

**AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 16, 2019
REGULAR MEETING – 6:00 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.

Order No. 19-076. Act on the request for an executive session pursuant to Title 1 M.R.S.A. §405(6)(E) in consultation with legal counsel regarding the Wal-Mart and Sam's Club Property Tax Abatement Appeals. *[Town Manager]*

Item 4. General Public Comments.

Item 5. Minutes: October 2, 2019 - Regular 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. 19-074, 7:00 p.m. Public hearing and second reading on the proposed amendments to Chapter 1301, the General assistance Ordinance, pursuant to Title 22, M.R.S.A §4305 (4). *[General Assistance]*

Proclamation 19-001. Act on the request for the proclamation for declaring the month of October as Dysautonomia Awareness Month. *[Councilor Cloutier]*

OLD BUSINESS:

Order No. 19-069. Second reading on the proposed amendment to Chapter 311 – Schedule of Fees pertaining in-lieu fees for Affordable Housing and Development Transfers. *[Housing Alliance/Conservation Commission]*

NEW BUSINESS:

Order No. 19-077. First reading and schedule a public hearing on the proposed amendments Chapter 302, Scarborough Town Council Rules & Policies, Section 200 – Town Council Procedures, subsection 200.8 Political Activities. *[Rules and Policies Committee]*

Order No. 19-078. Act on the request from the Communications Committee to adopt the Public Engagement and Noticing Manual. *[Communications Committee]*

Order No. 19-079. Act to approve and authorize the Town Manager to sign the Property Tax Abatement Settlement Agreements with the WalMart Real Estate Business Trust and the Sam's Real Estate Business Trust. *[Town Manager]*

Order No. 19-080. Act on the request to authorize the Town Manager to enter into a Memorandum of Understanding between the Town of Scarborough and Crossroads Holdings, LLC and the Edge Sports Group. *[Town Manager]*

Item 8. Non Action Item.

a. Update and Discussion on Property Tax Cards.

Item 9. Standing and Special Committee Reports and Liaison Reports.

Item 10. Town Manager Report.

Item 11. Council Member Comments.

Item 12. Adjournment.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 16, 2019
REGULAR MEETING – 6:00 P.M.

Order No. 19-076. Move approval on the request for an executive session pursuant to Title 1 M.R.S.A. §405(6)(E) in consultation with legal counsel regarding the Wal-Mart and Sam's Club Property Tax Abatement Appeals, to come back to public session. *[Town Manager]*

Town Manager

Ought to Pass

Sponsor

Recommendation

10/16/2019 – Vote:

First Reading/Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 16, 2019
REGULAR MEETING – 6:00 P.M.

Order No. 19-074. Move approval of the second reading on the proposed amendments to Chapter 1301, the General assistance Ordinance, pursuant to Title 22, M.R.S.A §4305 (4).
[General Assistance]

General Assistance

Ought to Pass

Sponsor

Recommendation

10/02/2019 – Vote: 6 Yeas.

First Reading/Vote

10/16/2019

Public Hearing

10/16/2019 – Vote:

Second Reading/Final Approval/Vote

Janet T. Mills
Governor

Jeanne M. Lambrew, Ph.D.
Commissioner



Maine Department of Health and Human Services
Office for Family Independence
109 Capitol St.
11 State House Station
Augusta, Maine 04333-0011
Tel.: (207) 624-4168; Toll-Free: (800) 442-6003
TTY: Dial 711 (Maine Relay); Fax: (207) 287-3455

To: Welfare Officials and Contracted Agents
From: Sara Russell, Program Manager, General Assistance
Date: September 6, 2019
Subject: New GA Maximums

Enclosed please find the following items:

- MMA's new (October 1, 2019–September 30, 2020) “**General Assistance Ordinance Appendices**” (A – F and H).
- “**GA Maximums Adoption Form**” which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS. (see “*Filing of GA Ordinance and/or Appendices*” below for further information).

Appendix A – F & Appendix H

The enclosed Appendices A – F, and Appendix H have been revised for your municipality’s General Assistance Ordinance. These new Appendices, **once adopted**, should replace the existing Appendices A – F and Appendix H. Even if you have already adopted MMA’s model General Assistance Ordinance, **the municipal officers must approve/adopt the new Appendices yearly.**

The Adoption Process

The **municipal officers (i.e., selectpersons/council)** adopt the local **General Assistance Ordinance and yearly Appendices**, even in town meeting communities. The law requires that the municipal officers adopt the ordinance and/or Appendices **after notice and hearing**. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

Municipalities May Establish Their Own Maximums

Municipalities may establish their own maximum levels of assistance provided that the proposed levels of assistance are reasonable and meet adequate standards sufficient to maintain the health and safety of applicants in the municipality. The municipality must submit to the Department documentation to justify these levels of assistance and verify that the figures developed are appropriate to maintain health and decency.

A municipality's maximum assistance level for Food may not be below the Department provided figures which are issued by the USDA and published annually following a study of cost of food for various family sizes. A market basket survey may be used to establish food maximums if the maximums provided by the USDA are insufficient to maintain health in the municipality.

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted. *(For a copy of the GA model ordinance, please call MMA's Publication Department, or visit their web site www.memun.org).* In addition, any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that a municipality has adopted the current GA maximums.

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the Appendix A – F and Appendix H of Chapter 1301 - the General Assistance Ordinance for the Town of Scarborough, Maine, is amended as follows:

Appendix A

Effective: 10/01/19-09/30/20

2019-2020 GA Overall Maximums

Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	759	862	1,096	1,373	1,924
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	865	909	1,176	1,634	1,866
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	725	783	1,007	1,265	1,606
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	725	728	964	1,208	1,330
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,089	1,191	1,526	2,037	2,418
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	809	915	1,076	1,425	1,677

York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	899	961	1,190	1,525	1,692
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	1,112	1,143	1,511	1,893	2,654

***Note: Add \$75 for each additional person.**

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	640	696	816	1,100	1,180
Franklin County	669	715	828	1,084	1,468
Hancock County	818	855	1,036	1,307	1,433
Kennebec County	752	777	969	1,273	1,360
Knox County	781	786	969	1,269	1,379
Lincoln County	849	869	1,038	1,326	1,541
Oxford County	748	752	920	1,299	1,511
Piscataquis County	645	700	865	1,144	1,373
Somerset County	699	733	942	1,228	1,316
Waldo County	801	855	979	1,316	1,676
Washington County	698	702	910	1,140	1,243

*** Please Note: Add \$75 for each additional person.**

Appendix B
Effective: 10/01/19 to 09/30/20

2019-2020 FOOD MAXIMUMS

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2019, those amounts are:

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	\$ 45.12	\$ 194.00
2	82.56	355.00
3	118.37	509.00
4	150.23	646.00
5	178.60	768.00
6	214.19	921.00
7	236.74	1,018.00
8	270.70	1,164.00

Note: For each additional person add \$146 per month.

Appendix C
Effective: 10/01/19 to 09/30/20

2019-2020 GA HOUSING MAXIMUMS
(Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (See Instruction Memo for further guidance.)**

Non-Metropolitan FMR Areas

<u>Aroostook County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0	113	487	137	587
1	117	502	147	634
2	133	572	173	743
3	186	799	236	1,015
4	192	826	251	1,079
<u>Franklin County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0	120	516	143	616
1	121	521	152	653
2	141	606	176	755
3	182	783	232	999
4	266	1,145	318	1,367

Hancock County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	155	667	178	764
1	155	667	184	791
2	184	792	223	958
3	234	1,007	283	1,216
4	248	1,067	308	1,324
Kennebec County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	140	601	162	698
1	140	601	166	713
2	169	725	207	891
3	226	973	275	1,182
4	231	994	291	1,251

Non-Metropolitan FMR Areas

Knox County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	147	630	169	727
1	147	630	169	727
2	169	725	207	891
3	225	969	274	1,178
4	235	1,013	295	1,270
Lincoln County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	162	698	185	795
1	162	698	187	805
2	185	794	223	960
3	238	1,026	287	1,235
4	273	1,175	333	1,432
Oxford County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	139	597	161	694
1	139	597	161	694
2	157	676	196	842
3	232	999	281	1,208
4	266	1,145	326	1,402
Piscataquis County	Unheated		Heated	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	113	487	135	580
1	119	512	146	627
2	149	640	181	780
3	203	871	244	1,048
4	237	1,019	293	1,262

<u>Somerset County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	127	548	150	645
1	127	548	156	669
2	162	698	201	864
3	216	928	264	1,137
4	221	950	281	1,207

Non-Metropolitan FMR Areas

<u>Waldo County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	151	650	174	747
1	154	663	184	791
2	171	735	210	901
3	236	1,016	285	1,225
4	305	1,310	364	1,567
<u>Washington County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	127	547	150	644
1	127	547	150	644
2	155	666	193	832
3	195	840	244	1,049
4	204	877	264	1,134

Metropolitan FMR Areas

<u>Bangor HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	141	608	164	705
1	156	670	186	798
2	198	852	237	1,018
3	249	1,073	298	1,282
4	362	1,558	422	1,815
<u>Cumberland Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	166	714	189	811
1	167	717	197	845
2	217	932	255	1,098
3	310	1,334	359	1,543
4	349	1,500	409	1,757

<u>Lewiston/Auburn MSA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	133	574	156	671
1	137	591	167	719
2	177	763	216	929
3	224	965	273	1,174
4	288	1,240	348	1,497

<u>Penobscot Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	133	574	156	671
1	133	574	156	671
2	167	720	206	886
3	211	908	260	1,117
4	224	964	248	1,221

<u>Portland HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	218	938	241	1,035
1	232	999	262	1,127
2	298	1,282	337	1,448
3	404	1,737	453	1,946
4	477	2,052	537	2,309

<u>York/Kittery/ S. Berwick HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	223	961	246	1,058
1	223	961	251	1,079
2	295	1,267	333	1,433
3	370	1,593	419	1,802
4	532	2,288	592	2,545

<u>Cumberland Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	166	714	189	811
1	167	716	197	845
2	217	932	255	1,098
3	310	1,334	359	1,543
4	349	1,500	409	1,757

<u>Sagadahoc Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	153	658	176	755
1	168	723	198	851
2	193	832	232	998
3	262	1,125	310	1,334
4	305	1,311	365	1,568

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York Cty. HMFA	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	174	748	197	845
1	179	769	209	897
2	220	946	259	1,112
3	285	1,225	333	1,434
4	308	1,326	368	1,583

Appendix D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is ***not automatically*** entitled to the “maximums” established—applicants must demonstrate need.

1) Electricity Maximums for Households Without Electric Hot Water: The maximum amounts allowed for utilities, for lights, cooking and other electric uses ***excluding*** electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) Electricity Maximums for Households With Electrically Heated Hot Water: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses ***excluding*** heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

Appendix E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

Appendix F -PERSONAL CARE & HOUSEHOLD SUPPLIES MAXIMUMS

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

Funeral Maximums

Burial Maximums

The maximum amount of general assistance granted for the purpose of burial is **\$1,475.00**. Additional costs may be allowed by the GA administrator, where there is an actual cost, for:

- the wholesale cost of a cement liner if the cemetery by-laws require one;
- the opening and closing of the grave site; and,
- a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- removal of the body from a local residence or institution
- a secured death certificate or obituary
- embalming
- a minimum casket
- a reasonable cost for necessary transportation
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator

Cremation Maximums

The maximum amount of assistance granted for a cremation shall be **\$1,025.00**. Additional costs may be allowed by the GA administrator where there is an actual cost, for;

- a cremation lot in the least expensive section of the cemetery
- a reasonable cost for a burial urn not to exceed \$50
- transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 16, 2019
REGULAR MEETING – 6:00 P.M.

Proclamation 19-001. Move approval on the request on the proclamation for declaring the month of October as Dysautonomia Awareness Month. [*Councilor Cloutier*]

Councilor Cloutier

Ought to Pass

Sponsor

Recommendation

10/16/2019 – Vote:

First Reading/Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

Town of Scarborough, Maine

U S R O U T E O N E , P O B O X 3 6 0
S C A R B O R O U G H , M A I N E • 0 4 0 7 0 - 0 3 6 0

Proclamation 19-001

A PROCLAMATION FOR DYSAUTONOMIA AWARENESS FOR THE MONTH OF OCTOBER

WHEREAS, dysautonomia is a group of medical conditions that result in a malfunction of the autonomic nervous system, which is responsible for “automatic” bodily functions such as respiration, heart rate, blood pressure, digestion, temperature control and more; and,

WHEREAS, dysautonomia impacts over 70 million people around the world, and includes conditions such as Diabetic Autonomic Neuropathy, Vasovagal Syncope, Pure Autonomic Failure, and Postural Orthostatic Tachycardia Syndrome; and,

WHEREAS, Dysautonomia impacts people of any age, gender, race or background, including many individuals living in Maine; and,

WHEREAS, Dysautonomia can be very disabling and this disability can result in social isolation, stress on the families of those impacted, and financial hardship; and,

WHEREAS, some forms of Dysautonomia can result in death, causing tremendous pain and suffering for those impacted and their loved ones; and,

WHEREAS, increased awareness about Dysautonomia will help patients get diagnosed and treated earlier, save lives, and foster support for individuals and families coping with Dysautonomia in our community; and,

WHEREAS, Dysautonomia International, a 501(c)(3) non-profit organization that advocates on behalf of patients living with Dysautonomia, encourages communities to celebrate Dysautonomia Awareness Month each October around the world; and,

WHEREAS, we seek to recognize the contributions of medical professionals, patients and family members who are working to educate our citizenry about Dysautonomia.

NOW, THEREFORE, BE IT RESOLVED, that the Scarborough Town Council does hereby proclaim the month of October as:

DYSAUTONOMIA AWARENESS MONTH

Signed and dated this 16th day of October, 2019, on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine.

Signed by: Peter F. Hayes
Council Chair

Attested by: Yolande P. Justice
Town Clerk

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 16, 2019
REGULAR MEETING – 6:00 P.M.

Order No. 19-069. Second reading on the proposed amendment to Chapter 311 – Schedule of Fees pertaining in-lieu fees for Affordable Housing and Development Transfers. [*Housing Alliance/Conservation Commission*]

Housing Alliance/Conservation Commission

Ought to Pass

Sponsor

Recommendation

09/18/2019 – Vote: 7 Yeas.

First Reading/Vote

10/02/2019 - Public Hearing

Public Hearing

10/16/2019 -

Second Reading/Final Approval/Vote

To: Town Council
Cc: Tom Hall, Conservation Commission, Housing Alliance
From: Jay Chace, Planning Director
Date: September 6, 2019
RE: Development Transfer Provisions - In Lieu Fee

This memo serves to provide background to the Town Council on the recommendation by the Housing Alliance and the Conservation Commission to consider modifications to Chapter 311, Schedule of license, permit and application fees, to increase the Affordable Housing and the Development Transfer in-lieu fees from \$20,000 to \$50,000.

The discussion about the fee structure began several months ago with the Housing Alliance as they noticed that developers had been regularly opting to utilize the affordable housing in-lieu fee rather than constructing affordable units to take advantage of the density bonus provisions in the town's ordinances. The Alliance's discussion centered on the interest to see affordable units built within projects as well as the recognition that \$20,000 is a small sum compared to the amount that it would cost to build an affordable unit.

This is coming to Council as a joint recommendation because the fee structure for these two in-lieu provisions are currently linked in the Zoning Ordinance. In many of the Town's higher density residential and mixed-use districts (VR2, VR4, TVC, TVC 2, TVC 3, TND, RPO, EH & RH2) both the Development Transfer and the Affordable Housing provisions are applicable; therefore if one were lower than the other the ordinance would create a financial benefit to utilize the lower fee provision. For this reason it makes sense for the Alliance and Commission to collaborate and provide a unified recommendation to Council for updates to the fee structure, which was established in 2007.

For orientation purposes, Council members may wish to review following provisions of the Zoning Ordinance related to the discussion: Section VIIC. Residential Density and Affordable Housing Provisions; Section VIID. Development Transfer Provisions; the Residential Density Regulations of any of the above mentioned districts (e.g. Section XIII.A[F.1-4]) Town and Village Centers); along with Chapter 311.

As the Conservation Commission reviewed the Transfer Development provisions it was identified that the Ordinance requires the Town Council to consider if an adjustment is warranted to the development transfer fee based on a methodology that reflects the value of raw land. *(Of note- the affordable housing provisions of the ordinance does not have language related to factors to consider when evaluating adjustments.)*

Using the same methodology the town used in 2006/07 when developing the current fee, staff developed the information below to assess the value of raw, undeveloped land within the limited and very low density growth areas identified in the Comprehensive Plan.

The five properties listed in the table below have been transferred over the past few years and subsequently divided into residential house lots. The selection of subdivisions are residential developments in the Rural Farming (RF) district and are in areas identified within the limited and very

low density growth areas of the Comprehensive Plan. The final column provides the raw land cost of the each subdivision.

Map Number	Zoning & Area of Town	Land Purchase Price	House Lots Created	Raw Land Cost per Lot
R31	RF- W. Scarb.	\$125,000	10	12500*
R1	RF- W. Scarb.	\$590,000	20	29500
R23	RF- W. Scarb.	\$454,000	9	50444
R4	RF- W. Scarb.	\$200,000	4	50000
R10	RF- W. Scarb.	\$490,000	9	54444

**5 of these lots were sold to another development company prior to construction at a cost of \$48,000 per lot when accounting for development costs*

Based on the statistics above, the mean of raw land cost to new house lot in the rural areas of town is \$35,750. The median price is \$50,000.

Upon review of the information stated above, the Conservation Commission voted on August 12 to recommend to Council that the Development Transfer in-lieu fee be raised from \$20,000 to \$50,000.

Considering the findings of the Commission, the Housing Alliance voted on August 28 to recommend to Council that the Affordable Housing in-lieu fee be raised from \$20,000 to \$50,000.

Draft minutes of the August 12 Conservation Commission meeting and the August 28 Housing Alliance meeting will be provided.

Chapter 311 – Schedule of Fees

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that Chapter 311 - the Schedule of Fees for the Town of Scarborough, Maine, is amended as follows:

Proposed Amendments to Chapter 311, the Schedule of Fees for the Town of Scarborough:
(Additions shown as underlined, deletions shown as ~~strikethrough~~)

<u>Chapter 405 – Zoning</u>	<u>Fee</u>
Requests for Zoning Amendments (Not from Planning Board or Town Council)	\$250.00
Contract Zoning – Non-Refundable Application Fee (11/20/02)(amended 05/05/04)	\$500.00
Zoning Determination Letter (adopted 05/07/2014)	\$35.00
Planning Administrative Review Fee (adopted 05/07/2014)	\$75.00
Review Fee for Private Way Registration (amended 06/02/04)	\$100.00
One (1) Dwelling Unit Credit (<i>as per Section VIID(E)1, Development Transfer Provisions</i>) (July 18, 2007)	<u>\$50,000.00</u>
Affordable Housing In-Lieu Fee Per Dwelling Unit [Adopted 11/06/2013]	<u>\$50,000.00</u> ~~\$20,000.00~~

Scarborough Housing Alliance
Meeting Minutes
August 28, 2019 6:00pm

Attendees: Bryan Shumway, Eric Boucher, Marj DeSanctis, Debbie Grew, Will Rowan, and Jay Chace.

Excused: Kim Fowler.

Guests: None.

1. The meeting began at 6:05pm.
2. The minutes of June 26, 2019 were unanimously approved as presented.
3. Jay Chace opened the meeting with the discussion of increasing the in-lieu fee from \$20,000 to \$50,000, during which he reviewed an August 7, 2019 memo that he provided to the Conservation Commission. The memo outlined the calculation methodology used in 2007 to determine the \$20,000 fee, and noted the same methodology using today's market rate for land calculates a fee of approximately \$50,000. Jay noted, based on the updated calculation, that the Conservation Commission approved the recommendation of increasing the fee to \$50,000. Bryan made a motion to recommend to the Town Council to increase the in-lieu fee for affordable housing to \$50,000 per unit. Debbie seconded the motion. A brief discussion followed, then all Alliance members voted in favor of the motion.
4. Given the motion above, Marj struck from the agenda the two other items that were related to the in-lieu fee as they were no longer necessary.
5. Marj revived the discussion of the sales price and affordability calculator worksheets that Bryan had previously created. Bryan gave an update on the most recent changes. The Alliance discussed some clarifying worksheet updates and using certain safe harbor assumptions. The related follow-up was to assess several potential assumptions including interest rate, down payment, and other base assumptions, and to consider or develop buyer and realtor education for the program.
6. Marj discussed the RFP noting that there has been little interest. The Alliance planned to confirm that all Town staff know of its existence and availability. There was some discussion about the current calendar of affordable housing funding opportunities and the availability of projects in Scarborough, which are likely both negatively impacting interest in the RFP. As such, the Alliance began to discuss other potential uses, such as aging in place assistance, resident service opportunities, etc. Before getting too deep into these ideas, Will is going to inquire with Tom Hall whether such alternative uses are permissible. Eric was also going to provide some information on existing programs that may align with our discussion.
7. The next meeting of the Alliance is scheduled for September 25, 2019.

At 7:15pm, with a motion from Will and a second by Debbie, the Alliance adjourned its meeting.

Respectfully submitted,

Eric Boucher
Secretary



Meeting of the Scarborough Conservation Commission

August 12, 2019

Minutes - DRAFT

Present: Suzan Nixon, Tom Nolan, Chuck Spangler, Pete Slovinsky, Jay Chace, Jami Fitch, Brian Longstaff

Absent: Steve Decrosta, Katy Foley, Rachel Hendrickson, Ben Keller

Meeting called to order at 5:05 p.m.

Minutes Approved: Chuck made a motion to approve the minutes. Pete seconded. Vote was unanimous.

Old Business

1. Development Transfer In-lieu Fee

- Jay reviewed a memo sent to the Commission regarding increasing the development transfer in-lieu fee.
 - Currently, the development transfer and affordable housing in-lieu fees are \$20,000. The fees were set circa 2007 and have not been adjusted. The Scarborough Housing Alliance is proposing that the affordable housing in-lieu fee be increased to \$50,000.
 - The Commission has expressed support for keeping both in-lieu fees in alignment. Town ordinance dictates how the development transfer in-lieu fee is calculated.
 - Jay followed the formula in the ordinance, and found that increasing the fee to \$50,000 is reasonable given recent property sales.
- *Susan made a motion to increase the development transfer in-lieu fee to \$50,000. Pete seconded. Vote was unanimous.*

2. High Water Marks

- The Commission visited two beach locations (Higgins Beach and Ferry Beach) to look for High Water Marks (HWM) from the 1978 Nor'easter that were established by USGS. Scarborough is participating in a program through the Maine Silver Jackets to re-establish the HWMs in publically-accessible and visible places to educate the public about flooding risks.
- Higgins Beach:
 - Location descriptions from 1978 appeared to be inaccurate. Road names were incorrect in the descriptions, and mapped coordinates may be off. No HWM was found.
 - The Silver Jackets team will do survey work in the area to re-establish the flooding benchmark from 1978. That information will then be used to determine flood levels in other areas in Higgins Beach that are more visible. Informational signage will be posted in the new locations.
 - The Commission suggests installing signs at either the Ocean Street or Ashton entrance to Higgins Beach. The Ocean Street will likely be more visible by people parked in the municipal parking lot, but the elevation of this location may not be ideal.
- Ferry Beach

- Again, location descriptions from 1978 seem to be off. No HWM was found when the site was visited on 8/12. (*Update: Suzan Nixon revisited Ferry Beach on 8/13 and found the HWMs on a telephone pole behind the boathouses. There were two HWMs on the pole – one from 1962 and one from 1978. It's interesting to note that the mark from 1962 was higher than the one from 1978.*)
- The Commission discussed locations for signage. An entrance to the beach will likely maximize visibility.
- The Commission also considered the bathhouse. The elevation of the bathhouse is too high to show the HWM from 1978, but there may be an opportunity to use it to show different sea level rise scenarios. Pete suggested working with the Scarborough High School art department to have students paint a mural on the bathhouse to depict potential sea level rise.
- The Commission is still interested in using light installations to show sea level rise scenarios. They discussed approaching Prouts Neck Country Club about using the boat houses as a possible location for a light display.

Updates

1. PMAC

- Suzan shared that the PMAC is interested in working with the Scarborough Public Library to do a demonstration of organic land care.

Next meeting

- Date: September 9, 2019
- **ACTION: JAMI will send a calendar invitation to the group.**

Adjourn

Meeting adjourned at 6:30 p.m.

To: Conservation Commission
 From: Jay Chace, Planning Director
 Date: August 7, 2019
 RE: Development Transfer Provisions - In Lieu Fee

I know the Commission has previously considered, and generally agreed with, the Housing Alliance's concept of increasing the in-lieu fees for both the affordable housing and development transfer provisions in the zoning ordinance from the current \$20,000 to \$50,000. While the Commission has conceptually agreed raising the fee makes sense, the regulations for the development transfer fee provides a methodology the Council is to follow to evaluate whether an adjustment to the fee is warranted—this mechanism will be described below. Interestingly, there are no such provisions for the evaluation of the affordable housing fee.

As has been discussed, the fee structure for these two in-lieu provisions are currently linked as the in-lieu provisions are applicable in the same zoning districts, therefore if one were lower than the other the ordinance would create a financial benefit to utilize the lower fee provision. For this reason it makes sense for the Alliance and Commission to collaborate and provide a unified recommendation to Council for updates to the fee structure which was established in 2007.

Therefore staff offers the information below to help inform the Commission's recommendation to Council for a fee adjustment.

The Ordinance requires the Town Council to consider if an adjustment is warranted to the development transfer fee based on changes in the value of raw, undeveloped land within the limited and very low density growth areas. The data provided below utilizes the methodology from the ordinance and which the town used in 2006/07 when developing the current fee.

The five properties listed have been transferred over the past few years and subsequently divided into residential house lots. The selection of subdivisions are residential developments in the Rural Farming (RF) district and are in areas identified within the limited and very low density growth areas of the Comprehensive Plan. The final column provides the raw land cost of each subdivision.

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R10	RF- W. Scarb.	\$490,000	9	54444

**5 of these lots were sold to another development company prior to construction at a cost of \$48,000 per lot when accounting for development costs*



Based on the statistics above the average raw land cost to new house lot in the rural areas of town is \$37,575. The media price is \$50,000.

As we begin to think about adjustments to the in-lieu fees, it appears the Housing Alliance's suggestion of \$50,000 is in line with the findings of the analysis based on the methodology described in the Zoning Ordinance.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 16, 2019
REGULAR MEETING – 6:00 P.M.

Order No. 19-077. Move approval of the first reading on the proposed amendments Chapter 302, Scarborough Town Council Rules & Policies, Section 200 – Town Council Procedures, subsection 200.8 Political Activities and schedule a public hearing for Wednesday, November 6, 2019. *[Rules and Policies Committee]*

Rules & Policies Committee

Ought to Pass

Sponsor

Recommendation

10/16/2019 – Vote:

First Reading/Vote

11/06/2019 - Public Hearing

Public Hearing

11/20/2019 – Vote:

Second Reading/Final Approval/Vote

CHAPTER 302 SCARBOROUGH TOWN COUNCIL RULES & PROCEDURES

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that Chapter 302 - the Town Council Rules and Procedures of the Town of Scarborough, Maine, Section 200: TOWN COUNCIL PROCEDURES – Subsection 200.8 Political Activities; is amended as follows:

Section 200: TOWN COUNCIL PROCEDURES – Subsection 200.8 Political Activities.

~~**200.8: Political Activities.** No Town Councilor shall participate in any political activity which would be in conflict or incompatible with the performance of his/ her official functions and duties for the Town. In conjunction therewith:~~

~~**200.8.a:** No Town Councilor may use his/her official authority or position for the purposes of influencing or interfering with or affecting the results of any election, nor shall he/she solicit funds or contributions or accept or receive funds or contributions from Town employees for political purposes. No Town Councilor may distribute pamphlets or handbills while he/she is performing their official functions and duties with the Town. Nothing herein shall be construed to prohibit any Town Councilor from participating in the political process in their capacity as private citizens.~~

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 16, 2019
REGULAR MEETING – 6:00 P.M.

Order No. 19-078. Move approval on the request from the Communications Committee to adopt the Public Engagement and Noticing Manual. [*Communications Committee*]

Communications Committee

Ought to Pass

Sponsor

Recommendation

10/16/2019 – Vote:

First Reading/Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

Town of Scarborough, Maine

259 US ROUTE ONE

PO BOX 360

SCARBOROUGH, MAINE • 04070-0360

Memorandum

To: Town Council members

From: Larissa Crockett, Assistant Town Manager

Re: Proposed Public Engagement and Noticing Manual

Date: October 11, 2019

On March 4, 2019 the Town Council Communications Committee voted unanimously to move forward the Public Engagement and Noticing Manual forward for Council adoption. This document is to be used internally to guide departments as they develop engagement strategies surrounding new initiatives. It should also be seen as a way to have shared expectations between staff and the community about how information will be shared, gathered, and used.

The manual includes an action plan matrix to help inform the level of engagement that is appropriate and a set of outreach tools that are to be used with the different levels of engagement. Different styles and venues for public engagement are listed and templates and a style guide are provided to help standardize communications coming from the Town.



SCARBOROUGH MAINE

Public Engagement and Noticing Manual

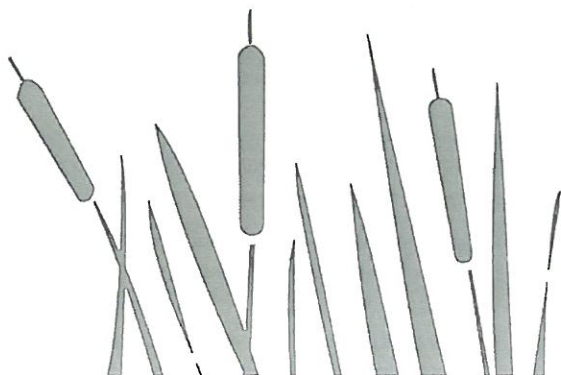


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INTRODUCTION

Communities strengthen when residents, organizations, and institutions are engaged and working together for the good of all. Scarborough is no exception. The people who live, work and play here take pride in this town and care deeply about keeping it healthy and vibrant. We want to hear different perspectives and encourage more residents to be informed and involved in shaping decisions. Each time we successfully engage the public about issues that affect their lives we are providing good customer service.

The pages that follow describe simple steps to take for broadening public outreach. We outline programs that encourage active and diverse citizen participation. We call it a toolkit; tools to be used for building community participation and adding new voices to the mix.

While there are elements of marketing in all communication outreach, we're talking about something different here: improving communication efforts so people get involved in decisions on topics that affect them. Assuring residents know what's going on and getting them involved in the process will help generate decisions that residents support.

Use this guide to better understand the target audience, type of outreach, and timing needed for various town issues and actions. Keep in mind this is a broad stroke approach that is intended to guide thinking, not define it. With 11 town departments and hundreds of touch points every day, one size will definitely not fit all. However, the standard should always be one of seeking input rather than simply informing. This document and the strategies it includes are a promise to the people of Scarborough that we as Town staff and officials will actively work to engage with them. We are making a promise to discover the best ways we can serve them.

It's not easy to determine the communication/outreach plan needed for individual projects, services and other items that make their way through the Town decision-making process. Who needs to know? How do we tell them? That's where this toolkit comes in. Begin by asking seven questions about your item. The following

questions also accompany the [project plan template](#).

1. What is the action/program/project you need to communicate? What are the key messages you need people to hear?

2. Who makes the final decision on the item? Is this a staff decision? Subject to advisory body review? Will Town Council ultimately receive the item for action?

3. What type of community interaction is desired?

- You may need to **inform** residents about a decision already made or a town action that needs to be understood (i.e., change in a solid waste collection schedule; increase in permitting fees).
- You may need to **consult** the community or special interest group members over proposed changes/new initiatives (i.e., options for new playground equipment; proposed ordinance regarding fireworks use).
- You may need to **collaborate** with the community to develop ideas/plans/programs on large scale future items (i.e., land use; town budget).

4. Who needs to/wants to be informed?

This question is critically important and calls for some consideration. The focus of engagement is to involve the community. In Scarborough that community has many faces: residents at large (along with individual neighborhoods); interest groups ranging from cycling enthusiasts to business; arts to education; seniors, children and so on.

There is a large government sector in Scarborough that may need to be included. The point is that it is imperative to try to outreach to anyone who may be connected to the item, and specifically to find the key people affected by a decision. Determining the outreach targets calls for thought, some research, and your own good judgment.

5. When does the outreach need to happen?

The Town's review process can have many steps and

take time to unfold. Some steps are defined by municipal code while others call for personal discretion. Give citizens adequate time to be informed, educated, and involved. No one likes to be caught unprepared and on short notice. Start early and keep in touch.

6. What needs to be done?

This guide outlines a series of recommended plans to use as reference for best practices on communicating your item.

7. What does success look like?

Whether you'd like to see more people attend your community outreach event, increase diversity of feedback, introduce new ideas, or keep in touch with residents and stakeholders, setting a goal for your community engagement efforts will provide a benchmark for future efforts. Keep note of what worked, what didn't, and any valuable feedback from the public. Consider issuing a survey to assess public satisfaction with outreach efforts following community outreach events or neighborhood meetings.

What's the difference between Outreach and Engagement?

Outreach is the process of getting in contact with the public and piquing their interest—it is one-way communication.

Engagement goes beyond outreach. It opens up the discussion and encourages broad participation from the residents and property owners we serve.

TOOL KIT

The toolkit is organized into three sections. Follow the three sections below to develop your engagement plan.

1. Action Plan Matrix

Use this section to identify the level of complexity and communication objective of your item. Once you've identified your communication objective, review the corresponding Outreach Tools.

2. Outreach Tools

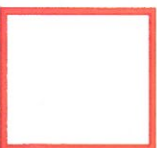
This section notes various elements that can be of use to you in communicating with the public (town website posting, e-notification, community meetings, etc.) Each element is described in the glossary, and hyperlinked tools have corresponding templates, checklists and instruction on best practices for outreach events.

3. Audience

Move to page 7 to determine your target audience. How significantly will this item affect people, and with that in mind, who should be notified and possibly involved? Consider if your item affects the entire town, or use the lists provided to review specific neighborhoods and/or certain special interest groups that may be affected. Determine whether media should be notified.

The toolkit only works when you add your judgment to the process. Nothing is simply black and white when it comes to outreach and engagement. It's all about communication. Communicate with your colleagues, communicate with stakeholders, and work from a plan that you understand may need adjusting as time goes on.

ACTION PLAN MATRIX

Level of Complexity	Triggers	Inform	Consult	Collaborate
1	Normal procedures, minor changes to existing programs, changes to and reminders about service delivery			
2	New programs, major changes to or expansions of existing programs			
3	Minor ordinance changes, development review, minor capital projects			
4	New ordinances, major capital projects, major development review, major policy decisions			

 Expected
  May be appropriate
  Not appropriate

Key Messages:

Try to imagine how you would respond to a resident who asks:

“What are you doing and how are you doing it?”

“Why does this matter to me?”

“Does this affect my health? My safety? My family?”

Try to avoid statements that beg a question and make sure to use clear and concise language with no government jargon.

Outreach Tools

Inform

Expectation	Additional Options
Official notice, if legally required	Community Calendar
• Legal ad in newspaper • Postcard to abutters • On-site signage	Signage
E-notification	Paid media
Social Media outreach	Informational materials, should also be available on the Town's website, e.g. flyer, fact sheet, PowerPoint presentation, postcard, poster
Website posting	Press release/media notification
Cable channel slide	Neighborhood meetings
Notify applicable advisory bodies	
Notify key contacts and liaisons	

Consult

Expectation	Additional Options
•All of the "Inform" expectations listed above	Mailed survey
Hearing, if legally required	E-survey
	Listening session
	Focus group
	Special events with opportunities for interaction
	Neighborhood meetings

Collaborate

Expectation	Additional Options
All of the "Inform" and "Consult" expectations listed above	Mailed survey
Community outreach event	E-survey
Workshop	Listening session
Open house	Focus group
Neighborhood meeting	Special events with opportunities for interaction
	Committee formation

Meaningful engagement requires new ways of listen-

AUDIENCE

One of the most important aspects of community engagement is thinking through the “who.” Who will be interested in/affected by the topic under consideration? Who are the stakeholders?

Begin by understanding the range of interest groups and organizations that care about Scarborough. The category list that follows is provided to get you thinking; it does not include every potential outreach contact but is a framework for thinking about who the stakeholders are.

ORGANIZATIONS/INTEREST AREAS TO CONSIDER-

The following are samples only and are not all-inclusive.

ARTS/CULTURE ORGANIZATIONS: Fiddlehead Scarborough, Scarborough Public Library

BUSINESS/COMMERCE ORGANIZATIONS: SEDCO, Scarborough Community Chamber of Commerce

CHILDREN: PTA groups, parent-child groups, Scarborough Public Library

EDUCATION: School Board, Superintendent’s office, school principals, Scarborough Public Library

ENVIRONMENTAL: Scarborough Land Trust, Town Conservation Committee

RELIGIOUS GROUPS

GOVERNMENT: Town Council, Town Committees

MEDIA: Print/online, television, radio. List of key media outlets below.

PROPERTY OWNERS

RESIDENT/ NEIGHBORHOOD GROUPS

SPORTS/OUTDOOR ENTHUSIASTS: The Eastern Trail, Scarborough Fish and Game Association

SENIORS: Maine Veteran’s Home, senior living communities, 55+ program

SERVICE CLUBS

SOCIAL SERVICE PROVIDERS: Project G.R.A.C.E.

MEDIA KEY CONTACTS LIST:

The following contacts list may change over time

PRINT/ONLINE:

[The Forecaster](#)

One City Center, Fourth Floor

Portland, Maine 04101

Phone: (207) 781-3661

[Mainely Media](#)

Phone: (207) 282-4337

[The Portland Press Herald](#)

One City Center, 5th Floor

Portland, Maine 04101

Phone: (207) 791-6650

TELEVISION:

[WCSH 6](#)

One Congress Square

Portland, ME 04101

Phone: (207) 828-6666

[WMTW-TV](#)

4 Ledgeview Dr.

Westbrook, ME 04092

Phone: (207) 835-3888

[WGME-13](#)

81 Northport Drive

Portland, ME 04103

Phone: (207) 797-1313

[Maine Public](#)

323 Marginal Way

Portland, ME 04101

Phone: (800) 884-1717

RADIO:

Portland Radio Group

420 Western Avenue

South Portland, Maine 04106

Phone: (207) 774-4561

Maine Public

323 Marginal Way

Portland, ME 04101

Phone: (800) 884-1717

COMMUNITY OUTREACH EVENTS:

TOOLS FOR TWO-WAY COMMUNICATION

The following community outreach events are meant to expand involvement opportunities for community members by giving them a chance to speak directly to an issue or have direct involvement in the decision-making process. All outreach events should encourage participation, and every effort should be made to make the public feel welcomed and heard.

- All community events should be preceded by outreach noted in the "Inform" section of your matrix. A well-attended event is key.
- Incorporating outreach tools from the "Additional" column of your matrix will attract a larger audience which results in more diverse representation and feedback.
- Advertising these community events well ahead of their date with ongoing reminders is essential.
- Plan for enough space to accommodate the audience. A list of possible meeting space venues begins on page 10.
- Choose an effective facilitator to lead the gathering. Facilitators are there to shepherd the conversation rather than provide input or influence opinion. The facilitator should be neutral in the discussion.
- If a resident wants to provide input or feedback outside of the particular outreach event, make key project contact information available and/or offer a meeting with staff.

WORKSHOP

Workshops allow the public to hear a presentation on a particular item from town staff and/or consultants, then work in smaller groups to develop ideas and alternatives that directly affect the planning process. Following small group discussion, the groups reconvene to share their ideas with the larger group, and workshop outcomes are then passed on to decision makers. Workshops should include an even balance of staff presentation and group discussion.

When do I have a workshop?

Workshops are an effective tool for collaboration and should take place early in the planning process so feedback can be incorporated down the line. In order to keep group discussion focused, workshops should not take place until a project has a determined set of options and/or ideas to explore.

What should be included?

Discussion groups should represent various parts of a plan where the public actually has an opportunity to weigh in on options and/or develop alternatives and solutions. Groups should be facilitated by town staff and/or consultants, and these facilitators should lead and promote public discussion. Always let the public know what happens next in the process so that they understand what will happen with their feedback. Be sure to provide appropriate contact information so anyone who felt they were not heard has an opportunity to follow up.

Essentials checklist:

- Space large enough to comfortably accommodate the expected audience (consider seating capacity as well)
- Water. Other refreshments and snacks are optional
- Sign-in sheets for names, email address, phone numbers and physical addresses (where applicable) so staff can follow up with attendees
- Visual or informational aid(s) of some sort to be included in the presentation and/or stations (PowerPoint, video, photos, plans, maps, graphics, etc.)

- Large format paper and thick pens for notes that the public can see
- Facilitators for all small group discussions
- Comment cards
- Name tags for town staff
- Contact information
- “What’s Next” explanation

NEIGHBORHOOD MEETING

Neighborhood meetings are similar to workshops in that they involve staff presentation and public discussion. Neighborhood meetings mean staff bring their presentations directly to their intended audience, which could include a special interest group or a specific neighborhood.

When do I have a neighborhood meeting?

Neighborhood meetings should occur early in the planning process so feedback can be incorporated down the line. Staff should schedule a neighborhood meeting during hours when most people in the affected group will be available, typically after-work hours.

What should be included?

Neighborhood meetings benefit from creativity and content/style directed at the audience. Neighborhood meetings should include equal parts staff presentation and public discussion. Always let the public know what happens next in the process so that they understand what will happen with their feedback. Comment cards, a paper survey, or directions to access an online survey should also be provided for people who do not feel comfortable speaking up.

Essentials checklist:

- Space large enough to comfortably accommodate the expected audience (consider seating capacity)
- Water. Other refreshments and snacks are optional
- Sign-in sheets for names, email address, phone numbers and physical addresses (where applicable) so staff can follow up with attendees
- Visual or informational aid(s) of some sort to be in-

cluded in the presentation (PowerPoint, video, photos, plans, maps, graphics, etc.)

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- Facilitators for all small group discussions
- Comment cards
- Name tags for town staff
- Contact information
- “What’s Next” explanation

OPEN HOUSE

An **Open House** typically features various informational stations rather than a formal presentation. The public is encouraged to engage in open dialogue with the facilitator at each station, including asking questions and providing feedback. Notes are taken on large format paper so people can see their comments have been noted and so people can see questions and comments from their fellow residents.

When do I hold an Open House?

An Open House should be held in the middle of the planning process once drafts and conceptual plans are available. Open Houses should take place during hours where most of the public/affected audience will be able to participate, typically after-work hours.

What should be included?

The public should have a clear understanding of the distinction between an open house and workshop ahead of the event. Stations should be clearly labeled, feature visual representations or aids, and should incorporate a place where comments can be written down and seen by everyone. Staff should also consider comment cards, as some people are more comfortable speaking up than others. Be sure to provide appropriate contact information so anyone who felt they were not heard has an opportunity to follow up.

Essentials checklist:

- Space large enough to comfortably accommodate the expected audience and stations (consider

seating options for people who can't stand for extended periods of time)

- Water. Other refreshments and snacks are optional
- Sign-in sheets for names, email address, phone numbers and physical addresses (where applicable) so staff can follow up with attendees
- Visual or informational aid(s) of some sort to be included at each stations (PowerPoint, video, photos, plans, maps, graphics, information boards, etc.)
- Large format paper and thick pens for notes that the public can see
- Facilitators for all stations
- Comment cards
- Name tags for town staff
- Contact information
- "What's Next" explanation

A blend of public engagement approaches, all aimed at reaching a wide cross section of the community, will engage more citizens in the understanding, planning, and implementation of projects that significantly impact their lives.

PUBLIC ENGAGEMENT MEETINGS

Meetings should be held in an easily accessible location with adequate available parking. The Town Hall, High School, Wentworth School, Middle School, and Scarborough Public Library are all centrally located on the municipal campus. Discussions surrounding distinct areas of town should, if at all possible, be held within that area to encourage the highest level of attendance.

Town of Scarborough Venues with Capacity		
Location:	Standing	Tables & Chairs
Scarborough Town Hall		
259 US Route 1		
(207) 730-4000		
Council Chambers		
<i>Chamber A</i>	77	36
<i>Chamber B</i>	110	51
<i>Chamber A & B Combined</i>	187	87
Scarborough Public Library		
48 Gorham Rd		
(207) 883-4723		
Community Room	100	46
High School		
11 Municipal Drive		
(207) 730-5000		
Plummer Gymnasium		
<i>With bleachers retracted</i>	1,328	
<i>Bleacher Capacity</i>	936	
<i>Floor: with bleachers extended</i>	474	
<i>Total: with bleachers extended</i>	1,410	
Alumni Gymnasium		
<i>With bleachers retracted</i>	1,808	
<i>Bleacher Capacity</i>	1,468	
<i>Floor: with bleachers extended</i>	662	
<i>Total: with bleachers extended</i>	2,130	
Cafeteria	1,226	572
<i>Auditorium Stage</i>	177	
<i>Auditorium Fixed Seats</i>	418	
<i>Auditorium Bleachers</i>	314	
<i>Auditorium Total without stage</i>		732

Town of Scarborough Venues with Capacity		
Location	Standing	Table& Chairs
Scarborough Middle School		
21 Quentin Drive		
(207) 730-4800		
Cafeteria		
Gymnasium	710	331
Wentworth School		
20 Quentin Drive		
(207) 730-4600		
Cafeteria	921	430
Gymnasium		
<i>With bleachers retracted</i>	1,452	678
<i>Bleacher Capacity</i>	400	
<i>Floor: with bleachers extended</i>	1,158	540
<i>Total: with bleachers extended</i>	1,558	540
Wentworth Stage	91	91
Blue Point School		
174 Pine Point Road		
(207) 730-5300		
Gymnasium	375	175
Cafeteria		
Eight Corners School		
22 Mussey Road		
(207) 730-5200		
Cafeteria	365	170
Gymnasium		
Pleasant Hill School		
143 Highland Avenue		
(207) 730-5250		
Cafeteria		
Gymnasium	350	163

Town of Scarborough Venues with Capacity		
Location	Standing	Tables & Chairs
Martins Point Health Care		
153 US Route 1		
(207) 799-8596		
Community Room 181	144	67
Community Room 103	92	43
Pine Point Fire Station	150	70
246 US Rt 1		
(207) 883-6361		
Pleasant Hill Fire Station	69	32
207 Pleasant Hill Rd		
(207) 883-4542		
North Scarborough Fire Station	83	39
16 Saco St		
(207) 839-5987		
Dunstan Fire Station	69	32
639 US Route 1		
(207) 883-4542		
Public Safety Building		
246 US Route 1		
(207) 730-4270		
Oak Hill Classroom	84	39
Private Venues with Capacity		
Camp Ketcha		
336 Black Point Road		
(207) 883-8977		
Great Room	320	149
Conference Room	92	43
Prouts Neck Country Club		
499 Black Point Road		
(207) 883-9851		
Main Club House	300	140
Beach Club	99	46

ONLINE ENGAGEMENT OPPORTUNITIES:

The following platforms can be utilized to expand and strengthen outreach efforts with the public. Different platforms have opportunities to inform, consult, and collaborate. Outreach efforts through online venues are meant to provide additional engagement with the public from the convenience of their phone or computer, rather than attending in-person events. All online outreach efforts should support previous outreach efforts and be of value to the public. Please see the [Town's Social Media Policy](#) before beginning any social media effort.

SOCIAL MEDIA

Social media includes multiple platforms such as Facebook, Instagram and YouTube.

- Facebook provides the most diverse outreach opportunities: written posts, interactive polls, photos, videos, live-streaming, and more.
- Instagram is primarily photo based, but also has the ability to live-stream videos.
- YouTube is used for posting videos.

When should I use social media?

Social media can be used at various times to achieve successful outreach. If posting to Facebook or Instagram for example, the post can share information about an upcoming meeting in which case you would need to post in advance of the meeting, or a post can share and reflect on a successful event and be posted the same day. Facebook videos and live-streams are useful to share what is about to happen or currently going on, such as the start of a community event. YouTube is useful when uploading videos for people to view at their convenience. Staff using social media should consider why and what they are posting to determine which platform would best share their message and when to post.

Links and Helpful guides to using social media-

[Town of Scarborough Facebook](#)

[Scarborough Community Services Instagram](#)

[YouTube Guide](#)

[Facebook Live Guide](#)

WEBSITE

The Town of Scarborough **website** is the central hub of information for the public. It is the location to aid in all forms of outreach with links to any information a member of the community may need.

When should I use the website?

The website should be constantly updated to provide up-to-date information and resources to the public.

[Town of Scarborough Website](#)

E-NEWSLETTER

The Town of Scarborough **e-newsletter** is an opportunity for the public to receive monthly updates on various topics of interest. E-newsletters are sent on the first and the fifteenth of each month.

When should I use the e-newsletter?

The audience for the e-newsletter are members of the public who have agreed to receive this information via a free subscription. Staff can utilize this option as another form of outreach. Short-to-medium length entries with pictures are typically included and must be submitted to the editor preferably two weeks before they are sent, but no later than two days before.

[Town of Scarborough e-newsletter](#)

Additional Ideas for Effective Engagement

- In order for community conversations to be most effective it is important that everyone involved have access to the same base level of understanding of the issue. If there is fundamental knowledge that will be important to the conversation that not everyone may know consider creating a fact sheet that can be distributed before the meeting. A shared understanding of the basic issues before engagement can help keep the conversation positive and productive.
- Each media platform provides a different way for people to digest information. While the key messages should remain constant, how those messages are delivered should vary to best suit the medium

used. Facebook is an upbeat and newsy platform not well suited for a deep dive or fine technical details. The website is a great place to provide a landing space that clearly directs residents to more in-depth information. A flyer or postcard can pique interest and give basic information of time and place but should not contain substantive material. By using as many platforms as possible, with consistent key messages, we can reach more people in ways they wish to be engaged by.

- For extended projects with multiple phases key messages may change over time. When a key message is no longer relevant reassess what the new messaging should be and make sure to update across platforms with the new consistent messaging.
- Remember that all communication and engagement is an opportunity for great customer service. No one likes to feel left out of the loop or to be surprised by a change that affects them or someone they care about. Start communications and outreach early, be consistent, use clear language, and approach each engagement with a commitment to listen more than you speak.

GLOSSARY

COMMITTEE FORMATION. For purposes of collaboration, consider forming a committee or subcommittee for regular contact/check-ins regarding a certain topic/project. This committee should be made up of a representative group of stakeholders or advisory body members, with the understanding that they will be called upon often over the course of the project/issue for their input and expertise. Remember though, **there is no need to form a new committee if one already exists!** Scarborough has many active committees working hard toward community goals. Always check [the website](#) to see if an existing group can meet the newly identified need.

COMMUNITY CALENDAR. Every meeting or workshop should be posted on the Town's website calendar and on the [Scarborough Community Calendar](#). Other community calendars provide an additional no-cost method

of announcing event details through online, print, television and radio calendar postings. Most community calendar notices can be easily posted by the interested party using online resources.

DIRECT MAIL. Postcard, letter, flyer, fact sheet and other items sent using U.S. Mail. Larger mailings can qualify for reduced postage costs by using bulk mail rates (bulk mail permit required). Bulk mail requires zip code sorting and other special handling and permits. Note: Only items handled by the U.S. Postal Service can be placed in residential or commercial mail boxes. It is illegal to use mailboxes for door to door flyers, notices, etc. that have not been mailed. Flyers under doormats and door hangers are often used to share neighborhood information without violating postal regulations.

FACT SHEET. Brief one-page description of a proposed project or activity. Fact sheets typically utilize bulleted format, to convey information succinctly. Fact sheets should always include contacts for further information (i.e., phone number, web address, email).

FLYER. Graphically compelling print pieces circulated in specific areas to generate attendance at public meetings and activities. Typically 8.5 x 11" in size, but can use irregular sizes for cost efficiency and/or to gain additional attention. Can be used as billing inserts, or posted in willing businesses and other commercial locations.

INTEREST GROUP. Citizens with shared interests who are often united in expressing their concerns and opinions about various project proposals; also called special interest group, i.e., seniors, cycling enthusiasts, homeless services advocates, etc.

NEIGHBORHOOD MEETINGS. Staff takes information "on the road" for face-to-face communication with residents, interest groups and others. Neighborhood meetings can range from special interest group presentations and speeches to large bodies; to targeted outreach, to neighborhood events. Neighborhood meetings efforts mean staff "goes to them," rather than citizens coming to Town Hall and other venues.

NEIGHBORHOOD SURVEY. Surveys can be conducted online via the town website, or conducted by hand via door-to-door contact. Surveys can also be mailed and emailed.

NOTIFY MEDIA. Can include but does not require a formal news release. A formal release offers the "who, what, where

why, and how" of a particular issue or activity and is circulated via email by staff to local media for publication. See Audience section for a list of key local contacts.

OPEN HOUSE. Informal public gathering to introduce a project, service proposal or other idea using information centers and materials; on site staff to answer questions, hear comments, etc. No formal staff presentation.

PAID ADVERTISING. Print ads, television and radio commercials, online advertising, and other paid media that have associated costs for design, copywriting, media placement. Media outlets are contacted for information on costs, deadlines, production needs. Typical print ads include:

- Legal ad. Appears in a specific section of the newspaper. Typically contains text only.
- Display ad. Advertisement appears alongside regular editorial content. Can contain text, logos, and graphics.

POSTCARD. Printed piece used to provide brief, to-the-point information for citizens and sent via U.S. Mail. Postcards can range from traditional travel postcard size to oversized postcards, with all requiring the same per piece postage. Lack of envelope may help assure the piece postage. Lack of envelope may help assure piece is viewed by recipient.

POSTER. Graphic print communication promoting meetings, open houses, workshops and special events or services; generally 11x17" in size or larger. Post in the Town Hall, the Public Library with permission, and in willing local businesses and other commercial locations.

PRINTED MATERIAL. Print announcements (flyer, postcard, banner, poster) creatively designed to generate attention about issues and activities in specific neighborhoods. Printed materials should highlight pertinent information and/or direct people to additional information about a particular topic.

PUBLIC ACCESS CHANNEL. Gavel-to-gavel webcast and televised public access to Scarborough government meetings.

REQUIRED LEGAL NOTICE Timely posting in a newspaper of record about a project, rate increase, ordinance

or other activity. These notices are required by law and are typically made through the Town Clerk. Legal notices may also be physically posted on project sites, residential properties, etc. to alert neighbors and others of pending action, proposed changes, etc. on land use matters and to notice hearing dates for comment can be received.

SIGNAGE. Consider temporary signage (banner, stake sign, etc.) at the site of a project to keep neighbors and passersby apprised of project status and key contacts/websites for additional information.

SOCIAL MEDIA. Apps, websites and other platforms that enable outreach to broad audiences and engage with those audiences in discussion on a daily basis. Users of social media have an expectation that communication is two-way and if your department chooses to engage in social media, you should expect and respond to discussion. Please see the [Town's Social Media Policy](#) before beginning any social media effort.

SPECIAL EVENTS. Certain events should be leveraged as outreach opportunities when the demographic is appropriate. i.e., Sunday morning farmers market to inform/consult local residents regarding general interest projects/issues; local sporting events to inform/consult local residents regarding parks and recreation project/issues; etc. The annual Winter and Summer Fests and summer concert series are another excellent opportunity for casual engagement.

STAKEHOLDER MEETING. Should be considered during the consult phase as a group meeting comprised of issue/project stakeholders.

SURVEY. Early outreach opportunity to collect opinions at the start of a project. Multiple choice questions generate better response than open-ended questions though allowing a space for individual feedback is a good practice.

TOWN WEBSITE POSTING. Share project news, meeting announcements, calendar items, progress reports, agenda packets and more.

WORKSHOP. Community gathering, generally on a town-wide matter, used for presenting information, and then facilitating public engagement using small group exercises and discussion questions. See Tools for Two-Way Communication section for more information.

TEMPLATES

Things to consider when designing and/or writing outreach materials:

- Always refer to the Town of Scarborough Style Guide to ensure proper emblems, colors and typefaces are used.
- Avoid government jargon and acronyms and keep descriptions short.
- Include all relevant contact information, including key contact names, phone numbers, email addresses and web addresses.
- If noticing a meeting or community event, be sure to include pertinent information such as date, place, time, topic, description of community event and format, alternate ways to participate (if applicable), and directions and/or a map if necessary.
- Consider using attention grabbing words and phrases that evoke emotion, e.g. you, your, our, now, announcing, tell us, etc. Also, a picture is worth a thousand words, so try to use imagery where appropriate.

Templates can be found by following the links below:

- [Postcard](#)
- [Flyer](#)
- [Newspaper ad](#)
- [Fact sheet](#)
- [Project Plan](#)

STYLE GUIDE

If the above templates do not meet your needs please use the following style and branding guidelines:

Within the MS Office software suite the following fonts should be used for all printed materials:

- For titles and headings—Corbel, size 18 or 20
- For body of text— Garamond, size 14

Within the MS Office software suite the following fonts should be used for all materials accessed by computer:

- For titles and headings—Corbel
- For body of text—Calibri

Scarborough's branded colors can be created with a custom color with the following values:

For the Orange:

R: 186

G: 86

B: 48

HEX: BA5630

Pantone: 1675 C



For the Gray:

R: 109

G: 111

B: 113

HEX: 6D6F71

Pantone: 417 C



Sometimes an additional color can help convey the spirit of the event or information you need to share. Please be mindful of how colors work together and keep important information in easy to read colors.

- When listing web addresses, do not use either 'http:' or 'www'. Also best practice is to type the website in all lowercase letters. The Town's website should appear as: scarboroughmaine.org
- When listing dates, do not add extra letters such as "10th" or "2nd". Use a comma after the day/date e.g.: December 10, 2017
- When listing times, be sure to include the colon and two digits after the hour. Also include either am or pm in lowercase without periods. Do not spell out O'clock. Time should always appear as follows: 9:00 am – 5:00 pm.
- A full menu of branded images can be found [here](#). The images can be downloaded for use in print materials and hyperlinked for use online.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 16, 2019
REGULAR MEETING – 6:00 P.M.

Order No. 19-079. Move approval to approve and authorize the Town Manager to sign the Property Tax Abatement Settlement Agreements with the WalMart Real Estate Business Trust and the Sam's Real Estate Business Trust. *[Town Manager]*

Town Manager

Ought to Pass

Sponsor

Recommendation

10/16/2019 – Vote:

First Reading/Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 16, 2019
REGULAR MEETING – 6:00 P.M.

Order No. 19-080. Act on the request to authorize the Town Manager to enter into a Memorandum of Understanding between the Town of Scarborough and Crossroads Holdings, LLC and the Edge Sports Group. *[Town Manager]*

Town Manager

Ought to Pass

Sponsor

Recommendation

10/16/2019 – Vote:

First Reading/Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

Memorandum of Understanding

Partnership on the Construction of a Community Center

This Memorandum of Understanding (MOU) is made as of this day of September, 2019, between the Town of Scarborough, a municipal corporation organized under the laws of the State of Maine (the "Town") and the Scarborough Development Entity, LLC a Maine Limited Liability Company and a Joint Venture of Crossroads Holdings, LLC (the "Developer") (collectively the "Parties") and its heirs, successors or assigns, to outline a working arrangement between the Parties in an effort to construct a Community Center as defined herein for the benefit and use by the Town.

WHEREAS, the Developer has created a master plan for the development of the Scarborough Downs property (the "Project"), a portion of which has been identified as a "downtown" and is intended to be developed as such (the "Downtown"); and

WHEREAS, the Town has indicated a desire to construct or lease a facility that includes various recreation or community activities for use by residents and schools within the community (the "Community Center"); and

WHEREAS, the Parties have entered into a Credit Enhancement Agreement dated as of December 12, 2018 (hereinafter "the Agreement") within the Scarborough Downtown Omnibus Municipal Development and Tax Increment Financing District (hereinafter "the District"); and,

WHEREAS, the Agreement includes the obligation of the Town to undertake a public process to define and refine the elements and costs of a Community Center prior to March 31, 2024 and the obligation of the Developer to reserve land within the Downtown of the Project for the inclusion of a Community Center; and,

WHEREAS, the Developer and Edge Sports Group, a developer of sports facilities are collaborating on a joint venture concerning the construction of a sports facility (the "Edge Sports Facility") within the Downtown of the Project and have approached the Town regarding the prospect that such a facility could include the Community Center; and,

WHEREAS, the Town is supportive of the construction of the Edge Sports Facility in the Downtown area of the Project and the Parties view this as a mutually beneficial opportunity to fulfill their respective obligations under the Agreement; and,

WHEREAS, The Parties recognize numerous potential benefits of this project for the community:

- 1) A privately funded facility that is compatible with the needs of the Town to provide a Community Center;
- 2) A positive economic impact to serve as a catalyst for development in the Downtown TIF district;
- 3) Reduced transportation costs and increased convenience for Scarborough High School sports teams for practices and home games;
- 4) A Town centric facility that allows for participation in activities and strengthens the community socially and economically;
- 5) Enhanced capacity to serve the increasing demand for recreational activities.

WHEREAS, with the adoption of Order No. 19-066 the Town Council created the Ad Hoc Community Center Advisory Committee (the "Committee") to undertake an analysis and make recommendations regarding the Community Center, with a completion date of its report by no later than December 15, 2019, unless otherwise extended by the Town Council; and,

WHEREAS, the Parties acknowledge and agree that (i) this MOU accurately describes the initial roles and responsibilities of the Parties; (ii) this MOU is not binding; (iii) should the Parties desire to be formally bound by any of the commitments or intentions contained herein, there will be a separate written legal agreement containing the binding commitment of the Parties as to any subject matter addressed in that further document; and (iv) this MOU furthermore does not create any joint venture, partnership or fiduciary obligations between the Parties.

NOW THEREFORE, by this MOU the Parties intend to express their intentions regarding a schedule to evaluate the proposal to include a Community Center within the Edge Sports Facility and to determine the Town's involvement, if any, therein. The Parties are prepared to and do enter into this non-binding MOU for the purposes of outlining each party's responsibility and obligation concerning same, and providing an understanding that will permit the Parties to enter, if mutually agreed to, a definitive agreement or agreements concerning the terms and conditions of a potential partnership for the construction of a Community Center. As such, the following are the intentions of the Parties as it relates to the proposed Edge Sports Facility and the possible inclusion of a Community Center therein, as they are understood as of the date of this MOU:

Purpose. It is the goal of the Developer to determine the Town's intentions concerning the Town's involvement in the proposed Edge Sports Facility at the earliest opportunity to allow the Developer to conclude negotiations with Edge Sports. Without waiving any rights, the Parties have under the Agreement, the Developer seeks to fulfill its obligations under the Agreement by providing the Town the opportunity to construct a Community Center within the Edge Sports Facility, and to enable the Town to fulfill its obligations under the Agreement through the Committee process. The Town recognizes the benefit in acting in a timely fashion to evaluate this opportunity and the Developer recognizes the Town's obligation to undertake deliberations in a responsible manner.

Project. The specific details of the Community Center to be included in the Edge Sports Facility are to be determined through the Committee process and may include any or all of the facilities and amenities identified in Appendix A attached hereto and incorporated herein.

The Parties recognize that the Edge Sports Facility will require all applicable Town Council and Planning Board approvals and must comply with all local, state and federal laws and regulations.

Due Diligence. The Parties are committed to working in a timely manner and collaboratively to further define their respective roles and the obligations of each as it relates to the construction of a Community Center. To that end, the Committee shall make recommendations concerning the Project in a report to be completed by December 15, 2019 concerning the following:

1. Identify the specific elements and scope of the Community Center
2. Design and physical layout of space
3. Financial Aspects
4. Legal relationship

Developer agrees to provide Committee with sufficient detail and information to ensure the Committee can fulfill its charge. Detailed good faith estimates on the lease/build/capital costs of a Community Center will be essential for an accurate financial analysis by the Committee. The Town acknowledges that some of this information may be confidential or proprietary and therefore will honor all reasonable requests from the Developer regarding non-disclosure.

Process and Timeline. The Committee is expected to issue its report to the Town Council by December 15, 2019. To the extent the Committee requests an extension of this deadline and such extension impacts the February 1, 2020 date referenced below, the Town Council will consult with the Developer prior to granting any such extension. Upon the Committee submitting its report to the Town Council, the Town Council shall promptly deliberate for purposes of either 1) entering into negotiations with the Developer for a lease or other agreement regarding a Community Center, or 2) to otherwise advise the Developer of the Town Council's decisions concerning the Community Center. The Parties shall make good faith efforts to conclude negotiations and execute any agreements reached by February 1, 2020.

No Contract. The Town and the Developer expressly acknowledge and agree that even if this MOU is fully executed, neither party hereto has any obligation to the other to consummate the transactions and arrangements contemplated unless and until binding agreement(s) are entered into by the Parties. This document constitutes only a non-binding Memorandum of Understanding setting out the framework for a potential agreement, but neither party is obliged to enter into any agreement whatsoever by virtue of the preparation, execution or delivery of this MOU.

Seen and Acknowledged By The Undersigned:

TOWN OF SCARBOROUGH

By:

Date:

Thomas Hall, Town Manager

SCARBOROUGH DEVELOPMENT ENTITY, LLC.

By:

Date:

Appendix A

Scarborough Community Center Breakout

	Square FT
#1 Own Entrance into the Center	
#2 Pool	
2a 8 Lane Lap Pool	
2b Leasure Pool w/ Water Features & Slide	
2c 10 Person Hot Tub	
2d Wet Locker Rooms & Team Rooms	
2e Elevated Event Viewing Bleachers	
2f Adequate Deck Space for Multiple Groups (Events)	
2g Staff Lockers Rooms/Break Area	
2h Staff Office Space	
2i Sauna	
#3 Meeting/Birthday Rental Space	
3a 2-4 Combinations Rooms with Access from Lobby/Pool	
3b Adequate Media Options and Storage	
#4 Staff Space	
4a CS/CC Administration Office & Meeting Space	
#5 Lobby & Gathering Space	
5a General Lobby Space	
5b Membership Check-in Area	
5c Membership Services and Registration Area	
#6 Fitness & Cardio Space	
#7 Multi-Purpose Space	
7a Elevated Track	
7b Multiple Court Configuration w/Netting	
#8 Locker Rooms	
8a Adult	
8b Youth	
8c Family/Gender Neutral	
#9 Child Care/Member Baby Sitting	
#10 Large Multi-Purpose Function Room w/Kitchen	
#11 Outdoor Area	
11a Inclusive Playground	
11b Patio accessible from Hallway and Pool Deck	
#12 Maintenance/Repair Space & Storage	