

**Town of Cape Elizabeth**  
**Ad Hoc Privacy Advisory Committee**  
**Thursday, February 13, 2025**  
**Meeting Minutes**

**Committee Members Present:**

Al Romano  
Curtis Kelly  
Greg Reid  
Michael Hussey

**Others Present:**

Detective Ben Davis, Staff

**Committee Members Absent:**

Jon Stanley

**Call to Order:**

Chair Romano called the meeting to order at 6:03pm.

**Approve Meeting Minutes from November 20, 2024**

Meeting minutes were approved, 4-0

**Approve Meeting Minutes from January 9, 2025**

Meeting minutes were approved, 4-0

**Approve Workshop Minutes from January 17, 2025**

Meeting minutes were approved, 4-0

**Public Comment Period**

Chris A. Gorski, 36 Cliff Avenue

Chris believes the committee can guide the IT department by writing policies. If the committee focus is just supporting the review/audit RFP then the committee won't be providing guidance for future generations. Chris sent an annual audit draft recommendation to be reviewed. This draft can be used to guide the IT department annually. This committee's value is guiding the RFP and making sure both the public and town council can understand the results. Chris spoke about the documents he provided the committee.

Curt spoke about the current trajectory of the committee and how we are trying to meet the different aspects of the charge.

Mike believes we are still in the information gathering phase before moving into drafting and organizing policies. The committee will then collaborate with the town council on different sets of policies.

Greg believes creating policies now is too soon and we need the information gleaned from the review (audit).

Mike and Greg stated the committee concurs with Chris' points but they believe we need more information before moving forward. Greg does not believe that one overarching thing covers everyone and that each department may have different data regulations.

### **Discuss February 3, 2025 town council workshop regarding committee recommendation**

Greg recapped the meeting and felt it was positive. There were a few questions about the budget and he feels that the council was overall positive about our goals. Greg pointed out that he feels we need the participation of town departments/department heads. Greg believes it's important to have a member from the town council as a project sponsor/"client" sit in on meetings. The committee believes that Councilor Andrew Swayze would be a good fit.

Curt brought up the fact that some letters were written to the council regarding some concerns with what the committee is doing. Curt believes that we have two very experienced people on the committee who can do the job. Greg stated he disagrees and he wants the town council involved because they are the "client." Curt stated it's highly unusual to have a town councilor involved. Mike

pointed out that the SBAC did have council members and school board members involved.

Al thought the meeting went well and that councilors learned the value of a review/audit. Al pointed out that there was some concern about the RFP cost.

Mike asked if we could put an RFP out to see who comes back and Curt agreed. Al and Ben pointed out that Pat Fox was strongly against doing that and the money should be appropriated before an RFP is sent out. Mike believes that we have to look at the risk/reward for doing or not doing the review (audit). Al believes that the council understands this.

Al spoke about the RFP process and how he feels that going into executive session to review the audit results is possible based off of his conversations with Pat Fox and Penny Jordan. This would be a high level discussion without looking at actual PI. Mike stated this committee will never have access to PI or anything sensitive.

Mike asked that we get more clarity on whether or not we can go into executive session when the time comes. Mike stated we would never see information that could be compromising to the town.

Greg wants to ask town departments about current PI policies in the meantime and is wondering if that is possible. Mike pointed out that this would be part of the review/audit. Greg wants to allocate as much money to the process as possible and feels we may be able to save some money by doing some interviewing ourselves.

Mike stated our job is to review the analysis we get and any company that is hired will be knowledgeable. Mike wants to see sample deliverables before selecting a company.

Mike would like to send the RFP out without a price range as that is what the SBAC did. Curt stated it's not uncommon to put something out without a price. Al would like to finalize the RFP with the IT department and Pat Fox before it is sent out.

Al will reach out to Pat Fox to see what we can get done. Mike wants to get the RFP out to as many firms as possible. Curt stated that with the housing diversity study, the RFP's came back with a ton of information about the town.

These companies do a thorough job of researching beforehand. Greg and Mike discussed making several small changes to the RFP.

The committee discussed having a workshop to work on the RFP with IT and perhaps Pat Fox on March 4th or 5th. Ben will reach out to IT Director Lund to confirm the date.

Al asked how far can we go without having completed Task 1 of the charge? Curt spoke about the Boston surveillance policy and asked “what community concerns should we be addressing? How do we find out what concerns the community has? Greg asked if we can reach out to Boston and ask how they did their survey. Curt will research how the surveys were conducted.

Curt spoke about the town assessor coming into home during reevaluations and interior photos not being allowed.

Al mentioned making Task 3 an agenda item for the next meeting.

### **Review and discuss documents provided by Chris A. Gorski**

Al said the documents made sense to him and Greg concurred. Curt mentioned part of the committee's final product should mirror this product.

Greg asked, what best practices and approaches are used in other towns? This may be a question to ask an RFP company as they should have a wealth of experience.

Mike stated he felt we already reviewed these documents earlier in the meeting.

### **Review and discuss City of Boston surveillance policy provided by Curt Kelly**

Curt stated the document is far more than we need but there are some good ideas contained within. An annual review is one of these things. Greg agrees that it's far more than we need but there are some good parts that we need to consider.

Curt asked if any other departments other than the police department do “surveillance.” Curt said there are numerous definitions of surveillance. Do we

need to decide on using one definition? Curt asked if any town departments are using drones?

Greg asked if these policies would be for town departments and not private individuals? Curt said this was correct. Curt wants to find out what the public appetite is for surveillance policies.

Greg mentioned that Task 3 may require a secondary/followup survey. Curt does not think we need to reinvent the wheel on this and he will reach out to Boston to glean information.

### **Public Comment-**

Chris A. Gorski- There are strict rules around RFPs and he wants us to double check if we can send an RFP out without a cost. Doesn't want to make vendors angry or give the wrong impression. Chris believes public awareness is most important. Chris believes that students' computers and their usage can be an avenue for the committee. Mike had mentioned that websites aren't regulated for kids with school laptops.

Chris stated the committee can discuss the issues and then give our opinion to the town council and/or school department. The committee is just providing expertise. Mike believes that some policing is needed regarding the laptops.

Chris stated that some people in town are upset with the committee because there is no document describing exactly what information is being requested. Mike believes that Chris makes a good point and that the committee may need to put something out to the public explaining what we've done, where we want to go, and our final goals. Could we use the Cape Courier?

### **Adjournment**

7:32pm

Respectfully Submitted,

Ben Davis