



Regular Town Council Meeting

Monday, March 11, 2024 at 7:00 pm

Town Hall Council Chambers

Live on CETV/Hybrid Meeting

Hybrid Meeting - Members of the Public May Participate Remotely During Public Comment Opportunities

To view the meeting livestream: <https://cetv.capeelizabeth.org/> and push watch in the upper right hand corner

Live broadcast on CETV, livestream and remote participation are offered as a convenience when the technology is available and operational in the given meeting space. If the technology is not available or in the event there is a disruption in service and the communication can't be restored the expectation is the meeting will continue.

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1. **Convening of the Meeting**

Town Council Chair Timothy S. Reiniger

2. **Roll Call by the Town Clerk**

Timothy S. Reiniger, Chair
Stephanie P. Anderson
Jeremy A. Gabrielson
Susan A. Gillis
Caitlin Jordan Harriman
Penelope A. Jordan
Timothy L. Thompson

3. **The Pledge of Allegiance to the Flag**

4. **Town Council Reports and Correspondence**

5. **Finance Committee Report**

Finance Chair Timothy L. Thompson

Attachments:

- [Financial Memo 02 2024](#)
- [Financial Dashboard 02 29 2024](#)
- [Town Revenue Report 02 29 2024](#)
- [Town Expenditure Report 02 29 2024](#)

6. **Citizen Opportunity for Discussion of Items Not on the Agenda**

Limited to 15 minutes; 3 minutes per person. Time may be extended by majority vote of the councilors present.

When recognized by the chair, the speaker shall give their name and address or local affiliation, if the affiliation is pertinent.

A member of the public wishing to speak via remote access must click on the Zoom link or call and use the Raise Hand function. When connecting by phone, dial *9 to Raise Hand and the same to Lower Hand. Please mute the microphone and turn off the video until you are invited to speak. When recognized by the chair, the speaker shall give their name and address or local affiliation, if the affiliation is pertinent. After speaking, to view the remainder of the meeting exit Zoom and return to the CETV Livestream or CETV cable Channel 3.

7. **Town Manager's Monthly Report**

Matthew E. Sturgis, Town Manager

8. **Review of Draft Minutes**

Regular Meeting - February 12, 2024

Attachments:

- [Town Council Minutes February 12, 2024](#)

9. **Presentation - Town Center Intersection Improvements Update**

Jay Reynolds, Public Works Director and Nikki Conant, Sebago Technics will provide an overview of proposed improvements to the town center intersection at Route 77/Shore Road/Scott Dyer Road.

2024 Town Council Infrastructure Goal: Implement engineering for improvements to Town Center intersection, including funding

Attachments:

- [Town Center Intersection Presentation 03 11 2024](#)
- [Town Center Transportation Study Final Report 06 2020](#)
- [2024 Town Council Goals](#)

10. **Item #57-2024 Consider Approving Funds for an Intercom System at the Thomas Memorial Library**

Opportunity for Public Comment. Limited to 15 minutes; 3 minutes per person. Time may be extended by majority vote of the councilors present.

When recognized by the chair, the speaker shall give their name and address or local affiliation, if the affiliation is pertinent.

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Thomas Memorial Library Director Rachel Davis is recommending expending funds from the library donation account to install an ADA compliant intercom system following the development of a safety plan for the building.

Draft Motion

ORDERED, the Cape Elizabeth Town Council authorizes the expenditure of up to \$50,066.18 from the Library Agency Fund account 4447000-7340A for the installation of an ADA Compliant Intercom System for the Thomas Memorial Library and further authorizes the Town Manager to sign a contract with K&M Communications for said project.

Attachments:

- [Memo Library Director Intercom System 03 01 2024](#)

11. **Item #58-2024 Request from Councilor Anderson to Consider Amending the Town Fee Schedule for ADU's**

Opportunity for Public Comment. Limited to 15 minutes; 3 minutes per person. Time may be extended by majority vote of the councilors present.

When recognized by the chair, the speaker shall give their name and address or local affiliation, if the affiliation is pertinent.

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Councilor Anderson has requested this item on the agenda to amend the Town Fee Schedule to reduce the building permit fee for ADU's from \$12,000/\$1,000 construction value to \$6,000/\$1,000 construction value for a period of 1 year. The requested motion is to approve the amendment to the fee schedule effective immediately until 5/1/2025.

Attachments:

- [Memo Councilor Anderson Amending the Town Fee Schedule for ADU's 02 26 2024](#)
- [Proposed Amendment to the Town Fee Schedule 03 11 2024](#)

12. **Item #59-2024 Request from Councilor Thompson Regarding Legal Fee Reimbursement to the Lumbery**

Opportunity for Public Comment. Limited to 15 minutes; 3 minutes per person. Time may be extended by majority vote of the councilors present.

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Councilor Thompson has requested this item to consider the request from Michael Friedland, Lumbery to reimburse legal fees incurred during a recent lawsuit. The request is legal fees of \$9,500 and time dedicated to rectifying this matter to a minimum of \$1,500 for a total request of \$11,000.

Attachments:

- [Memo Thompson Legal Fee Reimbursement 03 04 2024](#)

13. **Item #60-2024 Request from Chair Reiniger to Establish an Ad Hoc Privacy Committee**

Opportunity for Public Comment. Limited to 15 minutes; 3 minutes per person. Time may be extended by majority vote of the councilors present.

When recognized by the chair, the speaker shall give their name and address or local affiliation, if the affiliation is pertinent.

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Introduced by Chair Reiniger, on January 8, 2024 the council referred to workshop consideration of creating an Ad Hoc Privacy/Surveillance Technology Committee in accordance with council Goals. The workshop was held on February 5, 2024.

2024 Town Council Information Governance Goal:

Create ad-hoc committee on information privacy, security, and governance for municipal operations and residents

Draft Motion

ORDERED, the Cape Elizabeth Town Council approves the Ad Hoc Privacy Advisory Committee charge and refers the appointments process to the Appointments Committee with recommendations to appoint committee members back to the council.

Attachments:

- [Memo Reiniger Ad Hoc Privacy Advisory Committee 03 05 2024](#)
- [Draft Ad Hoc Privacy Committee Charge 02 28 2024 Reiniger](#)
- [2024 Town Council Goals](#)

14. **Item #61-2024 Consider Scheduling a Public Hearing for Proposed Process Submission Amendments**

Opportunity for Public Comment. Limited to 15 minutes; 3 minutes per person. Time may be extended by majority vote of the councilors present.

When recognized by the chair, the speaker shall give their name and address or local affiliation, if the affiliation is pertinent.

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On November 13, 2023, the Town Council referred to the Ordinance Committee Process Submission Amendments. At the February 15, 2024 Ordinance Committee meeting, the committee voted (2-0 Anderson, Thompson) to forward to the Town Council.

The Town Council will consider scheduling a public hearing for April 8.

Draft Motion

ORDERED, the Cape Elizabeth Town Council schedules a public hearing for Monday, April 8, 2024 at 7:00 p.m. at the Cape Elizabeth Town Hall 320 Ocean House Road on proposed amendments recommended by the Ordinance Committee relating to Process Submission Amendments. Said amendments update submission provisions in Chapter 19 Zoning Ordinance, Chapter 16 Subdivision Ordinance and the Planning Board Rules.

Attachments:

- [Memo Ordinance Committee Project Submission Amendments 02 27 2024](#)
- [Proposed Project Submission Amendments 10 10 2023 Zoning/Subdivision/PB Rules](#)

15. **Item #62-2024 Referral of the FY 2025 Municipal Budget to the Finance Committee**

Opportunity for Public Comment. Limited to 15 minutes; 3 minutes per person. Time may be extended by majority vote of the councilors present.

When recognized by the chair, the speaker shall give their name and address or local affiliation, if the affiliation is pertinent.

A member of the public wishing to speak via remote access must click on the Zoom link or call and follow the procedures stated at the top of the agenda. When recognized by the chair, the speaker shall give their name and address or local affiliation, if the affiliation is pertinent. When the speaker has completed their comments, please exit Zoom and resume the CETV livestream to view the meeting.

Town Manager Matthew Sturgis will present the manager's recommended budget for Fiscal Year 2025 (July 1, 2024 to June 30, 2025).

Finance Committee Review Schedule

Monday, March 18 6:00 p.m. (Accounts 100,200,400,500,710)
Thursday, March 21 6:00 p.m. (Accounts 300,600-635,640-670 and Special Funds)
Monday, April 22 6:00 p.m. (School Budget Presentation from School Board)
Tuesday, April 23 6:00 p.m. (Wrap-Up, if needed)
Monday, May 6 7:00 p.m. (Special Town Council Meeting - Budget Public Hearing)
Monday, May 13 7:00 p.m. (Town Council Meeting - Vote on the FY 25 Budget)

Draft Motion

ORDERED, the Cape Elizabeth Town Council refers the proposed Town Manager's municipal budget for FY 2025 (July 1, 2024 – June 30, 2025) to the Finance Committee for review.

Attachments:

- [Proposed Town Manager's FY 2025 Municipal Budget](#)

16. **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 majority vote of the councilors present.

When recognized by the chair, the speaker shall give their name and address or local affiliation, if the affiliation is pertinent.

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17. **Adjournment**

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 chair, the speaker shall give their name and address or name and local affiliation, if the affiliation is relevant, prior to making other comments.

A member of the public wishing to speak via remote access must click on the Zoom link or call and follow the procedures stated at the top of the agenda. When recognized by the chair, the speaker shall give their name and address or name and local affiliation, if the affiliation is relevant, prior to making other comments. After speaking, to view the remainder of the meeting exit Zoom and return to the CETV Livestream or CETV cable Channel 3.

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 chair 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 chair, the speaker shall give their name and address or name and local affiliation, if the affiliation is relevant, prior to making other comments.

A member of the public wishing to speak via remote access must click on the Zoom link or call and follow the procedures stated at the top of the agenda. When recognized by the chair, the speaker shall give their name and address or name and local affiliation, if the affiliation is relevant, prior to making other comments. After speaking, to view the remainder of the meeting exit Zoom and return to the CETV Livestream or CETV cable Channel 3.

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 chair.