| Infrastructure Improvement Fund         | 0               | -17,784        | 0               | 55,000         | 55,000         | 0.00%           |
| Turf Field Fund                         | 0               | 20,000         | 0               | -254,915       | -254,915       | 0.00%           |
| Land Acquisition Fund                   | 0               | -57,960        | 0               | 0              | 0              | 0.00%           |
| Tax Increment Financing Fund            | 0               | -25,000        | 0               | 69,533         | 69,533         | 0.00%           |
| <b>Total Revenues less Expenditures</b> | <b>-352,342</b> | <b>132,179</b> | <b>-214,076</b> | <b>200,834</b> | <b>414,910</b> | <b>-193.81%</b> |

**Citizens may at this point in the meeting raise any topic that is not on the agenda that pertains to Cape Elizabeth local government.** (Limited to 15 minutes; 3 minutes per person. Time may be extended by a majority of the town council.) Persons wishing to address the council shall indicate their desire using the Raise Hand function of the Zoom meeting. When recognized by the chairman, the speaker shall give his or her name and address or local affiliation, if the affiliation is pertinent.

## **Adjournment**