

**AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – SEPTEMBER 4, 2019
REGULAR MEETING – 7:00 P.M.**

NO NEW BUSINESS SHALL BE TAKEN UP AFTER 10:00 P.M.

- Item 1.** Call to Order.
- Item 2.** Pledge of Allegiance.
- Item 3.** Roll Call.
- Item 4.** General Public Comments.*
- Item 5.** Minutes: August 28, 2019 - Town Council Meeting.
- Item 6.** Adjustment to the Agenda.
- Item 7.** Items to be signed: a. Treasurer's Warrants.

***Procedure for Addressing Council** [Posted in Chambers.]

Order No. 19-058, 7:00 p.m. Public hearing and second reading on the order authorizing issuance of up to \$1,050,000 in bonds of the town to fund the cost of replacing the existing artificial turf field and the renovating of the existing track surface and to place the following question on the November 5, 2019, Municipal Ballot: Shall the Order entitled **“ORDER AUTHORIZING ISSUANCE OF UP TO \$1,050,000 IN BONDS OF THE TOWN TO FUND THE COST OF ARTIFICIAL TURF REPLACEMENT AND TRACK RESURFACING AT THE SCARBOROUGH HIGH SCHOOL”** be approved? *[Town Council]*

Order No. 19-059, 7:00 p.m. Public hearing and second reading on the order authorizing issuance of up to \$660,000 in bonds of the town to fund the cost of a new pumper truck surface and to place the following question on the November 5, 2019, Municipal Ballot: Shall the Order entitled **“ORDER AUTHORIZING ISSUANCE OF UP TO \$660,000 IN BONDS OF THE TOWN TO FUND THE COST OF A NEW PUMPER TRUCK”** be approved? *[Town Council]*

Order No. 19-060, 7:00 p.m. Public hearing and second reading on the order authorizing issuance of up to \$2,500,000 bonds of the town to fund purchase of land and interests in land throughout the town for purposes of conservation of natural areas, providing public access and recreation, and protection of wildlife habitat and scenic or environmentally sensitive areas and to place the following question the November 5, 2019, Municipal Ballot: Shall the Order entitled **“ORDER AUTHORIZING ISSUANCE OF UP TO \$2,500,000 BONDS OF THE TOWN TO FUND THE PURCHASE OF LAND THROUGHOUT THE TOWN FOR FUTURE PURCHASES OF PROPERTIES OR RIGHTS TO PROPERTIES FOR THE FOLLOWING PURPOSES:**

- **TO PROVIDE OR MAINTAIN PUBLIC ACCESS; AND,**
- **TO ALLOW PASSIVE OR ACTIVE RECREATION; AND,**
- **TO CONSERVE WATER QUALITY, NATURAL RESOURCES, OR OTHER NATURAL AREAS; AND,**
- **TO PROVIDE EASEMENTS FOR WALKING OR BIKING TRAILS; AND,**
- **TO PRESERVE SIGNIFICANT HISTORIC SITES; AND,**
- **TO PRESERVE SITES WHICH CAN BE CONSIDERED PART OF THE CHARACTER TO THE COMMUNITY; AND,**
- **TO ADD TO EXISTING CONSERVATION AND PUBLIC AREAS”** be approved?

[The Scarborough Land Trust]

Order No. 19-064. 7:00 p.m. Public Hearing and action on the request for a Special Amusement Permit from Davric Maine Racing, LLC – d/b/a Scarborough Downs, located at 1 Scarborough Downs Road.
[Town Clerk]

OLD BUSINESS:

Order No. 19-065. Act on the request to approve of the name of Ernest Milner as 2nd Alternate to the Sustainability Committee, with a term to expire in December 2020, that was posted at the August 28, 2019 Town Council meeting and recommended by the Appointments/Negotiations Committee.
[Appointments/Negotiations Committee]

NEW BUSINESS:

Order No. 19-066. Act on the request to establish an Ad-Hoc Community Center Advisory Committee and approve the charge for said Committee. *[Town Manager]*

Item 9. Non Action Item.

Item 10. Standing and Special Committee Reports and Liaison Reports.

Item 11. Town Manager Report.

Item 12. Council Member Comments.

Item 13. Adjournment.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – SEPTEMBER 4, 2019
REGULAR MEETING – 7:00 P.M.

Order No. 19-058. Move approval of the second reading on the order authorizing issuance of up to \$1,050,000 in bonds of the town to fund the cost of artificial turf replacement and track resurfacing at the Scarborough High School and to place the following question on the November 5, 2019, Municipal Ballot: Shall the Order entitled **“ORDER AUTHORIZING ISSUANCE OF UP TO \$1,050,000 IN BONDS OF THE TOWN TO FUND THE COST OF ARTIFICIAL TURF REPLACEMENT AND TRACK RESURFACING AT THE SCARBOROUGH HIGH SCHOOL”** be approved? [*Town Council*]

Town Council

Ought to Pass

Sponsor

Recommendation

08/28/2019 - Vote: 7 Yeas.

First Reading/Action /Vote

09/04/2019

Public Hearing

09/04/2019 – Vote:

Second Reading/Final Approval/Vote

ORDER AUTHORIZING ISSUANCE OF UP TO \$1,050,000 IN BONDS OF THE TOWN TO FUND THE COST OF ARTIFICIAL TURF REPLACEMENT AND TRACK RESURFACING AT THE SCARBOROUGH HIGH SCHOOL.

BE IT ORDERED by the Town Council by the Town of Scarborough, Maine, in Town Council assembled, as follows:

- (1) That the replacement of the Artificial Turf and Track Resurfacing at the Mitchell Sports Complex, budgeted in the 2020 Municipal Capital Equipment Budget by the Town Council, is hereby approved; and,
- (2) That a sum not to exceed \$1,050,000 is hereby appropriated, plus any additional premium, to provide for the costs of this program; and,
- (3) That to fund said appropriation, the Treasurer and the Chairman of the Town Council are hereby authorized to issue, at one time or from time to time, general obligation securities of the Town of Scarborough, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$1,050,000 plus any additional premium and the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, premium(s), call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, is hereby delegated to the Treasurer and the Chairman of the Town Council.

BE IT FURTHER ORDERED, that the following referendum question shall be submitted to the voters of the Town of Scarborough, Maine at the regular municipal election to be held Tuesday, November 5, 2019:

Referendum Question No. 1:

Shall the Order entitled “**ORDER AUTHORIZING ISSUANCE OF UP TO \$1,050,000 IN BONDS OF THE TOWN TO FUND THE COST OF ARTIFICIAL TURF REPLACEMENT AND TRACK RESURFACING AT THE SCARBOROUGH HIGH SCHOOL**” be approved?

FINANCIAL STATEMENT

- 1. Total Indebtedness
 - A. Bonds outstanding and unpaid: \$102,720,000
 - B. Bonds authorized and unissued: \$ 5,145,348
 - C. Bonds to be issued if this Article is approved \$ 1,050,000
- 2. Costs

At an estimated maximum interest rate of 5% for a twenty (20) year maturity, the estimated costs of this bond issue will be:

Principal:	\$ 1,050,000
Interest:	<u>\$ 569,375</u>
Total Debt Service:	\$ 1,619,375
- 3. Validity:

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

s/ _____
Town Treasurer



Town of Scarborough, Maine

DEPARTMENT OF COMMUNITY SERVICES

TO: Tom Hall, Town Manager

FROM: Todd Souza, Director 

RE: Artificial Turf & Track Surface Improvement RFP

DATE: August 22, 2019

On Wednesday, we opened RFP #082020 "Artificial Turf & Track Surface Improvements". During the FY20 budget process the figure of \$1,050,000.00 was estimated and discussed for this project. Based on the proposal estimates received, our original estimate will not be adequate to complete the repairs needed at the Kippy Mitchell Sports Complex. With the present timeline for proposed ballot language with a first reading on August 28th and public hearing/second reading on September 4th, I would ask to have the estimate of \$1,600,000.00 listed for the first reading. This will allow us time to complete our project due diligence, understand the full scope of work for each proposal and work with the selected company to refine their estimate to create the best value for the Town. I would also propose to bring a refined number forward for the public hearing/second reading on September 4th.

I've attached a proposal spreadsheet for your review. Please feel free to reach out with any questions.

Artificial Turf and Track Surface Improvements - RFP # 082020

RFP: Opened August 21, 2019 at 10:00 AM

COMPANY	ITEM 1.		ITEM 2.		ITEM 3.		ITEM 4.		TOTAL PROJECT	
	Turf	Replacement	Track	Renovation	Turf Stripping & Color Logos	List A	Survey & Design			
AstroTurf Corporation		\$476,656.33		\$441,406.50		\$39,734.00		\$303,654.60	\$0.00	\$1,261,451.43
Field Turf USA Inc.		\$556,975.01		\$687,750.00		\$45,150.00		\$249,165.44	\$89,250.00	\$1,628,290.45
Field Turf USA Inc.		\$571,533.71		\$687,750.00		\$45,150.00		\$249,165.44	\$89,250.00	\$1,642,849.15
Field Turf USA Inc.		\$605,504.01		\$687,750.00		\$45,150.00		\$249,165.44	\$89,250.00	\$1,676,819.45
Field Turf USA Inc.		\$620,062.71		\$687,750.00		\$45,150.00		\$249,165.44	\$89,250.00	\$1,691,378.15
NET Sports Group		\$678,953.40		\$669,672.80		\$63,200.35		\$188,173.45	\$0.00	\$1,600,000.00
Sprinturf, LLC		\$395,178.00		NO BID		\$47,274.00		NO BID	\$0.00	\$442,452.00
Turf Prep		\$562,000.00		\$257,000.00		\$40,000.00		\$285,920.00	\$0.00	\$1,144,920.00

COMPANY	DELIVERY		Turf		Track		Turf		Track		Turf		Track		Certified	
	TOTAL PRICE	TIME	Warranty	Warranty	Warranty	Warranty	Product	Type	Process	System	Process	Type	Process	System	Track Builder	
AstroTurf Corporation	\$1,261,451.43	35 Days	8 Years	8 Years	5 Years	5 Years	Rhino Blend	Slit Film & Monofil	Mill & Repave 1.5"	APT, Spurten BS	Full Renovation	Slit Film & Monofil	Full Renovation	Beynon, BSS 100	YES	YES
Field Turf USA Inc.	\$1,628,290.45	21 Days	8 Years	8 Years	10 Years	10 Years	XT	Slit-Film	Full Renovation	Beynon, BSS 100	Full Renovation	Slit-Film	Full Renovation	Beynon, BSS 100	YES	YES
Field Turf USA Inc.	\$1,642,849.15	21 Days	8 Years	8 Years	10 Years	10 Years	Vertex	Slit Film & Monofil	Full Renovation	Beynon, BSS 100	Full Renovation	Slit Film & Monofil	Full Renovation	Beynon, BSS 100	YES	YES
Field Turf USA Inc.	\$1,676,819.45	21 Days	8 Years	8 Years	10 Years	10 Years	Revolution 360	Monofilament	Full Renovation	Beynon, BSS 100	Full Renovation	Monofilament	Full Renovation	Beynon, BSS 100	YES	YES
Field Turf USA Inc.	\$1,691,378.15	21 Days	8 Years	8 Years	10 Years	10 Years	Vertex Prime	Slit Film & Monofil	Full Renovation	Beynon, BSS 100	Full Renovation	Slit Film & Monofil	Full Renovation	Beynon, BSS 100	YES	YES
NET Sports Group	\$1,600,000.00	45 Days	8 Years	8 Years	8 Years	8 Years	Xtreme Turf BDx60	Woven Tri-Fiber	Full Renovation	Beynon, BSS 100	Full Renovation	Woven Tri-Fiber	Full Renovation	Fast Track 100		
Sprinturf, LLC	\$442,452.00	18 Days	8 Years	8 Years	N/A	N/A	Ultra Blade 50 MX	Monofilament	NO BID	NO BID	NO BID	Monofilament	NO BID	NO BID		
Turf Prep	\$1,144,920.00	21 Days	8 Years	8 Years	10 Years	10 Years	XT	Slit-Film	Surface	Plexitrac	Surface	Slit-Film	Surface	Plexitrac		

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – SEPTEMBER 4, 2019
REGULAR MEETING – 7:00 P.M.

Order No. 19-059. Move approval of the second reading on the order authorizing issuance of up to \$660,000 in bonds of the town to fund the cost of a new pumper truck surface and to place the following question on the November 5, 2019, Municipal Ballot: Shall the Order entitled “**ORDER AUTHORIZING ISSUANCE OF UP TO \$660,000 IN BONDS OF THE TOWN TO FUND THE COST OF A NEW PUMPER TRUCK**” be approved? *[Town Council]*

Town Council

Ought to Pass

Sponsor

Recommendation

08/29/2019 - Vote: 7 Yeas.

First Reading/Action /Vote

09/04/2019

Public Hearing

09/04/2019 – Vote:

Second Reading/Final Approval/Vote

Order No. 19-059:

ORDER AUTHORIZING ISSUANCE OF UP TO \$660,000 IN BONDS OF THE TOWN TO FUND THE COST OF A NEW PUMPER TRUCK.

BE IT ORDERED by the Town Council by the Town of Scarborough, Maine, in Town Council assembled, as follows:

- (1) That the purchase of a new Pumper Truck, replacing the existing 31 year old pumper truck, as budgeted in the 2020 Municipal Capital Equipment Budget by the Town Council, is hereby approved; and,
- (2) That a sum not to exceed \$660,000 is hereby appropriated, plus any additional premium, to provide for the costs of this program; and,
- (3) That to fund said appropriation, the Treasurer and the Chairman of the Town Council are hereby authorized to issue, at one time or from time to time, general obligation securities of the Town of Scarborough, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$660,000, plus any additional premium and the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, premium(s), call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, is hereby delegated to the Treasurer and the Chairman of the Town Council.

BE IT FURTHER ORDERED, that the following referendum question shall be submitted to the voters of the Town of Scarborough, Maine at the regular municipal election to be held Tuesday, November 5, 2019:

Referendum Question No. 2:

Shall the Order entitled “**ORDER AUTHORIZING ISSUANCE OF UP TO \$660,000 IN BONDS OF THE TOWN TO FUND THE COST OF A NEW PUMPER TRUCK**” be approved?

FINANCIAL STATEMENT

- 1. Total Indebtedness:
 - A. Bonds outstanding and unpaid: \$102,720,000
 - B. Bonds authorized and unissued: \$ 5,145,348
 - C. Bonds to be issued if this Article is approved: \$ 660,000
- 2. Costs:

At an estimated maximum interest of 5.00%
for a maximum fifteen (15) year maturity,
the estimated costs of this bond issue will be:

Principal:	\$ 660,000
Interest:	\$ 283,250
Total Debt Service	\$ 943,250
- 3. Validity:

The validity of the bonds and of the voters’ ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/ _____
Town Treasurer

**AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – SEPTEMBER 4, 2019
REGULAR MEETING – 7:00 P.M.**

Order No. 19-060. Move approval of the second reading on the order authorizing issuance of up to \$2,500,000 bonds of the town to fund purchase of land and interests in land throughout the town for purposes of conservation of natural areas, providing public access and recreation, and protection of wildlife habitat and scenic or environmentally sensitive areas and to place the following question the November 5, 2019, Municipal Ballot: Shall the Order entitled “**ORDER AUTHORIZING ISSUANCE OF UP TO \$2,500,000 BONDS OF THE TOWN TO FUND THE PURCHASE OF LAND AND INTERESTS IN LAND THROUGHOUT THE TOWN FOR FUTURE PURCHASES OF PROPERTIES OR RIGHTS TO PROPERTIES FOR THE FOLLOWING PURPOSES:**

- **TO PROVIDE OR MAINTAIN PUBLIC ACCESS; AND,**
- **TO ALLOW PASSIVE OR ACTIVE RECREATION; AND,**
- **TO CONSERVE WATER QUALITY, NATURAL RESOURCES, OR OTHER NATURAL AREAS; AND,**
- **TO PROVIDE EASEMENTS FOR WALKING OR BIKING TRAILS; AND,**
- **TO PRESERVE SIGNIFICANT HISTORIC SITES; AND,**
- **TO PRESERVE SITES WHICH CAN BE CONSIDERED PART OF THE CHARACTER TO THE COMMUNITY; AND,**
- **TO ADD TO EXISTING CONSERVATION AND PUBLIC AREAS”** be

approved? [*The Scarborough Land Trust*]

Scarborough Land Trust

Ought to Pass

Sponsor

Recommendation

08/28/2019 - Vote: 5 Yeas

2 Nays [Chairman Hayes and Councilor Hamill]

First Reading/Action /Vote

09/04/2019

Public Hearing

09/04/2019 - Vote:

Second Reading/Final Approval/Vote

Order No. 19-060

ORDER AUTHORIZING ISSUANCE OF UP TO \$2,500,000 BONDS OF THE TOWN TO FUND THE PURCHASE OF LAND AND INTERESTS IN THROUGHOUT THE TOWN FOR FUTURE PURCHASES OF PROPERTIES OR RIGHTS TO PROPERTIES FOR THE FOLLOWING PURPOSES:

- TO PROVIDE OR MAINTAIN PUBLIC ACCESS; AND,
- TO ALLOW PASSIVE OR ACTIVE RECREATION; AND,
- TO CONSERVE WATER QUALITY, NATURAL RESOURCES, OR OTHER NATURAL AREAS; AND,
- TO PROVIDE EASEMENTS FOR WALKING OR BIKING TRAILS; AND,
- TO PRESERVE SIGNIFICANT HISTORIC SITES; AND,
- TO PRESERVE SITES WHICH CAN BE CONSIDERED PART OF THE CHARACTER TO THE COMMUNITY; AND,
- TO ADD TO EXISTING CONSERVATION AND PUBLIC AREAS.

BE IT ORDERED by the Town Council by the Town of Scarborough, Maine, in Town Council assembled, as follows:

(1) That a public improvement program consisting of the acquisition, by purchase or donation of land, real estate rights or other interests in land throughout the town for purposes of conservation of natural areas, providing public access and recreation, and protection of wildlife habitat, and scenic or environmentally sensitive areas is hereby approved; and,

(2) That a sum not to exceed \$2,500,000 is hereby appropriated, plus any additional premium, to provide for the costs of this program; and,

(3) That to fund said appropriation, the Treasurer and the Chairman of the Town Council are hereby authorized to issue, at one time or from time to time, general obligation securities of the Town of Scarborough, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$2,500,000, plus any additional premium and the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, premium(s), call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, is hereby delegated to the Treasurer and the Chairman of the Town Council.

BE IT FURTHER ORDERED, that the following referendum question shall be submitted to the voters of the Town of Scarborough, Maine at the regular municipal election to be held Tuesday, November 5, 2019:

Referendum Question No. 3:

Shall the Order entitled “**ORDER AUTHORIZING ISSUANCE OF UP TO \$2,500,000 BONDS OF THE TOWN TO FUND AND INTERESTS IN THE PURCHASE OF LAND THROUGHOUT THE TOWN FOR FUTURE PURCHASES OF PROPERTIES OR RIGHTS TO PROPERTIES FOR THE FOLLOWING PURPOSES:**

- **TO PROVIDE OR MAINTAIN PUBLIC ACCESS; AND,**
- **TO ALLOW PASSIVE OR ACTIVE RECREATION; AND,**
- **TO CONSERVE WATER QUALITY, NATURAL RESOURCES, OR OTHER NATURAL AREAS; AND,**
- **TO PROVIDE EASEMENTS FOR WALKING OR BIKING TRAILS; AND,**
- **TO PRESERVE SIGNIFICANT HISTORIC SITES; AND,**
- **TO PRESERVE SITES WHICH CAN BE CONSIDERED PART OF THE CHARACTER TO THE COMMUNITY; AND,**
- **TO ADD TO EXISTING CONSERVATION AND PUBLIC AREAS”** be approved?

FINANCIAL STATEMENT

1	Total Indebtedness	
	A. Bonds outstanding and unpaid:	\$102,720,000
	B. Bonds authorized and unissued:	\$ 5,145,348
	C. Bonds to be issued if this Article is approved	\$ 2,500,000
2	Costs	
	At an estimated maximum interest rate of 5% for a twenty (20) year maturity, the estimated costs of this bond issue will be:	
	Principal:	\$ 2,500,000
	Interest:	\$ 1,385,417
	Total Debt Service:	\$ 3,885,417

3. Validity:
- The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/
Town Treasurer



SCARBOROUGH LAND TRUST

August 19, 2019

Chairman Hayes and Members of the
Scarborough Town Council
Town of Scarborough
259 U. S. Route One
Scarborough, Maine 04074

AUG 19 2019

Board of Directors

Rick Shinay
President

Elizabeth Peoples
Vice President

Patrick O'Reilly
Treasurer

Nancy Kelleher
Clerk

Melissa Anson

Betts Armstrong

Rita Breton

Mark Follansbee

Seth Hanson

Diane Neal

Gil Paquette

Dawn Piccolo

Alex Timpson

Jeremy Wintersteen

Executive Director

Rich Bard

Re: Proposal for \$2,500,000 Land Bond

Dear Chairman Hayes and Members of the Scarborough Town Council,

On behalf of the Scarborough Land Trust (the "Trust"), I am writing to request that the Council approve a referendum question for the November 2019 ballot which would authorize the Council to fund up to \$2,500,000 for land conservation projects in Scarborough as they might arise and be approved through the increase of the Land Bond to that amount.

It is important to note that Land Bond funds can leverage additional grants and funding from outside sources, thus magnifying the purchasing power of Town's investment. In fact, the previous three Land Bonds approved by taxpayers totaling \$5,000,000 leveraged a minimum of \$2,400,000 (a preliminary figure likely to be higher) in additional funds from outside our community because major conservation funders recognized how important land conservation is to Scarborough and were willing to contribute to that goal. Important properties that have been protected thanks to previous investment by the Town include Pleasant Hill Preserve, Fuller Farm Preserve, Warren Woods Preserve, and the forthcoming Blue Point Preserve.

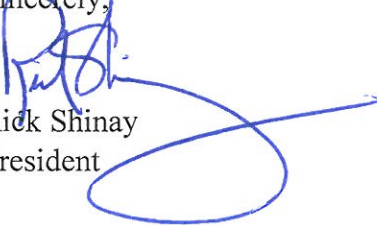
Information presented at the Council's June 19 Growth Management workshop made clear that Scarborough is developing at a rate faster than most towns in Cumberland County as evidenced by a recent spike in applications for new home construction. Proximity to Portland, excellent schools, a relatively rural character, and incredible natural beauty make Scarborough a very desirable place to live, all of which leads to rapid development of new homes on previously undeveloped parcels in Town. It is important for the Town to have funds readily available to move quickly to protect important properties that become available for acquisition. I would note, by the way, that this is the only time since the first Land Bond in 2000 that there are no Town funds available under the Land Bond for conservation.

If approved by voters, bonds would only be sold as needed for projects that are carefully vetted by the Parks and Conservation Land Board and

the Town Council. This process has proved very successful, resulting in more than 1,100 acres for public access and recreation, historic and scenic protections, and wildlife habitat and sensitive ecosystem preservation. We need only look to Pleasant Hill Preserve, formerly Benjamin Farm, that was slated to have 60 single-family homes but instead remains a picturesque landmark in this densely populated neighborhood. The trails there are among some of the most popular in all of Scarborough, benefitting residents and visitors alike. Without the Council's voter-approved bonding authority, this and other significant purchases may not have been possible.

The Trust sincerely hopes that the Town Council will bring this issue before the voters on November 4, 2019 so the people of Scarborough have a voice in making this important decision. We thank you for considering this proposal and taking on this critical issue. Please don't hesitate to contact me or our Executive Director, Rich Bard, should you need any additional information.

Sincerely,



Rick Shinay
President

Suzanne A. Foley-Ferguson for the
Scarborough Parks and Conservation Land Board

August 20, 2019

Dear Scarborough Town Councilors,

It's hard to believe that it's been five years since the Parks and Conservation Land Board recommended your authorization of the issuance of 2 million dollars of voter approved bonds to assist Scarborough's land trust with their purchase of the Pleasant Hill Preserve (previous known as the Benjamin Farm-May 28, 2014). The support for that project was overwhelming. In fact, voter support for spending tax dollars to conserve land has been solid since the first land bond referendum in the year 2000. (Attachment I) Three previous land bond initiatives have been placed on the ballot in 2000, 2003, and 2009 for a total of 5 million dollars. Since then, with the help of many partners, (most particularly the SLT), 1,084 acres* of valuable wildlife, conservation, and recreational land have been protected in our community. (Attachment II)

Unfortunately, the Pleasant Hill Preserve purchase, and the "new" purchase of the Blue Point Preserve have depleted the approved bonds. (Attachment III) In 2014, our committee emphasized the need to examine placing a new referendum on the ballot to replenish the funding mechanism. ***After some discussion and debate, we would like the Town Council to know that we support the request of the Scarborough Land Trust to place a measure for 2.5 million dollars on the ballot this year for a land bond.*** We would like to provide input in drafting the wording of the ballot description.

Background

The Parks and Conservation committee weren't sure when this referendum should take place, or how much we should ask the voters to approve. This summer the committee evaluated the pro's and con's of asking the voters to approve a land bond this year versus next year and how much investment we should ask for on the ballot initiative. The committee was unanimously in agreement that the benefit of the last 5 million dollars has been incredible, and we could easily use that same amount over the upcoming years. Since bond money is not spent until a project is identified, and the council authorizes the bond, those dollars lasted 18 years. It is invaluable for organizations to be able to count on matching dollars when purchasing land. Partnerships are how most conservation projects work. In fact, the 2000, 2003, and 2009 land bond dollars have leveraged an additional 4.1 million dollars** from federal, state, and local dollars.

**More land was protected without land bond funds during this time period.*

***This amount represents what is currently known, and is a conservative figure. Project costs are much higher than acquisition costs, and many of these include only acquisition costs. The SLT and the PCLB are working on the data details so we are all on the same page for the initiative.*

Thus, the Parks and Conservation Land Board would have been delighted to recommend that a 5 million dollar bond be placed on the ballot next year, during the presidential election when we expect a huge turnout and great support from the community. We have been informed, however, of other expected local referenda in 2020, and therefore have backed off of that proposal. We fully support the land trust recommendation. We understand that the land trust has some projects in the works, and it is important to be able to support them in their continued efforts. Furthermore, the Land For Maine's Future fund will likely be on the upcoming ballot as well, and will help us to get the word out to the public.

Final Thoughts

Conserving land is a long-term investment in our quality of life. The benefits in preserving important land far exceed the initial costs of acquisition. That is because in addition to aesthetic and wildlife concerns, open space provides many economic benefits as well: wetland flood control, increased valuation of abutting properties, outdoor recreation opportunities and revenue from hunting, fishing, and other outdoor pursuits. It is also cheaper to buy land than to pay for residential development.

We are proud that our community is a leader in conserving land for the future of our residents and guests, and we hope this fourth referendum will continue our momentum. Thank you for your consideration. Members of the Board, and the SLT will be available on the night of your meeting for any questions you may have.

Sincerely,



Suzanne Foley-Ferguson
Chair, Parks and Conservation Land Board

Attachments

- | | |
|--------------|--|
| Attachment 1 | Land Bond Voter Referendum History in Scarborough |
| Attachment 2 | Land Protected Through Land Bond Referenda |
| Attachment 3 | Land Bond Expenditures /Dollars Leveraged/Projects To Date |



Scarborough Land Bond Referendums

■ 2000	\$1.5 million	■ 6720 Yes	2241 No
■ 2003	\$2.5 million	■ 5339 Yes	2170 No
■ 2009	\$1.0 million	■ 5844 Yes	2800 No

3:1

>2:1

>2:1

Scarborough voters approved the expenditure of 5 million dollars during the last 18 years to protect land for people and wildlife. Bond referenda in 2000, 2003 and 2009 were overwhelmingly supported by voters with 3:1 or 2:1 margins each time. No other town in Maine has spent as many local dollars on conserving their natural resources.

Appendix II

Scarborough, Maine Land Purchased with Town Land Bond Funds (approved as of July, 2019)

Property Name		Acreage	Description
Gervais Property	45	acres +/-	Upland adjacent to Scarborough Marsh
Broadturn Farm	434.3	acres +/-	Working farm, fields, forests
Whitten Property	6.4	acres +/-	Upland adjacent to marsh
Fancy/Firth Farm	13.1	acres +/-	Organic working farm and fields
Higgins Beach and Mussey Road	11.41	acres +/-	Riparian habitat adjacent to Nonesuch River and Public Access to Higgins Beach
Warren Property	156	acres +/-	Woodlands, trails, cranberry bog
Fuller Farm (appropriation)	180	acres +/-	Fields, forests, streams, trails
Comstock Farm	97.9	acres +/-	Working farm fields and forests; planned trail.
Pleasant Hill Preserve	135.45	acres +/-	Formerly three historic farms; currently fields and forest adjacent to Rachel Carson National Wildlife Refuge property
Broadturn Road	14	acres +/-	19 acres total-adjacent to Habitat project and SLT easement; small stream and fields; 14 acres protect
Blue Point Preserve	7.0	acres +/-	Upland adjacent to Scarborough Marsh and freshwater marsh
TOTAL 12 Projects	1100.56	acres +/-	

Other Purchases with Land Bond / Historic Preservation

1. Danish Archway (\$25,000)
2. Beech Ridge Schoolhouse (pending -\$44,000)

Appendix III-Land Acquisition Funding Partnerships
Scarborough Land Trust / Town of Scarborough

Date	Acres	Property	Ownership /Funding Info	Town Funding (approp or bond)	Matching Funds	% Match
1996	121	Libby River Farm	US Fish and Wildlife Foundation Grant, Maine Outdoor Heritage grant, State of Maine funds, SLT private fundraising (before land bonds)		475,000	Unknown Purchase Price
1997	34	Sewell Woods	Land donation by owner (before land bonds)	N/A	N/A	N/A
2001	180	Fuller Farm	SLT(own), Town appropriation, LMF, SLT private fundraising (before land bonds)	215,000	475,000	69%
2004	434.3	Broadturn Farm	SLT (own), easement to ME Dept Ag, Town and fed 3rd party, LMF funding	1,197,400	1, 560,096	57%
2005	6.4	Whitten	Life estate-town-owned until 2019	156,980	78,020	33%
2007	19	77 Broadturn Road	Town Owned Purchase from DOT-Affordable Housing Project by Habitat on 5+/- / (14a)	100,000	0	0
2009	45	Gervais	2008-IF&W owner, funded with LMF and Julie N oil spill money, town funding, Friends of Scarb Marsh	250,000	725,000	74%
2010	11.41	Higgins Beach & Mussey Road	Town owner; LMF funds, Maine Community Foundation \$127,571 grant (\$72,429 match to what?-note Town-under Benj	637,855	638,414	50%
2010	13.1	Frith Farm	Privately owned, easement to Maine Farmland Trust, recreational trail easement to SLT, Town 3rd party	127,345.50	138,000	52%
2012	156	Warren Woods	SLT owner, easement to Town, DEP 3rd party, LMF funds, MNRCP project agreement	228,750	76,250	25%
2013	97.9	Comstock	2015-Maine Farmland Trust	270,000		
2014	135.45	Pleasant Hill Preserve	SLT, Town	2,000,000	194,375	
2019	7	Blue Point Preserve (With Whitten)	When complete, SLT owned, purchase from Town	90,721	176,130	34%

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – SEPTEMBER 4, 2019
REGULAR MEETING – 7:00 P.M.

Order No. 19-064. Move approval on the request for a Special Amusement Permit from Davric Maine Racing, LLC – d/b/a Scarborough Downs, located at 1 Scarborough Downs Road. *[Town Clerk]*

Town Clerk

Ought to Pass

Sponsor

Recommendation

09/04/2019 - Vote:

First Reading/Action /Vote

09/04/2019

Public Hearing

N/A

Second Reading/Final Approval/Vote

TOWN OF SCARBOROUGH
Office of the Town Clerk
P.O. Box 360
Scarborough, Maine 04070-0360

TO: Town Council Members

FROM: Yolande P, Justice, Town Clerk

DATE: September 30, 2019

RE: Request for Special Amusement Permit

Pursuant to Title 28-A, Section 1053 of the Maine Revised Statutes, as amended, and Chapter 1008 – the Scarborough Special Amusement Ordinance, there must be a hearing on Special Amusement Permits. The following applicant is requesting approval of their Special Amusement Permit:

- Scarborough Downs, located at 1 Scarborough Downs Road

As part of the application process, notice of the public hearing regarding this request was sent to all property owners within 200 feet of the location identified on the application. There were 74 letters sent out and no comments either for or against, have been received. The applicant is in compliance with the requirements of the Town Clerk's Office and recommend approval.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – SEPTEMBER 4, 2019
REGULAR MEETING – 7:00 P.M.

Order No. 19-065. Move approval on the request to approve of the name of Ernest Milner as 2nd Alternate to the Sustainability Committee, with a term to expire in December 2020, that was posted at the August 28, 2019, Town Council meeting and recommended by the Appointments/Negotiations Committee. *[Appointments/Negotiations Committee]*

Appointments/Negotiations Committee

Ought to Pass

Sponsor

Recommendation

09/04/2019 - Vote:

First Reading/Action /Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – SEPTEMBER 4, 2019
REGULAR MEETING – 7:00 P.M.

Order No. 19-066. Move approval on the request to establish an Ad-Hoc Community Center Advisory Committee and approve the charge for said Committee. [*Town Manager*]

Town Manager

Ought to Pass

Sponsor

Recommendation

09/04/2019 - Vote:

First Reading/Action /Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

Ad-Hoc Community Center Advisory Committee

BE IT RESOLVED, by the Council of the Town of Scarborough, Maine, in Town Council assembled, that,

WHEREAS, interest in a community center to meet the recreational and cultural needs of all demographics of the Town was previously explored and most recently was a consistent theme of the community conversations related to the update to the Comprehensive Plan; and,

WHEREAS, local developers have begun to develop the Scarborough Downs property into a mixed-use development, the center of which intends to be a "Downtown"; and,

WHEREAS, the Town and the developers have entered into a financial partnership through a Credit Enhancement Agreement to advance this development in a mutually beneficial manner and such agreement contemplates the potential siting of a community center in the downtown portion of the development; and,

WHEREAS, the developers have expressed interest in advancing the community center concept and have partnered with the Edge Sports Group for the construction of a commercial sports complex and they have approached the Town as a potential lease tenant in the facility; and,

WHEREAS, the developers have requested that the Town indicate interest in a public/private partnership as soon as possible following a public process and the Town is willing to enter into a Memorandum of Understanding to describe mutual expectations and responsibilities required to fully explore this option. Therefore, understanding the time sensitive circumstances of the Developer and in an effort to be responsive to this request, the Town Council wishes to prioritize and explore this opportunity, reserving for further review alternative opportunities for the development of a community center..

NOW, THEREFORE, BE IT RESOLVED, by the Scarborough Town Council in Town Council assembled, that there is hereby an Ad Hoc Community Center Advisory Committee created, and the membership, terms, offices and duties shall be as follows:

1. **Purpose.** The purpose of the Advisory Committee is to draw upon the collective skills and expertise of committee members and to work with staff in an effort to advise Town Council on the financial and practical viability of a public/private partnership for a community center. The following is a general overview of the discussion points, expectations and deliverables the Advisory Committee should consider in arriving at it's recommendations:
 - **Review of Prior Efforts**-The Advisory Committee shall familiarize itself with the prior efforts regarding a community center. Although prior efforts considered a different ownership and operational arrangement it will be important to learn from this experience.
 - **Schematic Design and Layout**- Review the proposed schematic design prepared by staff to determine the appropriateness of amenities to be included in the premises to be leased by the Town. Final design and layout should maximize recreational opportunities, while as the same time recognizing the importance of limiting expense and maximizing revenue potential. A complete

understanding of the space and what recreational amenities it includes must be accomplished before an accurate financial analysis can be performed. Public input on the proposed schematic design shall be solicited, with particular emphasis on gauging community support for an indoor swimming pool.

- **Financial Analysis-** The Town's involvement in a public/private partnership must make financial sense to the Town; therefore the Committee's work and final recommendation(s) should specific financial analyzes.
 1. **Analysis of Expected Lease Costs-** The Committee shall work with the developer to finalize the design of the space and obtain a lease cost from the developer;
 2. **Analysis of Estimated Operational Costs-** It is expected that the lease terms will be based on a triple-net lease arrangement. A complete evaluation of expected operational costs is essential for this analysis;
 3. **Projected Revenue Forecast-** Prepare an analysis of the likely projected revenue that can be expected through membership, rentals and contractual relationships. This analysis should consider a reasonable rate structure that is consistent with similar facilities in the region;
 4. **Combined Analysis** – The lease and operational expenses should be considered against the expected revenue so as to identify any gap that may need to be covered by other sources of revenue. The Committee shall offer recommendations regarding potential other revenue sources (ie. fundraising, sponsorships or general tax support).
 5. **Baseline Comparison-** The analysis for the public/private partnership shall be compared to a traditional approach whereby the Town would issue debt and construct a facility on town-owned land and operate it as a municipal facility. The baseline option should consider a facility (size and amenities) generally consistent with those considered for the public/private option so as to ensure the comparison is of similar sized and appointed facilities.

These analyzes shall be shared with the Town Finance Committee for review and input.

- **Recommendations and Optional Analysis** – If the recommendation is to pursue this public/private relationship, it is anticipated that the Committee will offer specific recommendation(s) regarding the preferred lease terms and conditions. The Committee is not limited to a financial analysis on a conventional lease relationship with triple-net terms, and the Committee is encouraged to consider other variations such as “lease-to-own” and make recommendations as may be advantageous to the Town.
- **Energy Efficiency-Life-Cycle Costs Considered** – To the extent possible the Advisory Committee shall consider and evaluate the expected life-cycle costs of proposed systems and consider energy efficiency so the analysis of operational costs is as accurate as possible.
- **Public Involvement** - The Committee shall incorporate public input into the process, which will culminate in a public presentation of its findings and recommendations to the Town Council. Specifically, public input should be solicited regarding the inclusion of an indoor swimming pool.
- **Best Practices** – Review of the Community Center/Recreation Center Study prepared in May 2019 by Intern Marguerite Fleming. Research and review other similar projects to determine best practices that may be incorporated into the project. Tours of similar facilities is encouraged.

The Committee’s powers and duties shall not exceed those prescribed, herein or otherwise restricted by Town Council Rules, Policies and Charter.

2. **Membership**. The membership intends to provide fair representation of key stakeholders and unique expertise in the construction or development field. The Committee is expected to be an active working group, with all members actively participating and contributing to task. Given the limited and specific charge to the Committee, membership should include individuals whom possess specific expertise to the task at hand, in particular representing professions in recreation/community services, business/financial analysis and design/construction. The Committee shall be appointed by the Town Council and shall be comprised of thirteen (13) members, only nine (9) of which are voting members as follows:

Nine (9) Residents At-Large

Two (2) Members of the Town Council *

Two (2) Members of the Board of Education*

*Ex-Officio, Non-voting

Although official membership is limited to nine (9) voting members, the Committee is encouraged to draw upon other resources and invite other key stakeholders to participate in their proceeding as they feel appropriate.

3. **Timeframe.** The Committee shall focus their review and recommendation to the public/private partnership and shall advise the Town Council as soon as possible with their recommendation(s), but in no event later than December 4, 2019 at the regular public meeting. In the event that the Committee is unable to complete its task by this date, the Town Council will consider a reasonable extension of time. Once the Committee has completed its work it shall cease to exist unless otherwise extended by the Town Council.
4. **Expanded Charge-** If in the opinion of the Committee the public/private partnership is not worthy of consideration by the Town, Town Council will consider expanding the charge to the Committee to consider other alternatives for a community center.
5. **Staff Resources Available.** The Director of Community Services will serve as support to this Committee and other Town and School resources will be made available as may be necessary for the Committee to complete its task. In particular, it is anticipated that the Committee will involve the Town Manager, Town Engineer, Planning Director, Sustainability Coordinator, School Facilities Director and Athletic Director to supplement their efforts.
6. **Consulting Support-** If in the opinion of the Committee that outside consulting support is required to accomplish the task, the Committee is encouraged to advise the Town Council immediately, with specific detail of the type of support required and an approximate cost for these services. The Town Council will consider all reasonable requests for assistance.
7. **Vacancies and Removal.** Any vacancies shall be filled by the Town Council. The Town Council may remove any member of the Committee by vote of a majority of its members for misconduct or non-performance.
8. **Officers.** The Committee shall elect a Chair and Recording Secretary from among its members. The Chair shall be counted to determine a quorum and shall have the same rights as other members of the Committee, including the right to vote.
9. **Quorum and Voting.** A quorum shall consist of four (4) members. The concurrence of a majority of the members present and voting shall be necessary to decide any question before the Committee.
10. **Meeting and Records.** The Committee shall meet often enough to complete its responsibilities within the deadline set and shall strive to meet at least bi-weekly on a date and time specified by a vote of the majority of the Committee at its first organization meeting. Other meetings may be called by the Chair, provided that the Chair shall call a meeting of the Committee upon the request of at least three (3) members. The Committee shall keep minutes of its meetings and submit them to the Town Clerk's Office.