

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – AUGUST 28, 2019
WORKSHOP ON THE POTENTIAL COMMUNITY CENTER – 5:00 P.M.
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: July 17, 2019 - Town Council Meeting.
July 30, 2019 – Special 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. 19-057. 7:00 p.m. Public hearing and action on the following new requests for a Food Handlers License: 1.) Hannah White d/b/a Lake and Co., located at 4 Seal Rock Drive; 2.) Jonathan Carr/Todd Greenquist d/b/a Nothing Bundt Cakes., located at 550 Gallery Blvd, Suite D. and 3.) Daniel Mays d/b/a Firth Farm, LLC, located at 61 Ash Swamp Road. *[Town Clerk]*

OLD BUSINESS: None at this time.

NEW BUSINESS:

Order No. 19-058. First reading and schedule a public hearing and second reading on the order authorizing issuance of up to \$1,600,000 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 \$1,600,000 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. First reading and schedule a 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. First reading and schedule a 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. 19-061. First reading and waive the second reading on the proposed recommendation to change the current interest rate of 9.00% per annum on unpaid taxes, as approved in Order No. 19-029 by the Town Council on May 15, 2019, as follows: 0.00% interest on unpaid taxes after Tuesday, October 15, 2019 and 5.00% per annum on unpaid taxes after Monday, March 16, 2020. *[Town Manager]*

Order No. 19-062. Act on the request from the Police Department to receive an anonymous donation in the amount of \$3,600.00 for a new speed/radar sign for the Pine Point area. *[Police Department]*

Order No. 19-063. Act to authorize the Town Manager to sign documents authorizing acceptance of \$1,565.70 or any portion thereof, to be placed in the Asset Forfeiture Account. [This money is the Police Department’s equitable share for its contribution to the investigation of criminal cases]. *[Police Department]*

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 – AUGUST 28, 2019

REGULAR MEETING – 7:00 P.M.

Order No. 19-057. Move approval on the following new requests for a Food Handlers License: 1.) Hannah White d/b/a Lake and Co., located at 4 Seal Rock Drive; 2.) Jonathan Carr/Todd Greenquist d/b/a Nothing Bundt Cakes., located at 550 Gallery Blvd, Suite D. and 3.) Daniel Mays d/b/a Firth Farm, LLC, located at 61 Ash Swamp Road. *[Town Clerk]*

Town Clerk

Ought to Pass

Sponsor

Recommendation

08/28/2019 – Vote:

First Reading/Action /Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

Town of Scarborough, Maine

Town Clerk's Office

259 US ROUTE ONE

PO BOX 360

SCARBOROUGH, MAINE • 04070-0360

TO: Town Council Members

FROM: Yolande P. Justice, Town Clerk

DATE: August 23, 2019

RE: Food Handlers License

The following applicants are seeking approval on their Food Handlers Licenses:

- Hannah White, d/b/a Lake & Co., at 4 Seal Rock Drive
- Jonathan Carr/Todd Greenquist, d/b/a Nothing Bundt Cakes, at 550 Gallery Blvd, Suite D.
- Daniel Mays d/b/a Firth Farm, LLC, at 61 Ash Swamp Road. *[Town Clerk]*

The completed applications are on file with Town Clerk's Office and there are no outstanding issues and it is recommended that these licenses be approved.

AGENDA

SCARBOROUGH TOWN COUNCIL WEDNESDAY – AUGUST 28, 2019 REGULAR MEETING – 7:00 P.M.

Order No. 19-058. Move approval of the first reading on the order authorizing issuance of up to \$1,600,000 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 \$1,600,000 IN BONDS OF THE TOWN TO FUND THE COST OF ARTIFICIAL TURF REPLACEMENT AND TRACK RESURFACING AT THE SCARBOROUGH HIGH SCHOOL**” be approved? and schedule a public hearing and second reading for Wednesday, September 4, 2019 *[Town Council]*

Town Council

Ought to Pass

Sponsor

Recommendation

08/28/2019 – Vote:

First Reading/Action /Vote

09/04/2019

Public Hearing

09/04/2019 – Vote:

Second Reading/Final Approval/Vote

Order No. 19-058:

ORDER AUTHORIZING ISSUANCE OF UP TO \$1,600,000 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 \$1,600,000 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 \$1,600,000 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 \$1,600,000 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: \$ 1,600,000
- 2. Costs:
 - At an estimated maximum interest of 5.00% for a maximum twenty (20) year maturity, the estimated costs of this bond issue will be:
 - Principal: \$ 1,600,000
 - Interest: \$ 886,667
 - Total Debt Service \$ 2,486,667

- 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.

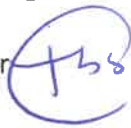
/s/ _____
Town Treasurer



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

	ITEM 1.	ITEM 2.	ITEM 3.	ITEM 4.		
COMPANY	Turf Replacement	Track Renovation	Turf Striping & Color Logos	List A	Survey & Design	TOTAL PROJECT
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	TOTAL PRICE	DELIVERY TIME	Turf Warranty	Track Warranty	Turf Product	Turf Type	Track Process	Track System	Certified Track Builder
AstroTurf Corporation	\$1,261,451.43	35 Days	8 Years	5 Years	Rhino Blend	Slit Film & Monofil	Mill & Repave 1.5"	APT, Spurten BS	YES
Field Turf USA Inc.	\$1,628,290.45	21 Days	8 Years	10 Years	XT	Slit-Film	Full Renovation	Beynon, BSS 100	YES
Field Turf USA Inc.	\$1,642,849.15	21 Days	8 Years	10 Years	Vertex	Slit Film & Monofil	Full Renovation	Beynon, BSS 100	YES
Field Turf USA Inc.	\$1,676,819.45	21 Days	8 Years	10 Years	Revolution 360	Monofilament	Full Renovation	Beynon, BSS 100	YES
Field Turf USA Inc.	\$1,691,378.15	21 Days	8 Years	10 Years	Vertex Prime	Slit Film & Monofil	Full Renovation	Beynon, BSS 100	YES
NET Sports Group	\$1,600,000.00	45 Days	8 Years	8 Years	Xtreme Turf BDX60	Woven Tri-Fiber	Full Renovation	Fast Track 100	
Sprinturf, LLC	\$442,452.00	18 Days	8 Years	N/A	Ultra Blade 50 MX	Monofilament	NO BID	NO BID	
Turf Prep	\$1,144,920.00	21 Days	8 Years	10 Years	XT	Slit-Film	Surface	Plexitrac	

AGENDA

SCARBOROUGH TOWN COUNCIL WEDNESDAY – AUGUST 28, 2019 REGULAR MEETING – 7:00 P.M.

Order No. 19-059. Move approval of the first 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? and schedule a public hearing and second reading for Wednesday, September 4, 2019. *[Town Council]*

Town Council

Ought to Pass

Sponsor

Recommendation

08/29/2019 – Vote:

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:	<u>\$ 283,250</u>
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 – AUGUST 28, 2019

REGULAR MEETING – 7:00 P.M.

Order No. 19-060. Move approval of the first 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? and schedule a public hearing and second reading for Wednesday, September 4, 2019

[The Scarborough Land Trust]

Scarborough Land Trust

Ought to Pass

Sponsor

Recommendation

08/28/2019 – Vote:

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.

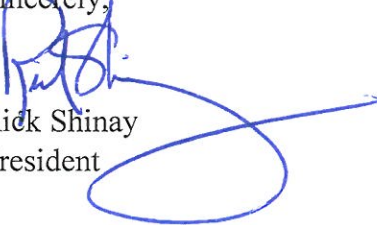
Information presented at the Council's June 19 Growth Management workshop made clear that Scarborough is developing at a rate faster than most towns in Cumberland County as evidenced by a recent spike in applications for new home construction. Proximity to Portland, excellent schools, a relatively rural 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 – AUGUST 28, 2019

REGULAR MEETING – 7:00 P.M.

Order No. 19-061. Move approval of the first reading and waive the second reading on the proposed recommendation to change the current interest rate of 9.00% per annum on unpaid taxes, as approved in Order No. 19-029 by the Town Council on May 15, 2019, as follows: 0.00% interest on unpaid taxes after Tuesday, October 15, 2019 and 5.00% per annum on unpaid taxes after Monday, March 16, 2020. *[Town Manager]*

Town Manager

Ought to Pass

Sponsor

Recommendation

08/28/2019 – Vote:

First Reading/Action /Vote

N/A

Public Hearing

08/28/19 – Vote:

Second Reading/Final Approval/Vote



To: Scarborough Town Council
From: Thomas J. Hall, Town Manager
Subject: Waiver of Interest on Unpaid Taxes
Date: August 23, 2019

In view of the revaluation that will take effect with the tax commitment later this month, some taxpayers may experience an increase in their tax amount that they may not have anticipated. In recognition of this potential hardship I presented a number of options to the Finance Committee at their meeting of August 15 that the Town Council could consider. The unanimous recommendation was to modify the interest that will be charged to unpaid taxes and I was directed to provide a recommendation to the full Town Council.

A component of the budget order was the establishment of October 15, 2019 and March 15, 2020 as due dates and setting the interest charged on unpaid taxes at 9% per annum. The Town Council is able to modify the interest rate charge if done prior to commitment, hence the timing of Order 19-061 for action at the August 28, 2019 meeting.

My recommendation is to not charge interest on unpaid taxes after the due date of October 15 and reduce the interest after March 15 to 5% per annum, rather than the existing 9% for both due dates. This will provide relief to those taxpayers who may struggle with paying the amount due for the first half and allow them time to plan for the second half payment without penalty.

Although this change will have a negative impact on budget revenues, we have adequate time to plan for this. I believe this is an appropriate gesture to the taxpayers and recommend approval.

AGENDA

SCARBOROUGH TOWN COUNCIL WEDNESDAY – AUGUST 28, 2019 REGULAR MEETING – 7:00 P.M.

Order No. 19-062. Move approval on the request from the Police Department to receive an anonymous donation in the amount of \$3,600.00 for a new speed/radar sign for the Pine Point area. [*Police Department*]

Police Department

Ought to Pass

Sponsor

Recommendation

08/28/2019 – Vote:

First Reading/Action /Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

July 24, 2019

Deputy Chief John O'Malley
Scarborough, ME

Dear Deputy Chief O'Malley,

Thank you again for coming to Pine Point today, and giving me the opportunity to share our public safety issues here in Pine Point with you again.

As discussed, the speed of automobiles, the motorcycles with their music blasting, and now mopeds get worse every year. I have rental property on the corner of East Grand Avenue and Granite Street. I listen to and watch the speeding cars, the speeding/noisy motorcycles and delivery trucks and the busses "fly by the intersections on a daily basis.

Also, the crosswalk at East Grand and Granite Street is becoming more of an "accident on the way to happen" every summer rental season. My tenants, along with the neighbors and their renters, are constantly complaining about the speed of the vehicles, the excessive noise of the motorcycles and the very dangers of crossing at the crosswalk to go to the store and/or to the beach. Drivers fail to stop for the pedestrians in the crosswalk(s).

The neighbors and I have been dealing with the above traffic problems/regulations and violations every summer. We have been discussing ways to make our streets, East Grand Avenue, King Street and Jones Creek Rd. safer and quieter for all the local homeowners, renters, the town's residents, and our visitors. The pedestrian traffic in the streets, especially at the intersection of Pine Point Road and East Grand Avenue – Jones Creek Rd. has dramatically increased this year, increasing the dangers and safety issues in Pine Point. We local Pine Point homeowners have gotten together once again and have come to deal with the worsening traffic issues and have purchased another new Radar Speed Control Sign for the town of Scarborough.

This gift to the town will hopefully be placed on the roadsides of East Grand Ave, King Street and Jones Creek Rd. on a rotating basis. As we discussed, Deputy Chief O'Malley, we would like to have the Speed Control Sign implemented in Pine Point during the busy Summer months of July and August. In the off-season, we would hope that the town would take full advantage of this additional traffic control device to ensure the safety of the public at other town events/locations; for example, the traffic in Oak Hill at the football games, road races, etc. This gift to the town is for the safety and benefit of all.

Our hope is that the Town of Scarborough will rush the acceptance of this gift as soon as possible (on the August Town Council Meeting) so that it may be put to good use for the remaining weeks of this busy summer of 2019. We all know that August is the busiest month at the beaches, restaurants and stores in Pine Point. Let's make it as peaceful, safe and enjoyable as we can for everyone down here.

Thank you. Paul Kirby and the Pine Point Association members and friends

AGENDA

SCARBOROUGH TOWN COUNCIL

WEDNESDAY – AUGUST 28, 2019

REGULAR MEETING – 7:00 P.M.

Order No. 19-063. Move approval to authorize the Town Manager to sign documents authorizing acceptance of \$1,565.70 or any portion thereof, to be placed in the Asset Forfeiture Account. [*Police Department*]

Police Department

Ought to Pass

Sponsor

Recommendation

08/28/2019 – Vote:

First Reading/Action /Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

Scarborough Police Department

Memorandum

To: Thomas Hall, Town Manager
From: John O'Malley, Deputy Chief
Date: Tuesday, July 23, 2019
Ref: Forfeiture, Doc. CR-19-1835
CC: File

In April of 2019, MEDA Agents learned of a suspected drug house at 163 Saco Street in Westbrook near the Scarborough line. During the course of the investigation an individual was detained after begin observed purchasing drugs from this location. This individual offered the Agents information that led them to execute a search warrant for the residence and an offsite storage location where the bulk of the drugs were believed to be kept as the home owner was operating in fear of being raided by drug agents. During the search of the offsite location an empty box for a hidden wall safe was located. This combined with a key on the suspect's key ring which was unaccounted for generated a second search warrant for the original residence. During the second search warrant that same day a large amount of cash was located hidden in a locked removable wall outlet behind the suspect's bed. The suspect was arrested and charged with 3 counts of Aggravated trafficking in Schedule W Drugs- 3 Counts (Heroin, Cocaine, and Methamphetamine).

Below is a list of the drugs and street values seized:

27.2 grams of heroin	Value - \$3,826.00
9.1 grams of methamphetamine	Value - \$3,640.00
7.4 grams of cocaine	Value - \$ 962.00
Cash	Value -\$15,657.00

Charged and convicted:

3 counts of Aggravated trafficking in schedule W drugs (felony)

As a result, the Maine Attorney General's office is now preparing to transfer ownership of a portion of the money (\$1,565.70) to the Town of Scarborough. Accordingly, I have attached a copy of the cover letter as well as the original approval form which needs to be signed by a municipal officer of the town in order to secure the court order for transfer of ownership.

I would respectfully request that the Scarborough Town Council approve the acceptance of these Funds.

AARON M. FREY
ATTORNEY GENERAL



STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

July 10, 2019

REGIONAL OFFICES
84 HARLOW ST. 2ND FLOOR
BANGOR, MAINE 04401
TEL: (207) 941-3070
FAX: (207) 941-3075

415 CONGRESS ST., STE. 301
PORTLAND, MAINE 04101
TEL: (207) 822-0260
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1
CARIBOU, MAINE 04736
TEL: (207) 496-3792
FAX: (207) 496-3291

TEL: (207) 626-8800
TTY USERS CALL MAINE RELAY 711

Scarborough Police Department
Chief Robert Moulton
246 US Route 1
Scarborough, ME 04074

RE: State of Maine vs. Aaron J. Dansky
Cumberland County Unified Criminal Court Doc. No. CR-19-1835
Criminal Forfeiture
Required Vote of Municipal Officers/Approval of Transfer of Forfeiture Assets

Dear Chief Moulton:

Enclosed please find a draft Approval form for submission to the municipal officers.

Please inform the municipal officers that:

A. 15 M.R.S.A. §5824(3) requires that, before any forfeitable item may be transferred to a State Agency, County or Municipality, the municipal legislative body must publicly vote to accept the item(s) **if subsequently ordered forfeited by the Court;**

B. Under Rules issued by the Department of the Attorney General, a public vote must be made on each forfeiture "approval" and a "continuing resolution" of approval cannot be accepted;

C. As with all forfeitures, an approval of a transfer by the municipal legislative body does not guarantee either that the Defendant(s) *In Rem* will in fact be forfeited or, if forfeited, that the Court will order the item(s) transferred to the approving Department, Agency, County or Municipality. The municipal legislative body's approval only signifies that, if the Defendant(s) *In Rem* are in fact ordered forfeited and, if the Attorney General and the Court agree to a transfer of all or part of the Defendant(s) *In Rem* to a Department, Agency, County or Municipality based upon the "*substantial contribution*" of that Department, Agency, County or Municipality, then that entity is in fact, willing to accept the Defendant(s) *In Rem* or portions thereof. In order to streamline what is otherwise a cumbersome forfeiture process, it is our practice to seek State, county or

municipal approval in anticipation of the final order of forfeiture. However, final forfeiture is not guaranteed and both the municipal legislative body and the law enforcement agency involved are **cautioned** that they **should not encumber** funds or property until a Final Order granting them lawful title to the property is delivered to them;

D. Under the provisions of the Forfeiture Statute, if the municipal legislative body fails to approve a transfer in a timely manner, any forfeited items shall be transferred to the State of Maine General Fund.

Assuming your municipal legislative body does grant its approval, kindly see to it that the accompanying form is signed by the appropriate person and is "embossed" with the seal of the municipality. Then, please return the **original** to me for filing, and retain a copy for your records.

My sincere thanks for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Johanna Gauvreau for".

Johanna Gauvreau
Assistant Attorney General
CRIMINAL DIVISION

Enclosure

STATE OF MAINE
Cumberland, ss

UNIFIED CRIMINAL COURT
Docket No. CR-19-1835

State of Maine	}	
	}	
v.	}	Municipality of Scarborough
	}	Approval of Transfer
Aaron J. Dansky,	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Defendant;	}	
	}	
And	}	
	}	
\$15,657.00 U.S. Currency	}	
Defendant(s) In Rem	}	

NOW COMES the municipality of Scarborough, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem (\$1,565.70 U.S. Currency), or any portion thereof, on the grounds that the Scarborough Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Scarborough, Maine does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Scarborough municipal legislative body on or about _____.

Dated: _____

Municipal Officer
Scarborough, Maine
(Impress municipal legislative body seal here)