



Special Town Council Meeting

Monday, August 19, 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 J. Harriman
Penelope A. Jordan
Timothy L. Thompson

Due to the late hour at the August 12, 2024 meeting, the Town Council voted to move Item#133-2024 - Item #137-2024 to the special meeting on August 19.

3. Consent Calendar Item #135-2024 - Item #137-2024

The consent calendar provides for Item #135-2024 - Item #137-2024 to be considered en bloc. Any town councilor may ask for any item to be considered separately. At the discretion of the chair, any item removed from the consent calendar may be considered before or after the consideration of the items remaining on the consent calendar.

Opportunity for Public Comment. Consent Agenda Item #135-2024 - Item #137-2024

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.

Draft Motion

ORDERED, the Cape Elizabeth Town Council approves the consent calendar Item #135-2024 - Item #137-2024 as presented.

4. Item #135-2024 Recommendation Relating to a Traffic Calming Pilot Program

Interim Town Manager Michael McGovern is recommending a pilot program relating to traffic calming following many concerns the Town Council has received regarding traffic speeds on roads in Cape Elizabeth.

[Traffic Calming Policy 2007](#)

Draft Motion

ORDERED, the Cape Elizabeth Town Council hereby directs the Town Manager to work with key department heads to develop proposed speed calming measures in Cape Elizabeth neighborhoods consistent with the outline dated August 2, 2024 prepared by the Interim Town Manager. The Town Manager is to report back to the Town Council with specific recommendations including budgetary estimates no later than the December 2024 Town Council meeting.

Attachments:

- [Draft Proposal McGovern for Traffic Calming Pilot Program 08 02 2024](#)

5. Item #136-2024 Consider Authorizing the Police Department to Apply for an MMA Risk Reduction Grant

The Police Department is requesting authorization to apply for a grant through the Maine Municipal Association for a Risk Reduction grant for the purchase and installation of a security camera.

Draft Motion

ORDERED, the Cape Elizabeth Town Council authorizes the Cape Elizabeth Police Department to apply to the Maine Municipal Association for a Risk Reduction Grant for the purchase and installation of a security camera for an amount up to \$3,000.00

Attachments:

- [Memo Sgt. Benjamin MMA Risk Reduction Grant 08 06 2024](#)

6. Item #137-2024 MMA Annual Ballot

Annually member municipalities of the Maine Municipal Association have the opportunity to vote in the election of the proposed Vice President and Executive Committee members. MMA's Nominating Committee is recommending the following slate of officers:

Vice President

Justin Poirier, Town Manager, Town of Monmouth

Executive Committee

David Cyr, Town Manager, Town of Frenchville
Michele Varuolo Cole, Selectperson, Town of Bethel
Matthew Garside, Town Manager, Town of Poland

Draft Motion

ORDERED, the Cape Elizabeth Town Council authorizes the Town Manager to sign the Maine Municipal Association's annual voting ballot to elect the proposed 2025 slate of nominees as recommended by the Maine Municipal Association's Nominating Committee:

Vice President - 1 Year Term

Justin Poirier, Town Manager, Town of Monmouth

Executive Committee - 3 Year Term

David Cyr, Town Manager, Town of Frenchville
Michele Varuolo Cole, Selectperson, Town of Bethel
Matthew Garside, Town Manager, Town of Poland

Attachments:

- [MMA Annual Ballot](#)

7. Item #133-2024 Consider a Recommendation from the Conservation Committee Relating to the Disposition of Town Owned Real Estate - Map U20 Lot 40 Stephenson Street

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 February 12, 2024, the Town Council initiated the process to sell a vacant lot on Stephenson Street (Map U29 Lot 40) following an offer from James Steinberg, 4 South Street to purchase the property. The lot was foreclosed on January 9, 2003 due to unpaid real estate taxes. Per the Real Estate Acquisition/Disposition Policy, the matter was referred to the Conservation Committee.

In a memo dated March 27, 2024, the Conservation Committee recommended (7-0) the Town not sell the property and that it be kept in its natural state.

Draft Motion

ORDERED, the Cape Elizabeth Town Council accepts the recommendation of the Conservation Committee and declines to offer for sale the lot on Stephenson Street, Map U20 Lot 40.

Attachments:

- [Memo McGovern Abutter Request to Purchase Lot Map U29 Lot 40, 08 05 2024](#)

8. Item #134-2024 Approval of Funding for a Traffic Engineering Study Relating to Parking of the Streets Adjacent to Shore Road Near Cliff House Beach

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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At the July 8, 2024 meeting, the Town Council voted (7-0) to authorize the request of the Ordinance Committee for a traffic engineering study of the streets adjacent to Shore Road near Cliff House Beach. The estimate for the work is \$37,300. While the recommendation is to appropriate \$30,000, staff will define reductions in the scope of the work to reduce the cost to \$30,000.

Draft Motion

ORDERED, the Cape Elizabeth Town Council appropriates \$30,000 from the undesignated fund balance for a parking evaluation in the Cliff House Beach Area.

Attachments:

- [Memo McGovern Cliff House Beach Area Parking Evaluation 08 05 2024](#)

9. Item #138-2024 Consideration of an Outdoor Basketball Court

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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CAPE HOOPS has requested consideration of an outdoor basketball court. Interim Town Manager McGovern has worked with the group and the town engineer. Manager McGovern has prepared a recommendation for council consideration.

Draft Motion

ORDERED, the Cape Elizabeth Town Council authorizes the Town Manager to undertake a project to provide a new outdoor basketball court adjacent to the former Thomas Memorial Library. The Council establishes a budget of \$165,000 for the project with \$16,500 to be raised by the CAPE HOOPS group and \$148,500 be appropriated from the Town's unassigned fund balance. The Town Manager is also authorized to apply for all required permits and to sign any necessary agreements to carry out the project.

Attachments:

- [Memo McGovern HOOPS Proposal 08 14 2024](#)

10. Item #139-2024 Municipal Election Warrant - November 5, 2024

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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Town Clerk Angela Frawley has prepared the municipal election warrant for the November 5, 2024 election. Bond Counsel Jim Saffian has provided the language for the school project based on the Town Council's vote on August 12.

Draft Motion

ORDERED, the Cape Elizabeth Town Council authorizes the signing of the Municipal Election warrant for the election to be held on Tuesday, November 5, 2024 as presented.

Attachments:

- [Election Warrant November 2024](#)

11. 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.