

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JULY 17, 2019
REGULAR MEETING – 7:00 P.M.

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

- Item 1.** Call to Order.
- Item 2.** Pledge of Allegiance.
- Item 3.** Roll Call.
- Item 4.** General Public Comments.*
- Item 5.** Minutes: June 19, 2019 - Town Council Meeting.
- Item 6.** Adjustment to the Agenda.
- Item 7.** Items to be signed: a. Treasurer's Warrants.

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

Order No. 19-041, 7:00 p.m. Public Hearing and second reading on the proposed changes to Chapter 405 – Town of Scarborough Zoning Ordinance, Section VI – Definitions. Affordable Housing. *[Housing Alliance]*

Order No. 19-049, 7:00 p.m. Public Hearing and second reading on the proposed amendments to Chapter 302 – Scarborough Town Council Rules and Procedures, Section 300 – subsection 304. Policy on Publicly Speaking as a Representative of the Town Council as a Body. *[Rules and Policies Committee]*

OLD BUSINESS:

Order No. 19-050. Second reading on the request to approve the expenditure, in an amount not to exceed, \$90,721 from the Land Acquisition Reserve Fund, for the purpose of purchasing a portion of the Blue Point Congregational Church Property, located more specifically identified by the Scarborough Tax Assessors Maps – Map U025/Lot 015, as recommended by the Parks and Conservation Land Board, and authorize the Town Manager, to execute any and all documents as are necessary to protect the Town's interest. *[Parks and Conservation Land Board]*

NEW BUSINESS:

Order No. 19-052. Act to adopt the FY2020 School Budget Resolutions, as required by State Statute. *[School Department]*

Order No. 19-053. Act on the request of the posting and action on the names to the various Committees/Board as recommended by the Appointments/Negotiation Committee. *[Appointments/Negotiation Committee]*

Order No. 19-054. Act on the Council Chair Committee/Board Appointments. *[Councilor Chair]*

Order No. 19-055. Act on the recommendation of the Scarborough Housing Alliance to utilize funds from the Affordable Housing Initiative Fund in the amount of \$300,000 toward the Bessey Commons II Project and authorize the Town Manager to sign any and all documents related to this order. *[Housing Alliance]*

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 – JULY 17, 2019

REGULAR MEETING – 7:00 P.M.

Order No. 19-041. Move approval of the second reading on the proposed changes to Chapter 405 – Town of Scarborough Zoning Ordinance, Section VI – Definitions. Affordable Housing. [*Housing Alliance*]

Housing Alliance

Ought to Pass

Sponsor

Recommendation

06/05/2019 – Vote: 5 Yeas.

First Reading/Action /Vote

07/17/2019

Public Hearing

07/17/2019 – Vote:

Second Reading/Final Approval/Vote

Town of Scarborough

Office of the Town Manager

To: Scarborough Town Council

From: Thomas J. Hall, Town Manager 

Re: Definition of Affordable Housing

Date: May 29, 2019

As you may recall, a series of amendments to the definition of Affordable Housing were advanced by the Housing Alliance and approved by the Town Council late last year. In the course of this process there was an inadvertent error that has significant implications on the viability of owner-occupied units.

Since income limits depend on the size of the household, this presents a challenge for developers of affordable housing in establishing a sales price. For purposes of calculating the allowed household income, Section A (iii) in the definition prescribes a methodology for what income limit is to be used depending on the number of bedrooms in the unit. The intention of the Housing Alliance was to use one- bedroom as the determinant; however two-bedroom is the standard in the current draft. The proposed amendment is a simple change from "two" to "one". Though simple this change is critical to making this program practical and viable.

SECTION VI. DEFINITIONS

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that Chapter 405 - the Zoning Ordinance of the Town of Scarborough, Maine, Section VI. Definitions. is amended as follows:

Affordable Housing:

[Adopted 11/03/2004] [Amended 05/03/2006][Amended 12/03/2014][Amended 12-19-18]

Affordable Housing means decent, safe and sanitary living accommodations that are affordable to households, in accordance with following provisions:

- A. An Owner-Occupied Affordable Housing Unit is a unit which (i) is occupied by its owner; (ii) is owned by Qualifying Household and (iii) has a maximum sales price that is reasonably anticipated to result in Annual Housing Costs that are less than or equal to 30% of the Imputed Income Limitation applicable to the unit.
 - (I) A Qualifying Household is one with a total household income that, at the time of purchase, is 80% or less than the most recently published Median Family Income for the Portland, Maine Metropolitan Statistical Area, adjusted for family size, as determined by the U.S. Department of Housing and Urban Development (the “MFI Standard”).
 - (II) Annual Housing Costs shall equal the sum of (i) the total annual payments of principal and mortgage interest, (ii) the total property insurance premium, (iii) the real estate taxes due (iv) any homeowners association or condominium fees that are due; and (v) a reasonable estimate of the annual cost of any additional water, sewer, heat, hot water and electricity in the home.
 - (III) The total annual payments of principal and mortgage interest referred to in A(I)(i) may, in the absence of other reasonable estimates, be estimated based on the assumed interest rate and loan term established by the U.S. Department of Housing and Urban Development for housing affordability limits. In the case of a unit which has ~~two~~ one or fewer bedrooms, the Imputed Income Limitation referred to in A(iii) shall be 80% of the MFI Standard for a household of two (2) people. In the case of a unit which has more than ~~two~~ one bedrooms, the Imputed Income Limitation referred to in A(iii) shall be 80% of the MFI standard for a household of four (4) people.
- B. A Renter-Occupied Affordable Housing Unit is a unit which is leased A Renter-Occupied Affordable Housing Unit is a unit which is leased by a Qualifying Household at an Annual Gross Rent that is less than or equal to 30% of the Imputed Income Limitation applicable to the unit.
 - (I) A Qualifying Household is one with a total household income that, at the time of move-in, is 80% or less than the most recently published Median Family

SECTION VI. DEFINITIONS

Income for the Portland, Maine, MSA, adjusted for family size, as determined by the U.S. Department of Housing and Urban Development (the “MFI Standard”). To remain a Qualifying Household, the household’s income must remain at or below 140% of the income limitation described in the preceding sentence.

- (II) Annual Gross Rent shall equal twelve (12) times the sum of (i) monthly rent due to the landlord, (ii) any required monthly payments to the landlord for additional services or facilities and (iii) a reasonable estimate of the monthly utility costs (not including television, internet or telephone) that the household is responsible for paying. In the case of a unit which does not have a separate bedroom, the Imputed Income Limitation used to determine the maximum annual gross rent shall be 80% of the MFI Standard for a household of one (1) person. In the case of a unit which has one or more bedrooms, the Imputed Income Limitation used to determine the maximum annual gross rent shall be 80% of the MFI standard for a household with a size equal to one and one half (1.50) people per bedroom.

**MINUTES
PLANNING BOARD MEETING
MONDAY, July 1, 2019 – 6:30 P.M.**

Members Present:

Mr. Nicholas McGee - Chair
Ms. Rachel Hendrickson – Vice Chair
Mr. Roger Beeley - Secretary
Ms. Robyn Saunders (Absent)
Mr. Richard DuPerre – 1st Alternate (Absent)
Ms. Jennifer Ladd
Mr. Rick Meinking – 2nd Alternate

Staff Present:

Mr. Jamel Torres, Assistant Town Planner
Ms. Angela Blanchette, Town Engineer
Ms. Doreen Christ, Recording Secretary

1. **Call to Order.** Nicholas McGee - Chair called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance.**
3. **Roll Call.** Roll was called by the Recording Secretary. It shall be noted that Robyn Saunders – Board Member and Richard DuPerre -1st Alternate were absent at this meeting. Rick Meinking was made a voting member in their absence.
4. **Approval of Minutes (June 10, 2019).** The meeting minutes were not available at this time, therefore, they were tabled until the next regularly scheduled Planning Board meeting, which is Monday, July 22, 2019.

5. **The Planning Board will conduct a Public Hearing to receive comment on the proposed amendments to Chapter 405, the Zoning Ordinance, to amend Section IV. Definitions – Affordable Housing.*** Jamel Torres presented this item. Affordable housing is defined as a means for decent, safe, and sanitary living accommodations that are affordable to households. As stated in the memorandum prepared by Tom Hall, Town Manager, and read by Jamel Torres, there were a series of amendments made to the definition of Affordable Housing last year. As a result of that, there was an inadvertent error that has significant implications on the viability of owner-occupied units. For purposes of calculating the allowed household income, a methodology of what the income limit is to be used depends on the number of bedrooms in the unit. This proposed amendment provides a simple change from “two” to “one” bedroom in a unit. This change is critical to make this program practical and viable.

Nicholas McGee opened the Public Hearing giving an opportunity for public comment. There was none. He then closed the public portion of this hearing.

Nicholas McGee opened this item up to the board for the following discussion. Nicholas McGee stated that this is a straight forward adjustment. Rick Meinking questioned the wording of “*one or fewer bedrooms*” and recommended to remove “*or fewer*”. Rachel Hendrickson stated that you can have fewer if it is a studio apartment. She said it is not clear in what the Housing Alliance was intending. She said you could have just a studio area with no bedrooms. She then asked what would this change do? The consensus of the board was to leave the language “*as is*” and to make sure the studio aspect is addressed. If not, the board could see this again. The consensus of the board was to provide a favorable response to the Town Council of the proposed change.

6. **Hospice of Southern Maine requests a site plan review for 390 US Route 1, Assessor’s Map R62, Lot 29B.** This item was placed on the Agenda for the June 10, 2019 Planning Board meeting, however, it was tabled, at the request of the Applicant. Jamel Torres gave a brief overview of the item. Hospice of Southern Maine is proposing to construct a 14,550 SF, single-story building that will serve as the main office for clinical and administrative staff. The building will also include a family bereavement suite, community room, training suite, employee café, and multi-purpose meeting rooms. Hospice of Southern Maine is also proposing two (2) ground-mounted solar arrays and a geothermal well field that will serve the proposed building. Hospice of Southern Maine was last before this board at the May 20, 2019 meeting.

Main elements staff identified for consideration by this board include: the removal of the proposed “Entrance Only” signs facing Route 1, that a stone dust pathway be placed, instead of a maintained grass pathway and that it be extended across the driveway to connect to the existing sidewalk network, and that the applicant provide an ADA detectable warning surface on both ends of the proposed crosswalk.

Present at this meeting was Andrew Johnston, PE, from Atlantic Resource Consultants, LLC on behalf of Hospice of Southern Maine. Andrew Johnston presented this item.

AGENDA

SCARBOROUGH TOWN COUNCIL

WEDNESDAY – JULY 17, 2019

REGULAR MEETING – 7:00 P.M.

Order No. 19-049. Move approval of the second reading on the proposed amendments to Chapter 302 – Scarborough Town Council Rules and Procedures, Section 300 – subsection 304. Policy on Publicly Speaking as a Representative of the Town Council as a Body. *[Rules and Policies Committee]*

Rules and Policies Committee

Ought to Pass

Sponsor

Recommendation

06/19/2019 – Vote: 6 Yeas.

First Reading/Action /Vote

07/17/2019

Public Hearing

07/17/2019 – Vote:

Second Reading/Final Approval/Vote

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 300.0: Other Town Council Procedures; is amended as follows:

SECTION 300.0: OTHER TOWN COUNCIL PROCEDURES

301.0: Individual Opinion Disclaimers.

If a Councilor uses town letterhead to express an opinion that is not the official position of the Town Council, then the letter shall include a disclaimer stating the opinions presented are those of the individual Councilor.

302.0: Council Correspondence Policy [adopted 08/18/99].

Councilors will be reasonable in making personal statements insofar that they will not project a personal opinion as the official position of the Town Council.

303.0: Town Council Reimbursement for Professional Development.

303.1: Conference/Workshop Expenditures [adopted 04/19/00].

The Town of Scarborough recognizes the constructive value of professional conferences, seminars, meeting, and training individual Town Councilors may actively participate in that support their elected role. The Finance Committee shall recommend annual funding for Council professional development. The Town Manager shall administer the use of those funds in accordance with the standard operating procedures that are consistent with Scarborough municipal employee rules and policies.

303.2 - Repeal of Prior Town Council Travel Policy. This section repeals the Town Council Travel Policy adopted by the Town Council on February 18, 1998 and as amended on April 19, 2000 and replaces it with Chapter 302 – the Scarborough Town Council Rules and Procedures Manual Section 303.0 Reimbursement for Professional Development, adopted by the Town Council on September 7, 2016.

304.0 Town Council policy on publicly speaking as a representative of the Town Council as a Body. Councilors wishing to speak on behalf of the Town Council or as a representative of the Town Council as a body shall present a resolution expressing the content of any public statement to the Council for adoption by a vote of five of its members.

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Order No. 19-050. Move approval of the second reading on the request to approve the expenditure, in an amount not to exceed, \$90,721 from the Land Acquisition Reserve Fund, for the purpose of purchasing a portion of the Blue Point Congregational Church Property, located more specifically identified by the Scarborough Tax Assessors Maps – Map U025/Lot 015, as recommended by the Parks and Conservation Land Board, and authorize the Town Manager, to execute any and all documents as are necessary to protect the Town's interest. *[Parks and Conservation Land Board]*

Parks & Conservation Land Board

Ought to Pass

Sponsor

Recommendation

06/19/2019 - Vote: 6 Yeas.

First Reading/Action /Vote

N/A

Public Hearing

07/17/2019 - Vote:

Second Reading/Final Approval/Vote

SCARBOROUGH PARKS AND CONSERVATION LAND BOARD
Suzanne Foley-Ferguson, Chair

June 13, 2019

Town of Scarborough
Town Council

Dear Members of the Scarborough Town Council,

The Parks and Conservation Land Board (PCLB) voted unanimously to recommend your approval of the expenditure of the final +/- \$90,721 from the Land Bond Fund to assist the Scarborough Land Trust (SLT) with the purchase of 6.9 acres from the Blue Point Congregational Church. The exact amount will be determined by other requests before this council and what funds remain. The request represents 53% of the cost of the purchase of those acres, or considered as a part of the larger project, 34% of the cost to secure 13.3 acres. Attached are two maps that show the property (Appendix I-location map; Appendix II-Town parcel map and Acquisition Budget)

The Blue Point Preserve, as it will be called when combined with the adjacent Whitten property, will total 13.3 total acres of a functional wildlife landscape comprising upland, freshwater features and salt marsh adjacent to the largest salt marsh in Maine. Scientifically speaking, “functional wildlife landscapes” are based upon a system of interconnected lands. The more that the conservation “values” are interconnected, the more valuable the land is for wildlife.

The Blue Point Preserve is important because it contains riparian habitat and High Value Habitat adjacent to a 3,100 acre Large Habitat Block (Scarborough Marsh). It will be the first land trust preserve in the Pine Point area, and will allow the land trust to provide hiking trails for public access to the marsh.

State biologists describe the Scarborough Marsh focus area here:

Scarborough Marsh is designated as a Class A Marine Wildlife Habitat and as a Shorebird Feeding and Roosting Area by the MDIFW. The marsh along with adjacent upland is a mosaic of 16 habitat types. The marsh has also been documented as an exemplary salt hay salt marsh by the Maine Natural Areas Program (MNAP) and includes a small, exemplary pitch pine bog on the northwest side. The Scarborough Beach area is also included within the focus area and has two exemplary natural community types: dune grassland and pitch pine dune woodland.

Large Habitat Blocks are important for species of animals that have large spatial requirements or those that are sensitive to human disturbance. Riparian habitat is important because it is the transition between aquatic and terrestrial land that many species require for safe travel, food and water. High Value Habitat (HVV) is an “official” designation used by the United States Fish and Wildlife Service and the Maine Department of Inland Fisheries and Wildlife to “rate” land based on functions and species. All of the Blue Point Preserve acreage is considered HVV. In fact, one acre is considered in the top 25% of the most important to protect. What this means is that there are special plant communities, rare or endangered species, and / or nesting sites.

Known habitat exists for snowy egret, killdeer, prairie warbler, whip-poor-will and Baltimore oriole. Significantly, located in the east coast migration flyway, this parcel also contains two perennial freshwater streams that merge into a freshwater wetland with steep slopes directly adjacent to the salt marsh. This rare habitat provides fresh water for drink, and will also provide a buffer for the marsh from rising seawater due to global climate change. Parcels with the ability to absorb rising waters are very important to protect in a coastal community like Scarborough. We should be doing more to conserve them.

(Appendix III-4 Photos of the View from the Blue Point Preserve to the marsh taken by Rich Bard, Executive Director, SLT)

Project Details

Location: Located off of Pine Point Road between Seavey’s Land Road and Bradford Lane, the parcel is adjacent to the Whitten parcel and the Scarborough marsh.

Acreage: 6.9 acres

Abutting Conserved Land: Whitten (6 acres +/-) Scarborough Marsh (3,100 acres +/-)

Appraised Value: \$130,772.

Purchase Price: \$130,000

Parcel Project Cost: 172,550

Blue Point Preserve Cost: \$270,000

Timing: Closing date July 10, 2019

Public Access: A 50-foot right of way from Seavey’s Landing Road between the church parking lot and the adjacent landowner will allow parking separate from the church. A walking trail will extend from that parking area onto the Whitten parcel until it reaches the unpaved portion of Bradford Lane that provided a driveway to the Whitten parcel and continues today as an overgrown trail—thereby eliminating the need for access via the private Bradford Lane. The SLT intends to improve both properties to allow the trail to reach to the marsh and around the property.

Whitten Property Discussion: In 2005, the Town of Scarborough, using \$156,950 in land bond funds assisted the land trust in purchasing the 6.4 acres Whitten parcel. Donald Whitten retained a life estate until his death. Unfortunately, Mr. Whitten did not pay taxes on his property for those years and they accrued. The Town has now agreed to allow the SLT to complete the purchase of this adjacent parcel for \$44,219, which includes the back taxes. (Appendix II - Blue Point Preserve Budget). Because it is so important that this parcel also be protected, lest the Blue Point parcel be less valuable, the PCLB discussed in depth the situation, and were assured by both the Town Manager and the Trust that this parcel will also be secured and protected but without additional land bond funds.

Detailed Assessment

The PCLB met three times to discuss this property and completed a site walk in April. With just 6.9 acres, the property still received 410.80 points in the objective evaluation process. We believe this to be a high score in comparison to other benchmark properties such as Sewall Woods, which received 364 points for 20 acres, and the 45 acre Gervais property, which is upland adjacent to salt marsh coming in at 571 points.

As Chair of the Parks and Conservation Land Board, I am delighted to recommend that the town help fund this project.

Sincerely,

A handwritten signature in black ink that reads "Suzanne A. Foley-Ferguson". The script is cursive and fluid, with the first name "Suzanne" being the most prominent.

Suzanne A. Foley-Ferguson

Other notes:

Final Land Bond Funds

I would be remiss in not mentioning to you that this request is for the remainder of the voter approved land bond funds. There are other open space funds available from development projects, but they are small in comparison to the bonds approved three times by the voters. (Appendix III-Parks and Conservation Lands Voter Approved Bonds)The values of these purchases to the community are immense, and include protecting adjacent property values in

this fast growing town. Our community continues to be a leader in conservation despite its growth.

We are excited to report to you that with this purchase close to 1,000 acres of valuable open space has been purchased for the community and permanently protected with these land bonds. (Appendix IV: Land Bond purchases) The acreage includes farms, salt marshes, woodlands, trails, and beach access

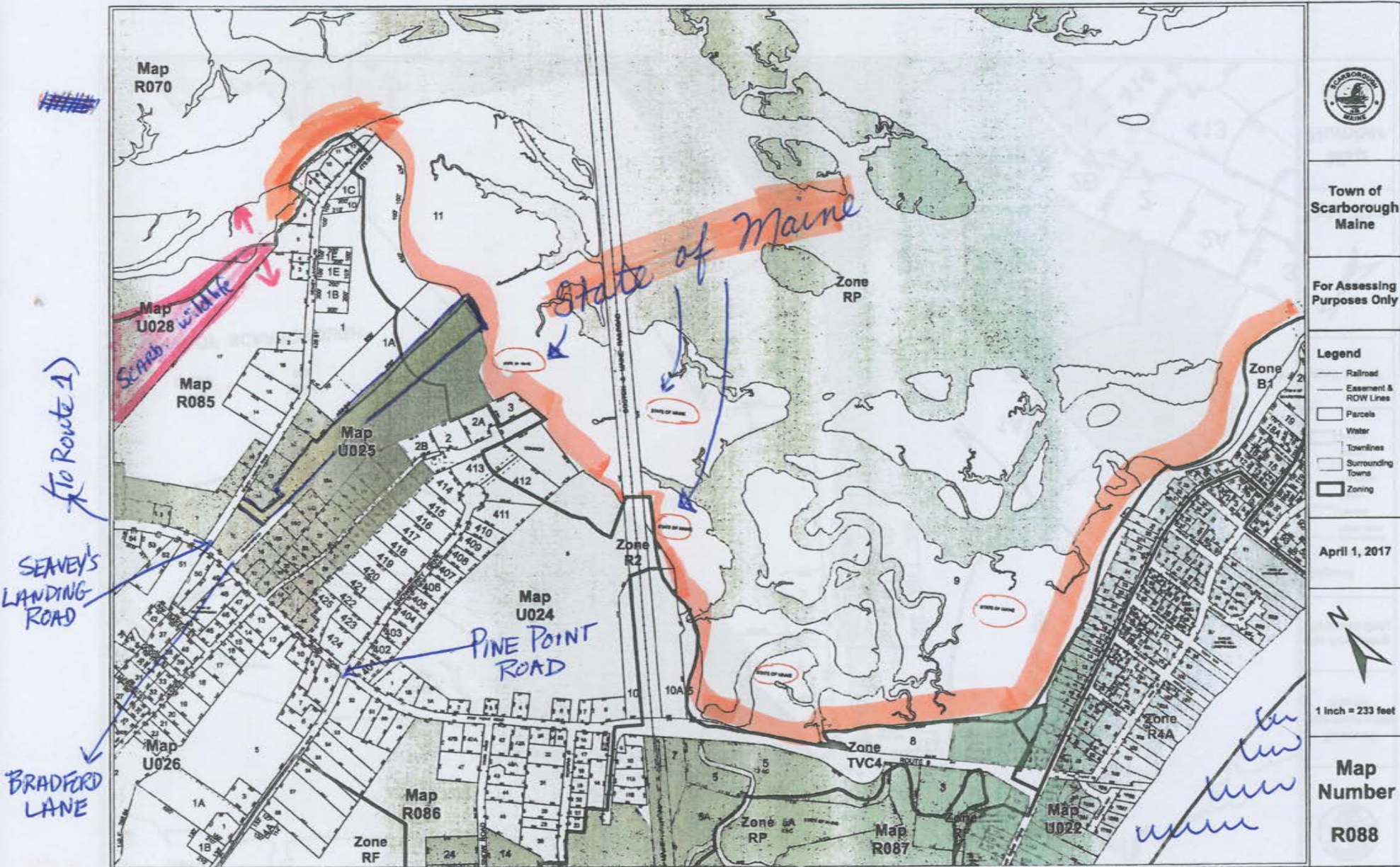
The PCLB has already had an initial discussion surrounding another referendum for land acquisition and can share our thoughts with you if you'd like. The results of previous elections were as follows, and I have attached as a final appendix, the list of properties purchased with these funds.

2000	\$1.5 Million	6,720 Yes	2,241 No	8961	75%	3:1 margin
2003	\$2.5 Million	5,339 Yes	2,170 No	7509	71%	Over 2:1
2009	\$1.0 Million	5,844 Yes	2,800 No	8644	68%	Over 2:1

It's now been 10 years since our last land bond referendum. The Land for Maine's Future fund may be soon resurrected, which would enable us to leverage state money for valuable purchases. We look towards your input regarding the future.

Map #1: General Location - Blue Point Congregational Church Property

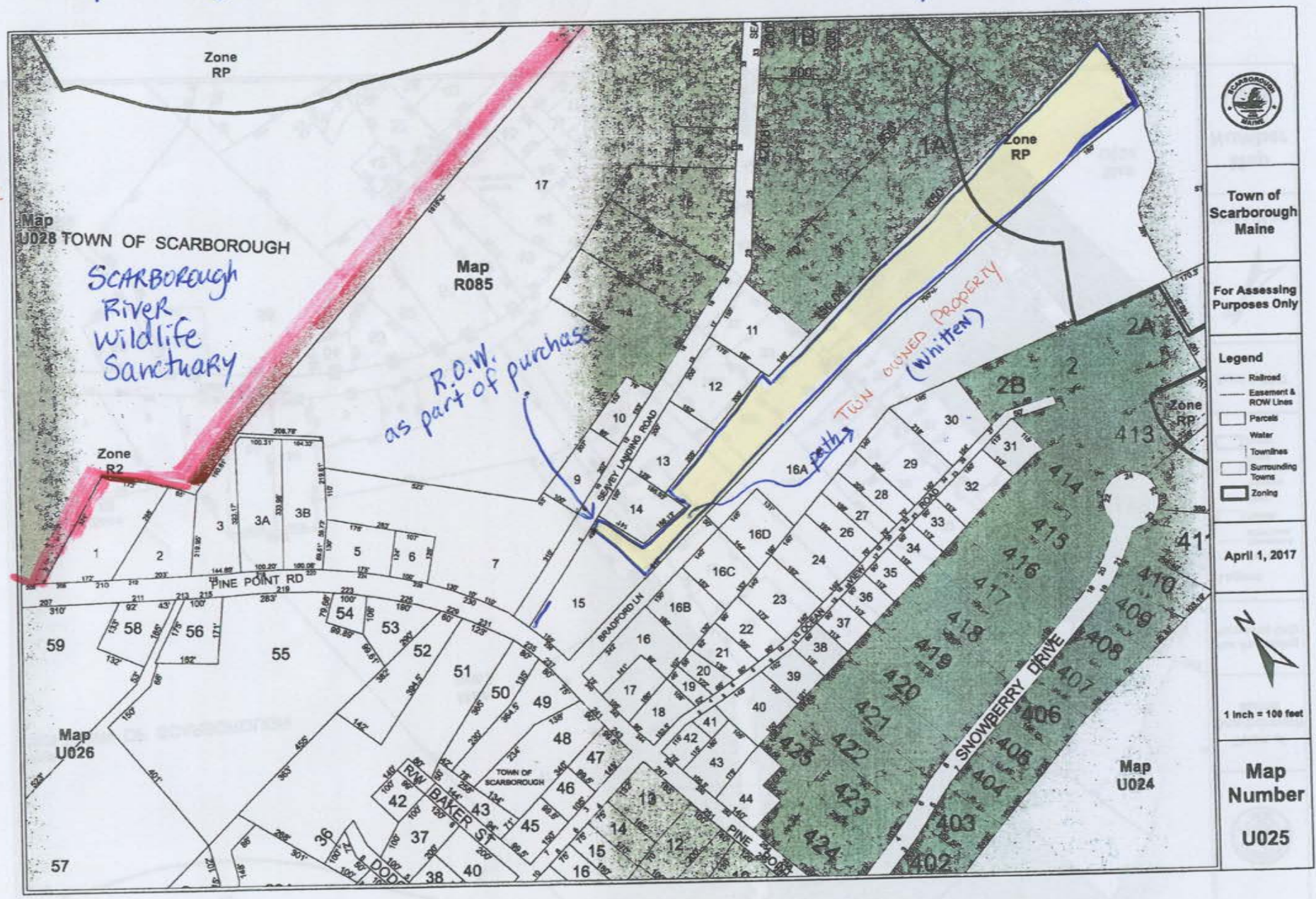
APPENDIX I



APPENDIX II

Map #2: Blue Point Preserve Parcels: Whitten + Blue Point Cong. Church

MAP 2



Searborough Land Trust

2019 Pine Point Acquisition Budget

Blue Point Church			
Description	Expense	Revenue	Need to raise
Purchase price	\$ 130,000		
Legal	\$ 3,000		
Environmental Assessment	\$ 3,500		
Misc (recording fees, etc.)	\$ 300		
Survey	\$ 2,750		
1/2 of Stewardship Fund See box below for detail	\$ 23,400		
Parking Lot Construction	\$ 8,000		
Signs	\$ 300		
Contingency	\$ 1,300		
Total Cost	\$ 172,550		
Town Land Bond Fund		\$ 90,270	
Gift from neighbor		\$ 34,291	
Amt for SLT to raise			\$ 47,989

Whitten			
Description	Expense	Revenue	Need to raise
Purchase price	\$ 44,219		
Legal	\$ 2,000		
Environmental Assessment	\$ 3,500		
Misc (recording fees, etc.)	\$ 300		
Survey	\$ 2,750		
1/2 of Stewardship Fund See box below for detail	\$ 23,400		
House demo and removal	\$ 15,000		
Bench/Table at marsh view	\$ 750		
Road stabilization	\$ 2,000		
Contingency	\$ 442		
Total Cost	\$ 94,361		
FOSM Contribution		\$ 22,110	
Amt for SLT to raise			\$ 72,252

Pine Point Stewardship Fund	
Property Insurance	\$ 6
Staff time for monitoring, mui	\$ 400
Signage maintenance and rep	\$ 200
Implementation of Management Plan (trail maintenance, invasive species work, etc.)	\$ 1,500
Total Annual Need	\$ 2,106
Stewardship Fund Needed (assume 4.5% draw)	\$ 46,800

Total cost of both \$ 266,911

Total needed to raise \$ 120,241









Appendix IV

Parks and Conservation Lands Voter Approved Bond Expenditures

2000-2001 Referendum to Purchase Parks & Conservation Lands	1,500,000
Cora Gervais Purchase/Donation (45 acres)	202,600
Meserve (now Fuller) Farm Purchase	1,197,400
77 Broadturn Rd/Me Turnpike Authority (Habitat)	100,000
Balance as of March 26, 2012	-

2003-2004 Referendum to Purchase Parks & Conservation Lands	2,500,000
Cora Gervais Purchase (total was \$250,000)	47,400
Whitten Property/Scarborough Land Trust	156,950
~~Fancy~~ <i>Firth</i> Farm Land Purchase (13 acres)	127,346
Higgins Beach Property & Mussey Rd Land	637,855
Warren Land Purchase	228,750
Comstock Farm (22 Berry Road)	270,000
~~Benjamin Farms~~ <i>Pleasant Hill Preserve</i>	1,159,270
Maine Community Foundation Grant	(127,571)
Balance as of March 26, 2012	-

2009-2010 Referendum to Purchase Parks & Conservation Lands	1,000,000
Danish Village Archway (08-09-15 TC)	24,548.36
~~Benjamin Farms~~ <i>Pleasant Hill Preserve</i>	840,730.00
Balance as of April 10, 2019	134,721.64

Summary	
Total Approved Referendums	5,000,000.00
Total Expended	(4,865,278.36)
Balance as of April 10, 2019	134,721.64

Ruth Porter: Danish Arch
\$24,548.36 bond proceeds
\$541.64 bond premium
\$25,000.00 Total Bond Order

Land Acquisition Reserve Fund	
Risbara Contribution Rec #652084 Dated: 05-10-2017	20,000
See Zoning Ordinance Chapter 405 Section VII-D subsections F & G.	20,000

*Warren Property purchase was not completed until after 3/26/12
less....Warren Property (\$228,750-\$350,000 / 75% of total 4/2012 161.5 acres)*

*Budget
44,000.00 Request - Beech Ridge School
90,721.64*

Appendix V-Land Purchased with Town Funds (as of June, 2019)

Property Name	Acreage	Description
Gervais Property	45 acres +/-	Upland adjacent to Scarborough Marsh
Broadturn Farm	434 acres +/-	Working farm, fields, forests
Whitten Property	7 acres +/-	Upland adjacent to marsh
Fancy/Firth Farm	13 acres +/-	Working farm and fields
Higgins Beach and Mussey Road	11 acres +/-	Riparian habitat adjacent to Nonesuch River and Public Access to Higgins Beach
Warren Property	162 acres +/-	Woodlands, trails, cranberry bog
Fuller Farm (appropriation)	180 acres +/-	Fields, forests, streams, trails
Comstock Farm	90 acres +/-	Working farm fields and forests
Pleasant Hill Preserve	136 acres +/-	Formerly three historic farms; currently fields and forest adjacent to Rachel Carson National Wildlife Refuge property
	1078 acres +/-	

Other Purchases with Land Bond / Historic Preservation

1. Danish Archway
2. Beech Ridge Schoolhouse (pending)

AGENDA

SCARBOROUGH TOWN COUNCIL WEDNESDAY – JULY 17, 2019 REGULAR MEETING – 7:00 P.M.

Order No. 19-052. Move approval to adopt the FY2020 School Budget Resolutions, as required by State Statute. *[School Department]*

School Department

Ought to Pass

Sponsor

Recommendation

07/17/2019 – Vote:

First Reading/Action /Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

**Scarborough Public Schools
2019-2020 Budget Resolutions**

ARTICLE I. To see what sum the municipality will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act.

Recommend \$ 34,173,090

and to see what sum the municipality will raise as the municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

Recommend \$ 30,890,079

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

ARTICLE II. To see what sum the municipality will raise and appropriate for the annual payments on debt service previously approved by the municipality for non-state-funded school construction projects, or non-state-funded portions of school construction projects in addition to the funds appropriated as the local share of the school administrative unit's contribution to the total cost of funding public education from kindergarten to grade 12.

Recommend \$5,244,113

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the municipality/district long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters.

ARTICLE III. To see what sum the municipality will raise and to appropriate that sum in additional local funds for school purposes under Maine Revised Statutes, Title 20-A, 15690.

Recommend \$11,050,269

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

ARTICLE IV. To see what sum the municipality will authorize the School Board to expend for the fiscal year beginning July 1, 2019 and ending June 30, 2020 from the school administrative unit's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

Recommend \$51,426,993

Pursuant to Maine Revised Statutes, Title 20-A, section 1485, voters and the Town Council authorize the School Board to expend the above funds in the following State-mandated categories:

ARTICLE IV-A. To see what sum the school administrative unit will be authorized to expend for Regular Instruction. **Recommend \$21,692,186**

ARTICLE IV-B. To see what sum the school administrative unit will be authorized to expend for Special Education. **Recommend \$9,350,922**

ARTICLE IV-C. To see what sum the school administrative unit will be authorized to expend for Career and Technical Education. **Recommend \$0**

ARTICLE IV-D. To see what sum the school administrative unit will be authorized to expend for Other Instruction. **Recommend \$1,300,438**

ARTICLE IV-E. To see what sum the school administrative unit will be authorized to expend for Student and Staff Support. **Recommend \$5,241,321**

ARTICLE IV-F. To see what sum the school administrative unit will be authorized to expend for System Administration. **Recommend \$1,235,470**

ARTICLE IV-G. To see what sum the school administrative unit will be authorized to expend for School Administration. **Recommend \$1,802,185**

ARTICLE IV-H. To see what sum the school administrative unit will be authorized to expend for Transportation and Buses. **Recommend \$1,547,982**

ARTICLE IV-I. To see what sum the school administrative unit will be authorized to expend for Facilities Maintenance. **Recommend \$4,012,376**

ARTICLE IV-J. To see what sum the school administrative unit will be authorized to expend for Debt Service and Other Commitments. **Recommend \$5,244,113**

ARTICLE IV-K. To see what sum the school administrative unit will be authorized to expend for All Other Expenditures. **Recommend \$0**

ARTICLE V. To see if the municipality will appropriate **\$202,311** for Adult Education and raise **\$97,527** as the local share; with authorization to expend any additional, incidental or miscellaneous receipts in the interest and for the well-being of the Adult Education program.
Recommend \$97,527 (Local)

ARTICLE VI. To see if the municipality will appropriate **\$1,746,555** for School Nutrition and raise **\$200,000** as the local share; with authorization to expend any additional, incidental or miscellaneous receipts in the interest and for the well-being of the School Nutrition program.
Recommend \$200,000 (Local)

AGENDA

SCARBOROUGH TOWN COUNCIL

WEDNESDAY – JULY 17, 2019

REGULAR MEETING – 7:00 P.M.

Order No. 19-053. Move approval on the request of posting and taking action on the names to the various Committees/Board as recommended by the Appointments/Negotiation Committee, as follows: *[Appointments/Negotiation Committee]*

Coastal Waters & Harbor Committee:

Liam D. Erickson – Full voting member, with a term to expire in 2020

Senior Advisory Board:

Denise P. Smith – 1st Alternate, with a term to expire in 2020

Zoning Board of Appeals:

Jennifer Waters – 2nd Alternate, with at term to expire in 2020

Appointments/Negotiations Committee

Ought to Pass

Sponsor

Recommendation

07/17/2019 – Vote:

First Reading/Action /Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

AGENDA

SCARBOROUGH TOWN COUNCIL

WEDNESDAY – JULY 17, 2019

REGULAR MEETING – 7:00 P.M.

Order No. 19-054. Move approval on the Council Chair Committee/Board Appointments, as follows: *[Council Chair]*

Appoint Donald Hamill as the Finance Committee Chair, Paul Johnson to the Finance Committee, John Cloutier to the Communications Committee and Katy Foley as the Communications Committee Chair.

Council Chair

Ought to Pass

Sponsor

Recommendation

07/17/2019 – *Vote:*

First Reading/Action /Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

AGENDA

SCARBOROUGH TOWN COUNCIL

WEDNESDAY – JULY 17, 2019

REGULAR MEETING – 7:00 P.M

Order No. 19-055. Move approval on the recommendation of the Scarborough Housing Alliance to utilize funds from the Affordable Housing Initiative Fund in the amount of \$300,000 toward the Bessey Commons II Project and authorize the Town Manager to sign any and all documents related to this order. [*Housing Alliance*]

Housing Alliance

Ought to Pass

Sponsor

Recommendation

07/17/2019 – Vote:

First Reading/Action /Vote

N/A

Public Hearing

N/A

Second Reading/Final Approval/Vote

	Date	Amount
Beginning Balance	6/1/2015	\$ -
Revenues	To date	\$ 833,334.40
Disbursements, Avesta	To date	\$ (100,000.00)
Committed Disbursement, Bessey Commons II		\$ (100,000.00)
Interest Earnings	Through 5/2019	\$ 16,651.95
Anticipated Revenue, Piper Shores		\$ 250,000.00
Anticipated Revenue, Gateway Commons	7/31/2019	\$ 116,666.88
Estimated Balance not including current request		\$ 1,016,653.23
Current request, Bessey Commons II		\$ (300,000.00)
Estimated balance including current request		\$ 716,653.23

Date	Amount	Customer
06/08/2015	\$ 40,000.00	Maine Life Retirement Company
05/10/2017	\$ 50,000.00	Risbara Bros. Construction Company
07/26/2017	\$ 100,000.00	Carrier Woods Apartments, LLC
12/14/2017	\$ 58,333.44	The Residences at Gateway Commons, LLC
12/19/2017	\$ 58,333.44	The Residences at Gateway Commons, LLC
02/20/2018	\$ 58,333.44	KGI Properties
02/27/2018	\$ 58,333.44	KGI Properties
04/02/2018	\$ 58,333.44	KGI Properties
04/02/2018	\$ 58,333.44	KGI Properties
05/01/2018	\$ 58,333.44	Exit 42 Haigis Parkway
05/01/2018	\$ 58,333.44	Exit 42 Haigis Parkway
06/20/2018	\$ 60,000.00	South Village, LLC
07/03/2018	\$ 58,333.44	Live Oak Contracting, LLC
07/03/2019	\$ 58,333.44	Live Oak Contracting, LLC
Total revenues	\$ 833,334.40	
3/12/2018	\$ (100,000.00)	Avesta Housing
Total disbursements	\$ (100,000.00)	

July 11, 2019

To: Scarborough Town Council

From: Scarborough Housing Alliance

Regarding: Bessey Commons II Expansion Project.

We had determined in 2018 that a grant of \$100,000 to Bessey Commons II would assist with the submission to the Maine State Housing Authority providing one extra point. This award was confirmed by Council. However, the project did not achieve state funding.

Most recently, Cyndy Taylor submitted a formal proposal under our Affordable/Workforce Housing Partnership Initiative Program requesting an additional \$200,000 due to increased costs since last year. We invited Ms. Taylor to attend our June 26, 2019 meeting so we would have the opportunity to ask questions and get a deeper understanding of the issues. During our meeting of June 26th it became evident that this support is needed to complete development of 40 low-income senior housing units in Scarborough. To achieve 40 new units with an average of 60% AMI supports our goals of advancing affordable housing.

Due to the low response to our RFP and the increasing balance in the fund, we felt that gaining 40 affordable units for a grant of \$400,000 was a reasonable amount per unit of only \$10,000. Our RFP had capped the per unit award to \$20,000. Most projects only put 10% affordable and often pay the in-lieu fee to avoid putting any affordable units in their projects. The waiting list of seniors, the commitment to the community by Housing Initiatives of New England, and the readiness of the project were also factors in trying to ensure that this project was able to move forward.

The members of the Scarborough Housing Alliance voted unanimously to award Bessey Commons II project \$300,000 from the Affordable Housing Initiative Fund in addition to the previous committed \$100,000 from last year. If this recommendation is approved the fund would have a balance of approximately \$716,000. We ask for your approval to confirm this grant.

Thank you, Marj DeSanctis, Chair SHA

Housing Initiatives

OF NEW ENGLAND CORPORATION

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Scarborough, ME 04074
TEL: 207-774-8812
FAX: 207-510-6366
www.hinec.org

July 10, 2019

Scarborough Town Council and
Scarborough Housing Alliance
259 US Route One
Scarborough, ME 04074

Dear Members:

Housing Initiatives of New England Corporation is pleased that the Scarborough Housing Alliance (SHA) voted to allocate \$300,000 this year in response to our proposal submitted to the Affordable/Workforce Housing Partnership Initiative. This award is in addition to the \$100,000 approved by SHA last year. We hope that this subsidy will help fill the gap in order to bring this new proposed 40 unit senior housing to fruition at Bessey Commons II.

Last year we requested \$100,000 to help us with the funding that we applied for under the 9% Low Income Housing Tax Credit (LIHTC) Program through Maine State Housing Authority. We were unsuccessful last year due to the highly competitive status of the 9% LIHTC Program. The Town of Scarborough is not rated as needy as other communities in the State that have more per capita residents at 60% of Area Median Income.

Scarborough has a significant number of eligible senior citizens as seen through a large waiting list at Bessey Commons I and approximately 20% of the waiting list are residents of Scarborough. As part of our marketing efforts, we will advertise within Scarborough and give priority status to Scarborough residents.

This year we are seeking funds through a non-competitive walk-in program referred to as New Housing for Older Adults, or the 4% LIHTC Program. This program has significantly less funds available for construction than the 9% LIHTC Program.

Currently the project is approximately \$1.1M short in funding, not including \$600,000 in additional site costs and \$150,000 in Scarborough sanitary fees and building permit fees. The additional funds that the Housing Alliance is recommending to be available for Bessey Commons II, and that we hope the Scarborough Town Council will approve, are exceedingly important to the development for adequate sources of funds. We are in the process of finding additional equity in excess of \$2 million to make this project viable. With the construction costs going up monthly, our goal is to start this year.

The Town of Scarborough and the Housing Alliance will have the benefit of third party oversight to make sure these units have a long-term affordability requirement. In the case of Bessey Commons II, it will be for 30 years. The Housing Alliance requires 20 years in the RFP. In addition, the Town and the Housing Alliance will also have third party oversight to make sure the units are occupied by residents with an average income of 60% of area median income. This is much deeper targeting for people who need affordable housing than the Alliance requires. This provision for two of Scarborough Housing Alliance requirements is a long term administrative benefit that might not be part of housing developed outside the purview of MaineHousing.

The Housing Alliance was generous to offer \$400,000 for this project based on low-income targeting and the large number of units offered within the Bessey Commons Senior Housing complex. We understand from recent discussions that we are the only response to the RFP and the most viable. Housing Initiatives of New England Corporation would gratefully accept this grant on behalf of Bessey Commons II if approved.

Sincerely,


Cynthia J. Milliken Taylor /KZ

CJMT/kac