



## Cape Elizabeth Town Council Special Meeting

Minutes 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

**The special meeting via Zoom, an online video and audio conferencing platform, was convened at 7:00 p.m. by Town Council Pro-Tem Chairman James M. Garvin.**

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 The section is repealed 30 days after the termination of the state of emergency.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.

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

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

All members of the town council were present except Chairman Adams.

Debra M. Lane, Town Clerk  
Robert C. Malley, Director of Public Works  
John Quartararo, Finance Director  
Matthew E. Sturgis, Town Manager

### **Citizen Opportunity for Discussion of Items Not on the Agenda**

None

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

The public hearing was opened at 7:03 p.m.  
After hearing no comments, the public hearing was closed.

**Page 2 Town Council Minutes Virtual Special Meeting  
May 18, 2020**

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

Moved by Jeremy A. Gabrielson and Seconded by Valerie J. Deveraux

ORDERED, The Cape Elizabeth Town Council following the public hearing does hereby schedules 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.  
(6 yes) (0 no)

**Page 3 Town Council Minutes Virtual Special Meeting  
May 18, 2020**

| <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>         |
|                                  | OTHER EXPENSES                             |                   |                   |                   |                   |                       |                       |
| 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>         |

**Page 4 Town Council Minutes Virtual Special Meeting  
May 18, 2020**

| <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>  |
| <b>GENERAL FUND REVENUES BY DEPARTMENT</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 |
| 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 Jeremy A. Gabrielson and Seconded by Penelope A. Jordan

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.

(6 yes) (0 no)

**Page 5 Town Council Minutes Virtual Special Meeting  
May 18, 2020**

|   | <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> |
| <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>       |

**Page 6 Town Council Minutes Virtual Special Meeting  
May 18, 2020**

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

ORDERED, the Cape Elizabeth Town Council adjourns at 8:21 p.m.

(6 yes) (0 no)

Respectfully Submitted,

---

Debra M. Lane, Town Clerk