



Cape Elizabeth Town Council

Minutes Monday, April 14, 2025

7:00 p.m.

Town Hall Council Chambers

Penelope A. Jordan, Chair
Stephanie P. Anderson
Caitlin J. Harriman
Jonathan T. Sahrbeck
Elizabeth K. Scifres
Andrew B. Swayze
Timothy L. Thompson

Chair Jordan convened the meeting at 7:02 p.m.

Roll Call by the Town Clerk

Angela S. Frawley, Town Clerk

All members of the Town Council were present.

Det. Ben Davis, Staff Ad Hoc Privacy Advisory Committee

Rachel Davis, Director of the Thomas Memorial Library

Chief Paul Fenton, Police Department

Patrick W. Fox, Town Manager

Angela S. Frawley, Town Clerk

Debra M. Lane, Assistant Town Clerk

Jason Lund, IT Coordinator

Jay Reynolds, Director of Public Works

The Pledge of Allegiance to the Flag

Town Council Reports and Correspondence

Chair Jordan thanked Senator Carney and Representative Boyer for sponsoring LD 363 An Act to Authorize a General Fund Bond Issue to Create the School Capital Improvement Fund (\$100M). The public hearing is on Thursday, April 17 at 1:00 p.m.

Finance Committee Report

Finance Chair Scifres thanked the town manager and finance director for providing the reports and financial memo highlighting notable expenditures and revenues.

The remainder of the budget review schedule was noted:

April 16, 6:00 p.m. Finance Committee

April 28, 6:00 p.m. Finance Committee – Presentation of the School Department Budget

April 29, 6:00 p.m. Wrap-up (if needed)

May 5, 7:00 p.m. Special Town Council Meeting – Budget Public Hearing

May 12, 7:00 p.m. Town Council Meeting – Vote on the FY 2026 Budget

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Diversity, Equity and Inclusion Committee Update

Committee Members Present-

Christina McAnuff, Chair

Sarah Clinton

Nancy DellaMattera

Kara Lavender Law

Monica Malcomson

Regan St. Pierre

Rachel Davis, Staff

Christina McAnuff, Chair and Sarah Clinton presented an update.

The DEI Committee is recommending 1) amending the committee charge, 2) changing the name of the committee and 3) creating a mission statement. The committee will submit their recommended changes for a future council workshop (June?). Some of the changes may require an ordinance change to Chapter 4 Boards and Committees.

Citizens Opportunity for Discussion of Items Not on the Agenda

None

Town Manager's Report

Patrick W. Fox, Town Manager

Manager Remarks:

On Friday, April 18, the new Town website will go live using our new domain: www.capeelizabeth.gov

The new .gov domain helps protect our website from being copied or impersonated by outside parties. The new and current website will stay live during the preliminary phase of launching the new website. For approximately one month, residents will still be able to access materials through the .com URL while becoming more familiar with the .gov site. Detailed information on what to expect from the new website, as well as an opportunity to provide user feedback, will be provided. New agenda software will be rolled out in the coming months on the new site as well.

While change always presents some challenges at the beginning, we are confident that the speed and ease of navigating the new website will be a welcomed change for all.

Councilor Requests and Follow ups:

There have recently been news stories and bulletins regarding the potential removal of the federal tax exemption for municipal bonds. These are the bonds municipalities across the country rely on to pay for roads, bridges, facilities, and utility systems. This tax exemption has been built into the tax code since 1913. This could drive borrowing costs up considerably for the majority of the infrastructure we enjoy in our daily lives all across the Country.

I will be working with Maine Municipal Associations and contacting our Federal Delegation to help protect this important tax exemption for Cape Elizabeth.

Bids, Events and Special Announcements:

- The Town Center Intersection went through some modifications to find reductions in the project scope that would result in cost savings. The project bids are due April 17th.
- Code Enforcement has done a great job getting up to speed on all of the new Statewide building codes updates that went into effect on April 7, 2025. Our staff stayed very involved throughout the two-year process leading to this adoption and is well versed in all of the changes to energy efficiency, health and safety.
- Registered Cape Elizabeth voters can request an absentee ballot by calling the Clerk's Office, or picking up an application at Town Hall, Community Services, or the Thomas Memorial Library. There is also a link on the Town's website. Ballots are expected to be mailed out in the middle of May. Absentee in-person voting in the Town Hall Council Chamber is expected to begin May 13th, and the last day to request an absentee ballot is June 5th 4:30pm.

Review of Draft Minutes

- **March 10, 2025 Regular Meeting**
- **March 24, 2025 Special Town Council Meeting**
- **April 7, 2025 Special Town Council Meeting**

Moved by Jonathan T. Sahrbeck and Seconded by Caitlin J. Harriman

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meetings held on March 10, March 24 and April 7, 2025 as written.

(7 yes) (0 no)

Consent Calendar Item #50-2025 – Item #52-2025

Moved by Stephanie P. Anderson and Seconded by Elizabeth K. Scifres

ORDERED, the Cape Elizabeth Town Council approves the Consent Calendar, Item #50-2025, Item #51-2025 and Item #52-2025 as presented.

(7 yes) (0 no)

Item #50-2025 Liquor License Renewal – Tostones Cafe

ORDERED, the Cape Elizabeth Town Council approves the renewal liquor license (On Premises: Beer, Wine & Spirits) and Special Amusement Permit for Tostones Café located at 337 Ocean House Road as presented.

Item #51-2025 Recycling Committee Vacancy

ORDERED, the Cape Elizabeth Town Council approves the recommendation of the Appointments Committee to appoint Melissa Kim, 19 Patricia Drive to serve on the Recycling Committee. The term is effective immediately and expires December 31, 2027.

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Item #52-2025 Code Enforcement Appointments

ORDERED, the Cape Elizabeth Town Council appoints Benjamin McDougal as Local Health Officer and Jake P. Deslandes as Building Inspector, Electrical Inspector, Plumbing Inspector and Local Health Officer effective April 15, 2025.

Public Hearing Amendments to Chapter 13 Traffic Regulations

Introduction – Councilor Harriman, Ordinance Committee Chair

Chair Jordan opened the public hearing at 7:41 p.m.
After hearing no comments, the hearing was closed.

Item #53-2025 Amendments to Chapter 13 Traffic Regulations

Moved by Caitlin J. Harriman and Seconded by Elizabeth K. Scifres

ORDERED, the Cape Elizabeth Town Council following a public hearing on Monday, April 14, 2025 does hereby adopt Ordinance Committee recommendations to amend Chapter 13 Traffic Regulations Sec. 13-2-2 relating to traffic/parking safety concerns as presented.
(7 yes) (0 no)

**Item #54-2025 Opportunity for Public Comments Relating to the Proposed FY 2026
Municipal Budget**

Andy Patten, 1 Warbler Drive

Item #55-2025 Landfill Solar Project – Change Proposal

Public Comment

Jesse Stowell, Chief Commercial Officer Encore Renewable Energy

Moved by Stephanie P. Anderson and Seconded by Jonathan T. Sahrbeck

ORDERED, the Cape Elizabeth Town Council tables Item #55-2025 Landfill Solar Project – Change Proposal to an executive session to be scheduled.
(7 yes) (0 no)

Citizens Opportunity for Discussion of Items Not on the Agenda

Brian Harris, 34 Farm Hill Road

Adjournment

Moved by Caitlin J. Harriman and Seconded by Elizabeth K. Scifres

ORDERED, the Cape Elizabeth Town Council adjourns at 8:18 p.m.
(7 yes) (0 no)

The Town Council immediately convened into workshop session.

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Workshop notes are for informational purposes.

Workshop: Traffic Committee Framework

The Town Manager is proposing a Traffic Safety Committee to assist the Police and Public Works Departments in requests for speed reduction measures, traffic calming, bike safety/awareness etc. This advisory committee would be a first step to a potential permanent structure after the initial year.

Following discussion, the council provided direction to the Town Manager to draft a committee charge.

Considerations to include:

- 5–7-member citizen committee with staff support assigned by the Town Manager e.g. police and public works
- Staff to be ex-officio, non-voting members
- Citizen members should be representative of the various neighborhoods throughout town
- Where do the duties/responsibilities/decisions lie between the committee and the council
- If decision-making/authority is granted to the committee, how is that structured
- Anticipated meeting schedule e.g. monthly, quarterly, as needed
- Consider a town manager's working group to consult on problem solving these matters. What would this look like compared to a council committee.

Workshop: Ad Hoc Privacy Advisory Committee Discussion

The Ad Hoc Privacy Advisory Committee requested a workshop with the town council to discuss/clarify their charge and funding for a data security review.

Discussion topics:

- 2 members of the 5-member committee have resigned
- The committee has suggestions for clarifying the charge
- What is the role of the committee if a data security review is conducted and how does that interface with the IT Coordinator
- If a review is conducted, understanding some of the information is not public, can the committee obtain high level information to make recommendations
- The committee wishes to have an IT staff member attend meetings
- The committee is willing to assist staff in drafting an RFP for the review
- The committee has a \$20,000 budget. The review is estimated between \$30,000-\$40,000

Next steps:

- The committee will submit recommendations to amend the committee's charge
- The council will discuss possible funding of a review at upcoming budget review sessions. Whether the review will lie with IT or the committee, and when funding may be available (7/1?)
- If the council approves an amended committee charge and the committee's work proceeds, advertise to fill the two vacancies

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Workshop: 1934 Building

The council and staff continue to be mindful of the future of the 1934 building. It was agreed to wait until the vote on June 10. If the referendum passes, the council has time to consider an ad hoc committee to discuss the potential uses and future of the building.

Public Comment

Brian Harris, 34 Farm Hill Road

Mr. Harris encouraged care when considering use of the building because of its close proximity to the school campus particularly if it is deemed the building is not needed by the town.

After hearing no further comments, the workshop was adjourned without objection at 9:57 p.m.

Respectfully Submitted,

Debra M. Lane, Assistant Town Clerk