



CAPE ELIZABETH TOWN COUNCIL MINUTES
Regular Meeting # 9-01-02
Monday, January 14, 2002
7:30 p.m.

Roll Call By The Town Clerk

Present Absent

Anne E. Swift-Kayatta, Chairman	14 Stone Bridge Road	X	767-5754	6/2002
Henry N. Berry III	110 Two Lights Road	X	799-6500	6/2003
Penelope P. Carson	36 Trundy Road	X	799-8029	6/2003
Carolyn M. Fritz	1 Stirrup Road	X	767-3737	6/2003
Mary Ann Lynch	2 Olde Colony Lane	X	741-2709	6/2004
John W. McGinty	86 Brentwood Road	X	767-0139	6/2004
John E. "Jack" Roberts, Jr.	185 Fowler Road	X	767-4526	6/2002

Students Representatives

Julia Dunfey	X
Mariah Nelson	X

Michael K. McGovern, Town Manager	X
Debra M. Lane, Town Clerk	X

Pledge of Allegiance to the Flag

Presentation from Chris Thompson on Bridge Project at Gull Crest

Chris Thompson, 5 Jewett Road – Chris has worked on this project for his Eagle Scout. The project began in July 2001 and was completed October 2001. The bridge is 80 feet long 5 feet wide. Chris thanked his father and other members of his Troup for their assistance. The Town Council thanked Chris and commended him for his work.

Reports and Correspondence

Councilor Fritz – Mrs. Fritz will be updating residents on educational opportunities for those who own historic structures. Greater Portland Landmarks and Maine Preservation are resources. Maine Preservation will be holding four workshops regarding owning, maintaining, and restorations. The workshops will be held in Bath.

Town Manager's Report

Rosemary Reid has stepped down from coordinating the Bottle Shed. Proceeds from Ms Reid's "single-handed" idea have raised approximately \$175,000 for local youth booster groups. On behalf of the town, Mr. McGovern thanked Ms Reid for her work and dedication to the Bottle Shed.

Citizens' Discussion of Items Not on the Agenda

Minutes of Meeting # 8-01-02 Held December 10, 2001 and # 9-01-02 Held December 13, 2001

Moved by H. Berry and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council approves the minutes of Meeting #8-01/02 held December 10, 2001 and Special Meeting #9-01/02 held December 13, 2001 as presented.

(7 yes) (0 no)

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council suspends the **Rules of the Cape Elizabeth Town Council** to take ITEM #80-01/02 out of order.

(7 yes) (0 no)

**Item # 80-01-02 Report from the Conservation Commission
Re: Highlands Trail Connection**

Moved by J. Roberts and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council acknowledges receipt of the Conservation Commission report dated January 2, 2002 re: Highlands Trail Connection and refers the item to a workshop.

(7 yes) (0 no)

Public Hearing: Proposed Renovation of Community Center, Proposed Sale of Two Lots, Proposed Bond Issue

Intro- Chairman Swift-Kayatta
Sue Weatherbie, Director Community Services

Chairman Swift-Kayatta opened the public hearing at 7:55PM.

Bill Lowell, 6 Pine Point Road (Resident since 1960)

Mr. Lowell supports the renovation of the Community Center. The town needs an "accountable place" for seniors to meet, craft etc. Can we afford it? Although residents don't want taxes to increase, it appears the financing will have minimal impact on the tax rate.

Irving Chappell, 37 Trundy Road

Mr. Chappell supports the renovation of the Community Center. Mr. Chappell strongly opposes the sale of the service station lot next to Town Hall. The Town Council "will be sorry" 10 years from now if the property is sold.

Cory Kuhl, 13 Algonquin Road, Community Service Advisory Commission Member

Ms Kuhl supports the sale of 1226 Shore Road, and the renovation of the Community Center.

Sharon Roberts, 185 Fowler Road, Community Services Advisory Commission Member
Mrs. Roberts supports the renovation of the Community Center for programming, meeting space and Community Services offices.

Valerie Hall, 45 Broad Cove Road

Mrs. Hall supports the renovation of the Community Center. Mrs. Hall encouraged the Town Council to retain the service station lot for a town green. At the November 9, 1998 Town Council meeting, Mrs. Hall presented a petition said to contain 288 signatures requesting the Town Council retain ownership of 316 Ocean House Road, with the goal of making the property a town green.

Sally Cox 23 Salt Spray Lane

Ms Cox supports the renovation of the Community Center. She also supports the town retaining the service station lot next to Town Hall for a town green.

Ann Belden 56 Stonybrook Road, President Pond Cove Parents

Representing the parents attending the last Pond Cove Parents Association meeting, there is support for the renovation of the Community Center. Space needs to be considered to move the kindergarten.

Superintendent Tom Forcella

Superintendent Forcella congratulated the Town Council in considering the renovation project, in light of economic the times. Community Services programming offers both young and old the opportunity to participate. Community Services deserves offices for the future. Freeing the Community Services office provides space for middle school programs. Space at the high school currently occupied by the kindergarten is needed due to an increase number of students at the high school.

Marie Prager 19 Rock Crest Drive, School Board Member, Chairman School Building Committee

Mrs. Prager stated that portables would be needed next year at the high school. A renovation project of the high school and addition to Pond Cove to move kindergarten will be coming to the Town Council in the fall.

Everett Johnson, 485 Mitchell Road

Mr. Johnson expressed his concern of the town being “too much into private enterprise.” He doesn’t support subsidizing programs such as day care and the fitness center. The town “shouldn’t be in real estate business or leasing property.” There are plenty of meeting rooms within existing buildings.

Frank Miles 243 Bowery Beach Road, Former CEHS Principal

Mr. Miles supports the renovation of the Community Center, and hopes this is the last move for Community Services – they deserve a permanent space.

Joe Foley, 7 Spoonrift Lane

Mr. Foley supports the renovation of the Community Center. He encouraged the Town Council to reconsider selling the service station lot next to Town Hall.

Kathy Perkins 215 Mitchell Road, Community Services Advisory Commission and Community Center Building Committee

Mrs. Perkins supports the renovation of the Community Center. Community Services serves “a true cross section and diverse needs” of the community.

Gerald Petrucelli, 38 Wildwood Drive

Mr. Petrucelli supports the renovation of the Community Center. Community Services is an asset. The town can “do the project right or wrong.” Do it right. The community needs to consider 25-50 years, the next generation. “Next year’s taxes don’t matter.” Mr. Petrucelli supports retaining the service station lot next to Town Hall.

Tim Thompson, 6 Pine Ridge Road

Mr. Thompson supports the renovation of the Community Center. The project is “good planning and decision making” a “no-brainer.” With minimum impact to the tax rate, the project provides various solutions including offices for Community Services. The program is a model.

Noreen O’Connor, 274 Mitchell Road

As a new resident of 2 years, the family is provided comfort that the services and staff at Community Services exist. Mrs. O’Connor supports the renovation of the Community Center, and preservation of the service station lot next to Town Hall.

After hearing no further comments, the hearing was closed 8:31PM.

Item # 72-01-02 Proposed Sale of 1226 Shore Road- (Present Community Center)

Moved by H. Berry and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council hereby authorizes the Town Manager to obtain an independent appraisal for the potential sale of 1226 Shore Road and to market the property at the higher amount of the appraisal or of the Town’s assessed valuation. The sale of the property shall include the Town retaining an easement for pedestrian and vehicular traffic of the existing driveway. Any option agreement or purchase and sale agreements shall be subject to Town Council approval. This vote is conditioned upon the Town Council approving a new community center in Item # 74-01-02.

(7 yes) (0 no)

Item # 73-01-02 Proposed Sale of 316 Ocean House Road (Former Service Station Lot)

Moved by C. Fritz and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council retains ownership of 316 Ocean House Road.
(5 yes H. Berry, P. Carson, C. Fritz, J. McGinty, J. Roberts)
(2 no M. Lynch, A. Swift-Kayatta)

Item # 74-01-02 Consideration of Proposed New Community Center

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council hereby approves the renovation of 343 Ocean House Road into a new community center and appropriates \$1,775,000 to accomplish the project. The \$1,775,000 includes \$1,500,000 in anticipated bond proceeds, \$200,000 from the sale of properties, \$50,000 in donations and \$25,000 from the Community Services special revenue fund. The Cape Elizabeth Town Council also hereby thanks the Community Center Planning Committee for their efforts in proposing this renovation and acknowledges the contributions of SMRT, municipal and community services staff in assisting the committee.
(7 yes) (0 no)

Item # 75-01-02 Proposed Bond Resolution for New Community Center

Moved by P. Carson and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council approves the following bond resolution for the new Community Center at 343 Ocean House Road as follows:

TOWN OF CAPE ELIZABETH, MAINE
TOWN COUNCIL VOTE AUTHORIZING
THE ISSUANCE OF UP TO \$1,500,000 IN BONDS
TO FINANCE EXPENDITURES FOR
TOWN CENTER FACILITY PROJECT

VOTED: Pursuant to the provisions of Section 5772 of Title 30-A of the Maine Revised Statutes and all other authority thereto enabling, and in order to provide funds for costs of the following Project previously authorized by votes of the Town Council, and the costs and expenses related thereto, the Town Council of the Town of Cape Elizabeth hereby authorizes the Treasurer to borrow on behalf of the Town up to \$1,500,000 in principal amount, as follows:

Renovation of Pond Cove Millwork Building Into a Town Center Facility	\$1,500,000
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VOTED: That the term “cost” or “costs” as used herein and applied to any Project, or any portion thereof, includes, but is not limited to: (1) the purchase price or acquisition cost of all or any portion of the Project; (2) the cost of construction, building, alteration, enlargement, reconstruction, renovation, improvement, and equipping of the Project; (3) the cost of all appurtenances and other facilities either on, above, or under the ground which are used or usable in connection with the Project; (4) the cost of landscaping, site preparation, and remodeling of any improvements or facilities; (5) the cost of all labor, materials, building systems, machinery and equipment; (6) the cost of land, structures, real property interests, rights, easements, and franchises acquired in connection with the Project; (7) the cost of all utility extensions and site improvements and development; (8) the cost of planning, developing, preparation of specifications, surveys, engineering, feasibility studies, legal and other professional services associated with the Project; (9) the cost of environmental studies and assessments; (10) the cost of financing charges and issuance costs, including premiums for insurance, interest prior to and during construction, underwriters’ fees and costs, legal and accounting fees and costs, application fees, and other fees and expenses relating to the financing transaction; and (11) the cost of all other financing authorized hereunder, whether related or unrelated to the foregoing.

VOTED: That in order to effect the borrowing heretofore authorized, the Treasurer be and hereby is authorized to prepare, issue and sell notes or bonds of the Town in the aggregate principal amount not to exceed \$1,500,000, such notes or bonds to be signed by the Treasurer, countersigned by the Chairman of the Town Council and attested by the Town Clerk.

VOTED: The form, maturity, interest rate and other details of said notes or bonds shall be as determined by the Treasurer and the Chairman of the Town Council by their execution thereof, but shall have a final maturity not later than 20 years from date of issuance, and shall not be inconsistent with the provisions hereof. Such notes or bonds and any notes issued in anticipation thereof may be issued as callable notes or bonds in the discretion of the Treasurer and Chairman of the Town Council.

VOTED: That the Treasurer and the Chairman of the Town Council are hereby authorized on behalf of the Town to borrow money in anticipation of the issuance of said notes or bonds by the issuance and sale of notes and renewal notes in anticipation thereof, such notes and renewal notes to be in such form, have such maturity and bear interest at such rate as may be approved by the Treasurer and Chairman of the Town Council by their execution thereof.

- VOTED: That the Chairman of the Town Council, the Treasurer and Clerk, and other proper officials of the Town be, and hereby are, authorized and empowered in its name and on its behalf, to do or cause to be done all such acts and things as may be deemed necessary or desirable in order to effect the issue and delivery of said bonds and notes hereinbefore authorized in the foregoing resolutions.
- VOTED: That the Treasurer be and hereby is authorized to select the registrar, paying agent, and transfer agent (the "Transfer Agent") for the bonds and to execute and deliver such contracts and agreements as may be necessary or appropriate to secure their services.
- VOTED: That if the Treasurer, Chairman of the Town Council, or Clerk are for any reason unavailable to approve and execute the bonds or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.
- VOTED: That the officers executing the bonds be and hereby are individually authorized and directed to covenant and certify on behalf of the Town that no part of the proceeds of the issue and sale of the bonds authorized to be issued hereunder shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code").
- VOTED: That the officers executing the bonds be and hereby are individually authorized to covenant on behalf of the Town and for the benefit of the holders of the notes and bonds, that the Town will take whatever steps, and refrain from taking any action, as may be necessary or appropriate to ensure that interest on the notes and bonds will remain exempt from federal income taxes.
- VOTED: That the officers executing the bonds be and hereby are individually authorized to covenant, certify, and agree, on behalf of the Town, for the benefit of the holders of such bonds, that the Town will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to ensure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met.
- VOTED: That said notes and bonds are hereby designated "qualified tax exempt obligations" under Section 265(b)(2) of the Code.
- VOTED: That the bonds shall be transferable only on the registration books of the Town kept by the transfer agent.

VOTED: That the Treasurer and Chairman of the Town Council from time to time shall execute such bonds as may be required to provide for exchanges or transfers of bonds as heretofore authorized, all such bonds to bear the original signature of the Treasurer and Chairman of the Town Council, and in case any officer of the Town whose signature appears on any bond shall cease to be such officer before the deliver of said bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery thereof.

VOTED: That this Bond Resolution shall constitute the Town's official declaration of intent for purposes of Section 1.150 of the Internal Revenue Regulations, and to the extent that any costs of the foregoing project are paid by the Town from the general fund or other fund, such payments may be reimbursed from the proceeds of said notes or bonds.

VOTED: That the notes and bonds authorized by this Bond Resolution may be combined with any other notes or bonds duly authorized by the Town of Cape Elizabeth and together issued as a single bond issue in the aggregate amount of the notes and bonds so authorized.

VOTED: That in each of the years during which any of the bonds are outstanding, there shall be levied a tax in an amount which, with other revenues, if any, available for that purpose, shall be sufficient to pay the interest on said bonds, payable in such years, and the principal of such bonds maturing in such years.

(7 yes) (0 no)

Item # 76-01-02 Lease of Space at 343 Ocean House Road to Edward Jones Investments

Intro – Manager McGovern

Moved by P. Carson and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council hereby authorizes the Town Manager to execute a 5-year lease with Edward Jones Investments for approximately 1000 square feet of space at 343 Ocean House Road. The initial rental amount shall be \$1,150 monthly and shall increase three percent upon each annual anniversary. The lease shall be in form acceptable to the Town Attorney, the Town Manager and the Town Council Chairman.

(7 yes) (0 no)

Public Hearing Requirement for Annual Renewals of Earth Material Removal Permits

Chairman Swift-Kayatta opened the public hearing at 9:23PM.

Leland P. Murray, III, 99 Fowler Road, Son of the Owner of the Bluestone Corporation (quarry on Sawyer Road) Mr. Murray supports the amendment.

After hearing no further comments, the hearing was closed at 9:25PM.

Item # 77-01-02 Proposed Amendment to the Sec 19-8-5 of the Zoning Ordinance Regarding Renewals of Earth Materials Permits

Intro – Maureen O’Meara, Town Planner

Moved by H. Berry and Seconded by M. Lynch

Be it ordained by the Town Council of the Town of Cape Elizabeth, Maine, in Town Council assembled to hereby amend the Zoning Ordinance to have Sec 19-8-5 C. read as follows:

SEC. 19-8-5. EARTH MATERIALS REMOVAL STANDARDS

C. Permit Procedures

The owner of the lot or parcel on which the removal activities is proposed to occur shall make a written application for a permit to the Planning Board in accordance with the following procedures.

1. The Planning Board shall process an application for earth material removal activities in accordance with the procedures established for site plan review in Sec. 19-9-4, Review Procedures.
2. The Planning Board shall review the submitted application and accompanying materials. The Planning Board may require additional material that, considering the probable cost and effects of the proposed activity, it deems necessary for a full consideration of the proposal and its effects, including more detailed plans.

3. The Planning Board in its review of an application may require a “peer review” by a professional engineer or other relevant expert. The cost of all such review, including the cost of review by the Town Engineer, shall be taken from the application’s Review Escrow Account. If a Review Escrow Account has not been established pursuant to the provisions of other ordinances governing an aspect of the applicant’s proposed activity, the Planning Board shall be authorized to require an applicant for an earth materials permit to establish a Review Escrow Account under the terms of Sec. 16-2-4 (a)(1) of the Subdivision Ordinance. Any funds not disbursed from the Review Escrow Account shall be promptly returned to the applicant upon final disposition of his or her application.
 - a. Within thirty-five (35) days following the public hearing, or such longer period as may be mutually agreeable to the Planning Board and the applicant, the Planning Board shall render its decision to approve, to approve with conditions or to disapprove in writing, specifying the reasons therefore. Notwithstanding other provisions of this Ordinance, the applicant, or any property owner entitled to notice of the public hearing, who is aggrieved by a decision of the Planning Board under this ordinance, may appeal to the Superior Court as provided by the Maine Rules of Civil Procedure.
 - b. The Planning Board may require the applicant furnish to the Town, before the issuance of a permit, a performance guarantee in accordance with Section 16-2-4(c)(7)(A) of the Subdivision Ordinance. The amount and the conditions shall be consistent with the purposes of this Ordinance and shall secure the proper performance of the alteration work. The amount shall be based upon the estimated cost of completing or correcting any work necessary to satisfy the conditions of the permit and the criteria of this Ordinance plus the estimated costs of preventing or correcting any damage to the subject or other property which the Planning Board considers probable or of sufficient gravity to justify the expected expense of such guarantee.
 - c. The Earth Materials Permit must be utilized through conducting activities provided for in the permit on the permitted site within one (1) year from the date of Planning Board approval. If work has not commenced on the site within one year, the permit holder or their designee may request an extension for up to one (1) year for cause shown. Once a permit is activated through activity on the site, the permit shall remain in place without expiration. The Code Enforcement officer shall suspend any permit for failure to comply with conditions placed upon the Earth Materials Permit, failure to post any necessary performance guarantees, noncompliance with any other permitting process or to address any other issues of earth materials removal effecting the public health, safety and welfare. (6 yes) (1 no J. Roberts)

Item # 78-01-02

**Report from the Ordinance Committee
Re: Parking on Oakhurst Road**

Intro – Councilor Lynch, Chairman Ordinance Committee

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council acknowledges receipt of the report of the Ordinance Committee and sets to public hearing on Monday, February 11, 2002 at 7:30 p.m. at the Cape Elizabeth Town Hall the following proposed amendment to the Traffic Regulations to be referenced as Sec. 13-2-2 q. 14.:

Sec. 13-2-2 q. 14. On the northerly side of Oakhurst Road from Waverley Road easterly (400) four hundred feet towards Shore Road.

Note: Sec. Q. is prefaced with “no parking at any time”.

(7 yes) (0 no)

Item # 79-01-02

**Report from the Planning Board Re: Offsite Parking Zone
Amendment**

Moved by M. Lynch and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council acknowledges receipt of the Planning Board report dated December 21, 2001 re: Off Site Parking Zoning Amendment and refers to the Ordinance Committee the proposed amendment to Sec 19-7-8 of the Zoning Ordinance to allow offsite parking in the BB District up to one mile away.

(7 yes) (0 no)

Item # 81-01-02

**Offer of Land at U29-38
Lot Near Stephenson Street for Potential Greenbelt Link**

Intro – Manager McGovern

Moved by C. Fritz and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council refers to the Conservation Commission review of the offer of a parcel designated as U29-38 on the Town’s Assessors Maps. The Town Council requests the recommendation by March 1, 2002.

(7 yes) (0 no)

**Item # 82-01-02 Deed from Joseph Frustaci
 Rosewood Subdivision**

Moved by P. Carson and Seconded by M. Lynch

Ordered the Cape Elizabeth Town Council approves the request of Council Roberts to recuse himself from discussion and voting on ITEM #82-01/02 due to a perceived conflict of interest due to Mr. Roberts employment by the City of South Portland.

(6 yes) (1 abstention J. Roberts)

Moved by C. Fritz and Seconded by P. Carson

Ordered the Cape Elizabeth Town Council accepts a deed from Joseph Frustaci, which conveys full title to the land in the Rosewood Subdivision, which was previously provided to the town as an easement.

(6 yes) (0 no)

**Item # 83-01-02 Confirmation of Protected Properties
 Historic Resources list**

Moved by J. McGinty and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council voted at the December 10, 2001 Town Council meeting to continue on the historic property protection list, in Appendix C of the Zoning Ordinance, state and municipally owned properties. The properties were not specifically cited in the motion. This item confirms the properties to be on the list and specifically the portions of structures included for Portland Head Light, the Cape Elizabeth Middle School and 343 Ocean House Road. The properties to be included on the list are as follows:

R03-59	N. Dyer (Superintendent's House)	Two Lights State Park
R03-59	World War II Bunker	Two Lights State Park
R03-59	World War II Observation Tower	Two Lights State Park
R06-8	Spurwink Meeting House	533 Spurwink Ave.
U11-17	Town Hall	320 Ocean House Road
U21-12	Thomas Memorial Library	6 Scott Dyer Road
U21-12	Middle School- (Colonial Revival 1930's Building)	Scott Dyer Road
U21-2	Greek Revival Farmhouse	343 Ocean House Road
U48-1	Goddard Mansion	Fort Williams Park
U48-1	Field Officers Quarters	Fort Williams Park
U48-1	Bachelor Officers Quarters	Fort Williams Park
U48-1	Militia Storehouse	Fort Williams Park
U48-1	Artillery Engineer Storehouse	Fort Williams Park
U48-1	Gun Shed	Fort Williams Park
U48-2	Portland Head Light Inc. All Structures on Property	Fort Williams Park

(7 yes) (0 no)

**Item # 84-01-02 Report from Fort Williams Advisory Commission
Rentals of Bandstand and Stone Gazebo**

Intro -Betty Crane, Fort Williams Advisory Commission Member

Moved by M. Lynch and Seconded by J. Roberts

Ordered the Cape Elizabeth Town Council approves the recommendation of the Fort Williams Advisory Commission to add two sites, which may be reserved in Fort Williams Park for a fee. The two sites are the bandstand and the stone gazebo. It is further ordered to set the following reservation fees:

- | | |
|---------------------------|----------------------|
| Cape Elizabeth Residents: | \$35.00 per half day |
| Non-Residents | \$50.00 per half day |
| Business Groups | \$50.00 per half day |

A refundable, additional \$25.00 security deposit is charged. The security deposit is returned if there is no damage or cleanup required.

(7 yes) (0 no)

**Item # 85-01-02 Recommendations from Fort Williams Advisory Commission
Fort Williams Park Use Requests**

Present – Betty Crane, Fort Williams Advisory Commission Member

Moved by H. Berry and Seconded by J. McGinty

Ordered the Cape Elizabeth Town Council approves the following uses of Fort Williams Park in 2002 with the events to be conducted in conformance with the Fort Williams Park use policy and subject to conditions set for the by the Fort Williams Advisory Commission:

- | | |
|---|--|
| a. Kite Days Sponsored by Northern Sky Toyz | 3/31, 4/20,6/16,9/7, and 10/13 |
| b. People’s Beach to Beacon Road Race Setup | August 1 and August 2 |
| c. People’s Beach to Beacon Road Race | August 3 |
| d. Multiple Sclerosis Walk | April 7 |
| e. Labor Day Weekend Art Show | September 1, or if raining September 2 |
| f. New Hampshire Pyrotechnic Association | September 22 |

(7 yes) (0 no)

Item # 86-01-02 **Quitclaim Deed**
1 Pine Point Road

Moved by H. Berry and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council authorizes the Town Manager to sign a quitclaim deed to Diane Carroll (aka Diane L. & Diane A.) for property located at 1 Pine Point Road Map U35 Lot 005-007 as presented.

(7 yes) (0 no)

See attachment.

Item # 87-01-02 **Capital Improvement Program**

Moved by J. McGinty and Seconded by H. Berry

Ordered the Cape Elizabeth Town Council acknowledges receipt of the proposed Capital Improvement Program for 2003-2007.

(7 yes) (0 no)

Citizen's Discussion of Items Not on the Agenda

Adjournment

Moved by P. Carson and Seconded by C. Fritz

Ordered the Cape Elizabeth Town Council adjourns at 9:57PM.

Debra M. Lane, Town Clerk

