



Cape Elizabeth Town Council Special Meeting

Minutes Tuesday, April 28, 2020

The Special Meeting will convene at 6:00 p.m. followed by a Finance Committee Workshop at 7:00 p.m. and then reconvening the Special Meeting.

Virtual Meeting

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

The special meeting via Zoom, an online video and audio conferencing platform, was convened at 6:00 p.m. by Town Council Chairman Valerie A. Adams.

In response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) Governor Mills 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 The section is repealed 30 days after the termination of the state of emergency.

The Cape Elizabeth Town Council will meet as necessary to continue the town's work via an online platform as allowed by State authorization during the state of emergency due to COVID-19. The platform will allow for public comment as outlined in the Town Council Rules. The public is reminded they should continue to provide questions and comments to the town council relating to business of the town via email or mailing correspondence to their attention to town hall.

A special town council meeting will begin at 6:00 p.m. relating to an update on town operations related to the COVID-19 pandemic and a revisit of the status of the emergency order. The finance committee workshop will convene at 7:00 p.m. Following the workshop, the town council will reconvene the special meeting to set the budget to public hearing.

The Pledge of Allegiance to the Flag

Roll Call by the Town Clerk

All members of the town council were online.

Chief Paul Fenton, Police Department
Chief Peter Gleeson, Fire Department
Debra M. Lane, Town Clerk
Robert C. Malley, Director of Public Works
John Quartararo, Finance Director
Kathleen Raftice, Director of Community Services and Fort Williams Park
Matthew E. Sturgis, Town Manager

**Page 2 Town Council Minutes Special Virtual
April 28, 2020**

**Item #64-2020 Update on Town Operations Related to the COVID-19 Pandemic and
Revisit of the Town Emergency Order**

Introduction – Mr. Sturgis

Public Comment

Terri Patterson, 15 Surf Road supports foot and bicycle traffic in Fort Williams Park.

Josh Rosenberg & Alex Furth, 16 Surf Road had provided a letter signed by residents supporting the re-opening of Fort Williams Park. With the number of pedestrians and bikers on Shore Road, it is unsafe.

Mary Ann Lynch, 2 Olde Colony Lane supports opening Fort Williams Park. There is more room in the park for social distancing.

Anne Carney, 21 Angell Point Road noted Phase 1 of Governor Mills' plan opens certain state parks and trails. The number of cars parking on the Shore Road Patch near Robinson Woods is a safety hazard. Supports opening Fort Williams Park.

Roger Rioux, 5 Bridlepath Way supports pedestrians in Fort Williams Park. The park is safer than walking on the roads.

Chairman Adams provided suggested draft amendments to the emergency order.
See attachment.

Moved by Christopher M. Straw and Seconded by Jeremy A. Gabrielson

ORDERED, the Cape Elizabeth Town Council amends the suggested draft amendments to the Emergency Order approved April 1, 2020 striking #2 relating to self-quarantine requirements as they are duplicative of the Governor's order on restarting Maine's economy.

(7 yes) (0 no)

Moved by Jeremy A. Gabrielson and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council amends the suggested draft amendments to the Emergency Order approved April 1, 2020 adding the following to the last paragraph of the order. WHEREAS, the Governor has issued new guidance on restarting Maine's economy, the council finds the following measures to be consistent with phase one of that plan. It is further ordered to add dogs within Fort Williams Park will be restrained by leash at all times and striking the reference to Exhibit A in the Fort Williams Park section.

(7 yes) (0 no)

Moved by Jeremy A. Gabrielson and Seconded by Christopher M. Straw

ORDERED, the Cape Elizabeth Town Council amends the suggested draft amendments to the Emergency Order approved April 1, 2020 to open Fort Williams Park to foot and bicycle traffic effective May 11, 2020.

(6 yes) (1 no Councilor Straw)

**Page 3 Town Council Minutes Special Virtual
April 28, 2020**

Moved by James M. Garvin and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council amends the suggested draft amendments to the Emergency Order approved April 1, 2020 that the effective date of the amended order is April 29, 2020 at 12:01 a.m. with an expiration date of June 30, 2020 at 6:00 p.m., unless otherwise extended by council order.

(7 yes) (0 no)

Moved by James M. Garvin and Seconded by Jeremy A. Gabrielson

ORDERED, the Cape Elizabeth Town Council amends the suggested draft amendments to the Emergency Order approved April 1, 2020 adding the following to the Fort Williams Park section of the order. The council confers authority on the town manager and the chief of police the authority to designate parking and take measures consistent with this order conforming to the Americans with Disabilities Act.

(7 yes) (0 no)

Original Motion as Amended: (7 yes) (0 no)

The special meeting will hold at this point to convene the finance committee workshop scheduled for 7:00 p.m. The special meeting will resume following the workshop.

Moved by Valerie J. Deveraux and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council recesses at 7:16 p.m. for a finance committee workshop. The special meeting will resume following the workshop.

(7 yes) (0 no)

Moved by Jeremy A. Gabrielson and Seconded by Caitlin R. Jordan

ORDERED, the Cape Elizabeth Town Council reconvenes the special meeting at 9:02 p.m.

(7 yes) (0 no)

Item #65-2020 Fiscal Year 2020 General Fund Budget – Motion to Set Public Hearing

Moved by James M. Garvin and Seconded by Jeremy A. Gabrielson

ORDERED, The Cape Elizabeth Town Council does hereby set the vote on the FY 2021 municipal budget for Wednesday, May 27, 2020 at the Cape Elizabeth Town Hall or via Zoom. The public hearing will be held at a special meeting on Monday, May 18, 2020 at the Cape Elizabeth Town Hall or via Zoom.

(7 yes) (0 no)

**Page 4 Town Council Minutes Special Virtual
April 28, 2020**

Item #66-2020 Fiscal Year 2021 Special Fund Budgets – Motion to Set Public Hearing

Moved by James M. Garvin and Seconded by Jeremy A. Gabrielson

ORDERED, The Cape Elizabeth Town Council does hereby set the vote on the FY 2021 special fund budgets for the Town of Cape Elizabeth, Maine for Wednesday, May 27, 2020 at the Cape Elizabeth Town Hall or via Zoom. The public hearing will be held at a special meeting on Monday, May 18, 2020 at the Cape Elizabeth Town Hall or via Zoom.

(7 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 Jeremy A. Gabrielson and Seconded by Penelope A. Jordan

ORDERED, the Cape Elizabeth Town Council adjourns at 9:22 p.m.

(7 yes) (0 no)

Respectfully Submitted,

Debra M. Lane, Town Clerk