



Cape Elizabeth Town Council

Minutes Monday, May 12, 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.

Patrick W. Fox, Town Manager

Angela S. Frawley, Town Clerk

Debra M. Lane, Assistant Town Clerk

The Pledge of Allegiance to the Flag

Town Council Reports and Correspondence

None

Finance Committee Report

Finance Chair Scifres noted interest income and building permits are above anticipated revenue, however may not be counted at that level. PW vehicle maintenance is above anticipated due to unplanned but essential repairs on a plow truck and loader.

Citizens Opportunity for Discussion of Items Not on the Agenda

None

Town Manager's Report

Patrick W. Fox, Town Manager

Manager Remarks:

As the Council will be voting on the municipal budget this evening, I just wanted to take a moment to thank staff, committees, and the Councilors for participating in some changes to the budget format and approach. I'm confident it will lead to a more efficient process in future years, but I do truly appreciate everyone's efforts this first time through.

Councilor Requests and Follow ups:

Leading up to an election there are often increases in emails and inquiries to staff and elected officials. This June election is no different. Just know that staff is working diligently to assure signs around Town are in compliance with our local sign ordinance and requests for information are being addressed in a timely manner.

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I encourage residents to visit the Town website ahead of voting to review information on the issues including the Town Center Zoning Amendments and the School Construction Project. While we are encouraging use of CapeElizabeth.gov, you may find reviewing past meeting materials more user friendly on CapeElizabeth.com until we have our new agenda and document software fully implemented on the new website.

[Town Center Zoning Amendments](#)

[School Construction Project – Answers to Council Questions](#)

Bids, Events and Special Announcements:

Tomorrow, May 13th, in person absentee voting will begin in the Council Chambers at Town Hall. Residents may also still request absentee ballot by visiting Town Hall, contacting the Clerk's office or visiting the Elections & Voting page on our website.

Review of Draft Minutes

- **April 14, 2025 Regular Meeting**
- **April 28, 2025 Special Town Council Meeting**
- **May 5, 2025 Special Town Council Meeting**

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

ORDERED, the Cape Elizabeth Town Council approves the minutes of the meetings held on April 14, April 28 and May 5, 2025 as written.
(7 yes) (0 no)

Item #61-2025 Consider Thomas Memorial Library Policy – Library of Things (LoT) Collection Development and Borrowing Policy

Introduction – Rachel Davis, Director of the Thomas Memorial Library

Moved by Caitlin J. Harriman and Seconded by Andrew B. Swayze

ORDERED, the Cape Elizabeth Town Council approves the Thomas Memorial Library's Library of Things (LoT) Collection Development and Borrowing Policy as recommended by the Thomas Memorial Library Committee.
(7 yes) (0 no)
See attachment.

Item #62-2025 Fiscal Year 2026 Municipal General Fund Operating Budget Approval

Moved by Elizabeth K. Scifres and Seconded by Jonathan T. Sahrbeck

ORDERED, the Cape Elizabeth Town Council having held a public hearing on May 5, 2025, does hereby adopt the Municipal General Fund Operating Budget for Fiscal Year 2026, of \$22,021,930 and with estimated non-property tax revenues of \$9,159,584 and estimated property taxes of \$12,862,346 and hereby adopts the following revenue budget and gross appropriations for each listed department as follows:
(7 yes) (0 no)

See attachment: FY 2026 Pro Forma & Department Budget Summary as approved

Item #63-2025 Fiscal Year 2026 Special Revenue Funds Budget Approval

Moved by Elizabeth K. Scifres and Seconded by Jonathan T. Sahrbeck

ORDERED, the Cape Elizabeth Town Council having held a public hearing on May 5, 2025, does hereby approve the proposed FY 2026 Special Revenue Funds and CIP Budget for the Town of Cape Elizabeth, Maine with proposed expenditures and revenues of \$5,374,153.

(7 yes) (0 no)

See attachment: FY 2026 Special Revenue Funds Budget as approved

Item #64-2025 Fiscal Year 2026 School Department Budget Approval

Moved by Elizabeth K. Scifres and Seconded by Jonathan T. Sahrbeck

ORDERED, the Cape Elizabeth Town Council having held a public hearing on May 5, 2025, approves the School Department budget as recommended by the School Board for Fiscal Year 2026 for a total appropriation of \$36,318,456 and estimated revenues of \$3,654,644.

(7 yes) (0 no)

- 1. ORDERED: State/Local EPS Funding Allocation.** That the Town of Cape Elizabeth appropriate \$21,704,296 for the total cost of funding public education from pre-k to grade 12 as described in the Essential Programs and Services Funding Act and that the Town of Cape Elizabeth raise \$19,170,368 as the Town's contribution to the total cost of funding public education from pre-k to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A section 15688.

Explanation: The Town's contribution to the total cost of funding public education from pre-k to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that the Town must raise in order to receive the full amount of state dollars.

- 2. ORDERED: Additional Local Funds.** That the Town of Cape Elizabeth raise and appropriate \$13,493,444 in additional local funds, which exceeds the State's Essential Programs and Services funding model by \$13,493,444 as required to fund the budget recommended by the school board.

The School Board recommends an appropriation which exceeds the State Essential Program and Services model for the following reasons:

The state's funding model does not support all of the costs for Pre-k – 12 education. It includes only those costs considered essential by the state's Essential Programs and Services (EPS) model.

Explanation: The additional local funds are those locally raised funds over and above the Town's local contribution to the total cost of funding public education from pre-k to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state-funded debt service that will help achieve the Town's budget for educational programs.

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3. **ORDERED: Total School Budget Summary.** That the Town of Cape Elizabeth authorizes the School Board to expend \$36,318,456 for the fiscal year beginning July 1, 2025 and ending June 30, 2026 from the Town's contributions to the total cost of funding public education from pre-k to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.
4. **ORDERED: Special Funds.** That the Town of Cape Elizabeth authorizes the School Board to expend sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs, or other sources do not require the expenditure of other funds not previously appropriated.
5. **ORDERED: Changes in Anticipated State Subsidy** (50% to reduce taxes/50% to fund balance): That in the event the Town receives more state general purpose aid for education than the \$2,576,144 amount included in the school budget, the Town shall use 50% of the extra amount to reduce the amount of taxes raised for the school budget, and 50% to supplement the school department unassigned fund balance; and that in the event the amount of that state aid is less than the amount included in the school budget, the Town Treasurer shall execute a journal entry in the amount of any shortfall to be debited from.

Item #65-2025 Fiscal Year 2026 General Fund Budget Summary Motion Concerning Property Taxes

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

ORDERED, the Cape Elizabeth Town Council having held a public hearing on May 5, 2025, does hereby adopt the following items concerning property taxes:

Fix October 15, 2025 and April 15, 2026 as the dates upon each of which one-half (1/2) of such tax is due and payable 36 M.R.S. §505 (2);

Interest to accrue upon taxes due and unpaid after each date at the interest rate of 7.5% per annum 36 M.R.S. §505 (4);

Authorize the Tax Collector and Town Treasurer to accept or decline prepayments of taxes not yet committed or prior to any due date, and pay no interest thereon 36 M.R.S. §506, and fix the interest rate for taxes paid in excess of the assessment 4.0% per annum 36 M.R.S. §506-A.

(7 yes) (0 no)

Item #66-2025 Proposed Amendments to the Fee Schedule

Moved by Caitlin J. Harriman and Seconded by Andrew B. Swayze

ORDERED, the Cape Elizabeth Town Council approves the proposed Fee Schedule, revised effective July 1, 2025 as presented.

(7 yes) (0 no)

See attachment: Summary of amendments to the Fee Schedule

Item #67-2025 Consider Referring to the Ordinance Committee Contract Zoning Enabling Amendment

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

ORDERED, the Cape Elizabeth Town Council refers the Planning Board recommendation relating to Contract Zoning Amendments to the Ordinance Committee.

(6 yes) (1 no Councilor Thompson)

Item #68-2025 GPCOG Delegate Appointment

Moved by Penelope A. Jordan and Seconded by Elizabeth K. Scifres

ORDERED, the Cape Elizabeth Town Council appoints Jonathan Sahrbeck to serve as a Representative to the Greater Portland Council of Governments General Assembly, and Patrick Fox to serve as an alternate representative to the Greater Portland Council of Governments General Assembly for 2025.

(7 yes) (0 no)

Citizens Opportunity for Discussion of Items Not on the Agenda

None

Adjournment

Moved by Caitlin J. Harriman and Seconded by Andrew B. Swayze

ORDERED, the Cape Elizabeth Town Council adjourns at 7:55 p.m.

(7 yes) (0 no)

Respectfully Submitted,

Debra M. Lane, Assistant Town Clerk

Thomas Memorial Library
Library of Things (LoT) Collection Development and Borrowing Policy

Introduction

The Library of Things (LoT) is a circulating collection of non-traditional items designed to complement the library's mission to connect people, information, and ideas, enrich lives, and foster community engagement. The LoT aims to provide access to resources that community members may not otherwise have, promote experiential learning, reduce waste and consumption, and encourage creativity.

Collection Scope

The LoT may include, but is not limited to, items such as:

- Arts & Crafts tools and materials
- Electronics
- Outdoor recreation equipment
- Home improvement tools
- Science equipment
- Health and wellness devices
- Musical instruments
- Toys & Games
- Assistive devices

The LoT collection is not intended to be comprehensive and is subject to limitations including storage space, budget, and staff resources. Items may be located in the Children's or Adult collections based on intended use and safety requirements.

Collection Development

Selection Criteria

Materials for the LoT will be selected based on the following criteria:

- Alignment with the library's mission and strategic goals.
- Community interest and demand.
- Accessibility and potential benefit to patrons.
- Cost and budget considerations.
- Storage space availability.
- Safety and ease of use.
- Maintenance and replacement requirements.
- Availability of instructions or ability to create them.
- Durability and potential for wear and tear.
- Consumer reviews and reliability.

Acquisition of Materials

- Library staff will select materials based on the above criteria and community input.
- Purchase suggestions from patrons will be considered. Purchase suggestions from patrons will be considered and evaluated for addition based on selection criteria.
- Donated items will be evaluated based on the same criteria and must be in usable condition. Donations require prior authorization from library administration.

Collection Maintenance and Evaluation

- The LoT collection will be regularly reviewed and evaluated for popularity, circulation, and condition.
- Items that are not circulating or are deemed no longer useful will be withdrawn from the collection.
- Popular items may be replaced due to wear and tear when budget and space allow.

Library's Use of Things

- The library reserves the right to temporarily remove items from circulation for repair, maintenance, or use in library programs and workshops.
- LoT items are generally not available for Interlibrary Loan.

Borrowing and Usage Guidelines

Eligibility

- Borrowers must have a valid Thomas Memorial Library Library card in good standing.
- For some items, borrowers must be 18 years or older due to safety concerns.
- Some items may require the borrower to read informational material and/or sign a use agreement prior to borrowing.

Loan Periods and Limits

- Loan periods will be determined by library staff and may vary depending on the item.
- Limits on the number of items borrowed per household may apply.
- Items may be renewable at the discretion of library staff depending on the item.

Reservations

- Holds may not be available through the online catalog system.
- Reservations for specific dates may be possible by contacting the library.

Return of Items

- Items must be returned to the circulation desk during library hours.
- Items must not be returned in the book drop.
- Items must be returned intact, clean, in working order, and with all accessories.

Liability

- Borrowers are responsible for the care of the items and any damage, loss, or missing parts.
- Borrowers may be charged for repair or replacement costs.
- The library is not responsible for any damage, injury, or loss that may occur while a borrower is using an item from the LoT.
- A liability waiver may be required.

Review and Amendments

Drafted: March, 2025

Voted for recommendation of approval by the TML Committee on: April 17, 2025

Adopted by the Town Council Effective Date: May 12, 2025

Policy Review: This policy shall be reviewed at least every 2 years

Item #62-2025 FY 2026 Pro Forma & Department Budget Summary May 12, 2025

		FY 2026	% CHANGE
		BUDGET	FY25 TO FY26
TAX RATE VALUATION BASIS		\$ 3,841,890,800	0.13%
EXPENSES			
MUNICIPAL EXPENSES		\$ 19,550,647	4.67%
TIF		182,903	12.71%
OVERLAY		100,000	-89.76%
COUNTY TAX EXPENSE		2,188,380	3.49%
SCHOOL EXPENSES		36,318,456	2.46%
TOTAL EXPENSES		\$ 58,340,386	1.67%
REVENUES			
MUNICIPAL REVENUES		\$ 9,159,584	-14.14%
SCHOOL REVENUES		3,654,644	-10.82%
TOTAL REVENUES		\$ 12,814,228	-13.22%
TAXES TO BE RAISED			
MUNICIPAL		\$ 10,391,063	29.71%
TIF		182,903	12.71%
OVERLAY		100,000	-81.09%
COUNTY		2,188,380	3.49%
SCHOOL		32,663,812	4.19%
TOTAL TAXES TO BE RAISED		\$ 45,526,158	7.97%
TAX RATES			
MUNICIPAL		\$ 2.78	27.26%
COUNTY		0.57	2.52%
SCHOOL		8.50	2.92%
TOTAL TAX RATE (ESTIMATED)		\$ 11.85	7.73%

TOWN OF CAPE ELIZABETH	
FY 2026 BUDGET – GENERAL FUND REVENUES AND EXPENSES	
MAY 12, 2025	
FY 2026 GENERAL FUND REVENUES BY SOURCE	
REAL ESTATE TAXES	\$ 12,862,346
LOCAL FEES AND CHARGES FOR SERVICE	3,490,225
EXCISE TAXES	2,721,000
STATE REVENUES	2,316,000
USE OF FUND BALANCE	-
OPERATING BUDGET CARRY FORWARD	-
BORROWED FUNDS	-
INTERFUND TRANSFERS IN	231,359
INVESTMENT INCOME	400,000
FEDERAL REVENUES	1,000
GRAND TOTALS BY SOURCE	\$ 22,021,930
FY 2026 GENERAL FUND REVENUES BY DEPARTMENT	
TAXES AND COMPONENT REVENUES	\$ 14,985,346
ADMINISTRATION	4,180,325
USE OF FUND BALANCE AND CARRY FORWARD	-
COMMUNITY SERVICES	1,793,500
BORROWED FUNDS	-
FIRE	335,000
TRANSFER FROM OTHER FUNDS	231,359
ACP	264,800
PUBLIC WORKS	197,100
POLICE	32,500
LIBRARY	2,000
GRAND TOTALS BY DEPARTMENT	\$ 22,021,930

FY 2026 BUDGET – GENERAL FUND EXPENSES BY DEPARTMENT AND GROUPING			
		DEPARTMENT	GROUPING
1011000	ADMINISTRATION	\$ 760,886	
1012000	ACP	565,479	
1013000	TOWN COUNCIL	2,000	
1013500	LEGAL & AUDIT	112,000	
1014000	ELECTIONS	92,490	
1014500	IT/COMMUNICATIONS	477,542	
1015000	BOARDS AND COMMISSIONS	36,320	
1016000	INSURANCE	185,000	
1017000	EMPLOYEE BENEFITS	3,430,315	
	ADMINISTRATION		5,662,032
1035000	DEBT SERVICE	1,023,196	1,023,196
1021000	POLICE DEPARTMENT	2,073,220	
1021100	ANIMAL CONTROL	31,887	
1021200	PUBLIC SAFETY DISPATCH	327,500	
1023200	WETeam	46,805	
1023000	FIRE DEPARTMENT	1,223,803	
1023100	RESCUE	726,425	
1023300	FIRE POLICE UNIT	15,000	
1021300	MISC PUBLIC PROTECTION	195,458	
1023400	EMERGENCY PREPAREDNESS	6,713	
	PUBLIC SAFETY		4,646,811
1025000	PUBLIC WORKS	1,518,471	
1025100	REFUSE DISPOSAL	792,499	
1025200	PARKS & GROUND	620,976	
	PUBLIC WORKS		2,931,946
1032000	HUMAN SERVICES	100,400	
1034000	CONTRIBUTIONS	324,000	
	HUMAN SERVICES		424,400
1031000	LIBRARY	696,985	
1030000	COMMUNITY SERVICES ADMINISTRATION	392,142	
1030100	FITNESS CENTER	32,135	
1030200	RICHARDS POOL PROGRAMS	240,910	
1030300	ADULT PROGRAMS	122,526	
1030400	YOUTH PROGRAMS	763,500	
1030500	CAPE CARE	288,741	
1030560	CAPE CARE - ARPA	-	
1030600	SPURWINK CHURCH	700	
1030700	FORT WILLIAMS PARK	196,265	
	LIBRARY AND RECREATION		2,733,904

	FACILITIES MANAGEMENT	150,938	
1026100	TOWN HALL	133,211	
1026200	PUBLIC WORKS BUILDING	127,050	
1026300	PARKS & MISC BUILDINGS	24,193	
1026400	SPURWINK CHURCH BLDG	17,100	
1026500	FORT WILLIAMS PARK BLDGS	54,643	
1026600	LIBRARY BUILDING	105,221	
1026700	SPURWINK SCHOOL BLDG	6,095	
1026800	TOWN CENTER FIRE STATION	60,000	
1026900	COMMUNITY CENTER BUILDING	143,510	
1027000	1026000	257,500	
1027100	POLICE STATION	127,111	
1027200	CAPE COTTAGE FIRE STATION	23,310	
	FACILITIES		1,229,881
1036000	INTERFUND TRANSFERS	1,042,103	1,042,903
1033200	INTERGOVERNMENT ASSESSMENTS	38,477	
	OVERLAY	100,000	
1033100	COUNTY	2,188,380	
	INTERGOVERNMENTAL ASSESSMENTS		2,326,857
	TOTAL OPERATING BUDGET		\$ 22,021,930

Item #63-2025 FY 2026 Special Revenue Funds Budget May 12, 2025

	FY 2026 Special Revenues and CIP Pro Forma	
	Description	2025-2026
Fund	Revenues	
0002	CIP Fund	\$ 845,000
0040	Sewer Fund	2,960,602
0041	Portland Head Light Fund	734,907
0042	Thomas Jordan Fund	87,030
0043	Riverside Cemetery Perpetual Care Fund	65,022
0044	Library Fund	139,892
0050	Fort Williams Park CIP Fund	446,700
0051	Riverside Cemetery CIP Fund	25,000
0052	TIF Fund	-
0053	Infrastructure Fund	70,000
	Total Revenue Budget	\$ 5,374,153
Fund	Expenditures	
0002	CIP Fund	\$ 845,000
0040	Sewer Fund	2,960,602
0041	Portland Head Light Fund	734,907
0042	Thomas Jordan Fund	87,030
0043	Riverside Cemetery Perpetual Care Fund	65,022
0044	Library Fund	139,892
0050	Fort Williams Park CIP Fund	446,700
0051	Riverside Cemetery CIP Fund	25,000
0052	TIF Fund	-
0053	Infrastructure Fund	70,000
	Total Expenditure Budget	\$ 5,374,153
	*Net of transfers and use of surplus	
	SPECIAL REVENUE FUNDS NOT INCLUDED	
71	Asset Forfeiture Fund	
73	Fire Department Scholarship Fund	
74	Employee Activity Fund	

General Fees

Notary Public or Dedimus Justice Services ~~\$5.00~~ \$10.00
~~Per signature. Town Residents Only. No charge for first use per year.~~ ~~\$5.00~~ \$10.00

Police Department

Private Details ~~\$85.00 per hour~~ \$100.00 per hour
School Events ~~\$65.00 per hour~~ \$ 85.00 per hour
Cruiser Fee (Waived for School Events) ~~\$15.00 per hour~~ \$ 25.00 per hour

Police Department Fines

Dog/Cat Impoundment 1st Offense ~~\$10.00~~ \$ 20.00
2nd Offense (same animal) ~~\$25.00~~ \$ 50.00
Each Repeated Offense Thereafter ~~\$50.00~~ \$100.00

Mooring Permit
Resident Annual ~~\$ 50.00~~ \$100.00
Non-Resident Annual ~~\$200.00~~ \$400.00

Public Works Department

Bulky Waste:

Single Item \$ 5.00/per item
Auto/minivan/SUV \$20.00/load
Truck \$30.00/load

Propane Tanks - ≤20# Cyl. \$5.00/per tank

Sewer Fees

Sewer User Minimum Monthly Fee – 1st 100 c.f. ~~\$54.09~~ \$56.79
Incremental Fee per 100 cubic feet ~~\$ 6.21~~ \$ 6.52