



Cape Elizabeth Town Council Agenda

Monday, March 11, 2019

7:00 p.m. Council Chambers

Cape Elizabeth Town Hall

James M. "Jamie" Garvin, Chairman
Valerie J. Deveraux
Jeremy A. Gabrielson
Caitlin R. Jordan
Penelope A. Jordan
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 of the Meeting by Town Council Chairman James M. "Jamie" Garvin

Roll Call by the Town Clerk

The Pledge of Allegiance to the Flag

Town Council Reports and Correspondence

Finance Committee Report

Dashboard and Financial Reports as of 2/28/2019

[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 February 11, 2019.

Item #54-2019 Request for Plogging Weeks

[Link](#) to Recycling Committee Minutes

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

Bruce Rayner, 309 Fowler Road, is requesting the town council designate the weeks of April 21 – 27, 2019 and October 13-19, 2019 as Plogging Weeks.

Plogging is the practice of picking up trash while running; walkers and cyclists can also participate.

The recycling committee reviewed the request on January 3, 2019 and on February 7, 2019 the committee (5-0) endorsed the event and voted to forward the proposal to the town council for consideration.

Item #55-2019 Chapter 10 Coastal Waters and Harbor Ordinance Proposed [Amendments](#)

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 10, 2018 the town council referred to the ordinance committee for review and recommendations proposed amendments to Chapter 10, Coastal Waters and Harbor Ordinance as recommended in the Harbors Committee Report.

The ordinance committee reviewed Chapter 10 at three meetings: December 17, 2018, January 9, 2019 and February 7, 2019. On February 7 the ordinance committee recommended (3-0) proposed amendments for town council consideration. Out Haul standards are provided for informational purposes only as the Harbor Master has authority to promulgate standards.

The town council may refer to workshop, refer back to the ordinance committee or set to public hearing.

Item #56-2019 Finance Director

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

During the FY 2019 budget deliberations a new position of finance director was discussed. It was a consensus of the town council at the July 16, 2018 workshop for the town manager to proceed in reviewing the position and creating a job description.

On December 10, 2018 the town council authorized the town manager to proceed with the position and that a funding recommendation be presented.

Recommended Motion:

ORDERED, the Cape Elizabeth Town Council amends Chapter 3 Personnel Code to add Finance Director to Appendix A Town of Cape Elizabeth Salaried Positions.

Item #57-2019 Confirmation of Finance Director

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

Town Manager Matthew Sturgis has appointed John Quartararo to serve as the town's first finance director. The town manager with the assistance of a committee conducted the search. This department head position reports directly to the town manager. Mr. Quartararo will also serve as the deputy tax collector. Formerly the town and school shared the position of a business manager/comptroller.

Since this is a new position it is recommended the salary and benefits be funded by the unassigned fund balance through the end of the fiscal year. Subsequent fiscal years will be funded through the administration and benefits accounts.

Council-Manager Charter Article III Sec. 1.1.

1. Appointments by town manager; removals. Appoint and remove, both subject to approval of the council, the town clerk, town treasurer, police chief, fire chief, public works director and other department heads and prescribe their duties. The town manager shall also have the power to appoint the local health officer, and the manager shall act as health officer in the event of incapacity or absence of the local health officer.

Recommended Motion:

ORDERED, the Cape Elizabeth Town Council confirms the town manager's appointment of John Quartararo to serve as the first Finance Director of the Town of Cape Elizabeth effective March 11, 2019. The salary of \$87,500 plus benefits to be paid from the unassigned fund balance through June 30, 2019.

Item #58-2019 Statement of Policy Boards and Committees Barring the Appointment of Town Employees from Serving on Standing Boards and Committees Proposed [Amendments](#)

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

Councilor Straw has requested review of the policy prohibiting town employees from serving on boards and committees following a concern expressed from a citizen and school employee who applied for a board during the recent annual appointments process.

On January 14, 2019 the town council referred the item to workshop on February 4, 2019. It was a consensus at the workshop that Councilor Deveraux, Appointments Committee Chairman and Manager Sturgis draft language for the March 11 council meeting incorporating the workshop discussion.

Recommended Motion:

ORDERED, the Cape Elizabeth Town Council refers to the workshop on March 18, 2019 proposed amendments to the Statement of Policy Appointments to Standing Boards and Committees.

Item #59-2019 Conservation Committee [Vacancy](#)

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

Mark Fleming has resigned from the conservation committee due to scheduling conflicts; the term expires December 21, 2020. The appointments committee has conducted interviews.

Recommended Motion:

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the appointments committee to appoint Philip Saucier, 4 Gateledge Drive to serve on the conservation committee with a term effective immediately and expiring December 31, 2020.

Item #60-2019 Annual [Report](#) Property Tax Assistance Program

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

Pursuant to Sec. 9 of the Property Tax Assistance Ordinance, the Tax Assessor is reporting the results of the property tax assistance program for 2019.

Recommended Motion:

ORDERED, the Cape Elizabeth Town Council acknowledges receipt of the report from the Tax Assessor relating to the property tax assistance program for 2019.

Item #61-2019 Annual Evaluation of the Town Manager

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

Recommended Motion:

ORDERED, the Cape Elizabeth Town Council enters into executive session in conformance with 1 MRSA §405 6 A to continue the annual evaluation of the town manager.

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