

**MINUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – APRIL 6, 2016
REGULAR MEETING – 7:00 P.M.**

Item 1. Call to Order. Chairman Donovan called the regular meeting of the Scarborough Town Council to order at 7:07 p.m. [Workshop prior to Town Council meeting ran late.]

Item 2. Pledge of Allegiance.

Item 3. Roll Call. Roll was called by Yolande P. Justice, Town Clerk. Thomas J. Hall, Town Manager was also present.

Shawn A. Babine, Vice-Chair	Katherine A. St. Clair
Robert W. Rowan	Peter F. Hayes
Jean-Marie Caterina	Christopher J. Caiazzo
William J. Donovan, Chairman	

Item 4. General Public Comments.

- Mike Doyle owner of Falmouth Today and a resident of Falmouth – gave his view on pending court cases relating to his FOAA requests for Town emails and the case he had filed in Federal Court.

Item 5. Minutes: March 16, 2016 – Regular Meeting. Motion by Councilor Caterina, seconded by Councilor Babine, to move approval of the minutes of the March 16, 2016, Town Council meeting.

Vote: 5 Yeas. [Councilors Caiazzo and St. Clair abstained]

Item 6. Adjustment to the Agenda. None at this time.

Item 7. Items to be signed: a. Treasurer’s Warrants. Treasurer’s Warrants were signed during the meeting.

Order No. 16-020, 7:00 p.m. Public Hearing and action on the request for a Secondhand Dealer Application from Andrey & Irina Malayev, d/b/a L & L Jewelers, located at 426 US Route One, Suite 3. Chairman Donovan opened the public hearing. As there were no comments either for or against, the hearing was closed at 7:11 p.m.

Motion by Councilor Rowan, seconded by Councilor Babine, to move approval of the request for a Secondhand Dealer Application from Andrey & Irina Malayev, d/b/a L & L Jewelers, located at 426 US Route One, Suite 3.

Vote: 7 Yeas.

Order No. 16-021, 7:00 p.m. Public Hearing and action on the renewal request for a liquor license from Stanley Bayley, d/b/a Bayley’s Seafood Restaurant, located 165 Pine Point Road. Thomas Hall gave a brief overview on this issue and the introduce Dan Bacon, Town Planner who gave a more detailed overview and responded to questions from the Town Council. Chairman Donovan opened the public hearing. As there were no comments either for or against, the hearing was closed at 7:18 p.m.

Motion by Councilor Babine, seconded by Councilor Rowan, to move approval of the on the renewal request for a liquor license from Stanley Bayley, d/b/a Bayley’s Seafood Restaurant, located 165 Pine Point Road with the condition that he comply with the Notice of Violation and Order of Corrective Actions by June 30, 2016.

Vote: 7 Yeas.

OLD BUSINESS:

Order No. 16-018. Second reading on the Bond Order for the 2016 Municipal and School Capital Improvement Projects and the Refunding of Certain General Obligation Bonds of the Town of Scarborough. Thomas J. Hall, Town Manager, gave a brief over on this order.

Motion by Councilor Babine, seconded by Councilor Caterina, to move approval of the second reading on the Bond Order for the 2016 Municipal and School Capital Improvement Projects and the Refunding of Certain General Obligation Bonds of the Town of Scarborough, as follows:

**BOND ORDER FOR
2016 MUNICIPAL AND SCHOOL CAPITAL IMPROVEMENTS
AND THE REFUNDING OF CERTAIN 2006, 2007, 2008 AND
2009 GENERAL OBLIGATION BONDS OF THE TOWN**

BE IT ORDERED, That under and pursuant to the provisions of Title 30-A, Sections 5721-5729 and 5772 of the Maine Revised Statutes, as amended, and the Charter of the Town of Scarborough, Maine, the following Municipal and School Capital Improvement Projects are hereby approved for funding:

<u>2015-2016 Municipal - Equipment</u>	<u>Amount to Bond</u>
F.D. Extrication Tool Upgrade Project	\$ 71,000.00
F.D. AED Replacement Project	75,000.00
F.D. Tank 3 Re-chassis	37,000.00
F.D. Service Plow Truck U7 (replace schedule)	45,000.00
C.S. Replacement Tow Behind Mower	14,050.00
Upgrade Radio Equipment - Communications	39,100.00
Plow Truck #4021	170,000.00
Pickup Truck #4004	30,000.00
Front End Loader #4014	139,500.00
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	\$ 620,650.00
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<u>2015-2016 Municipal - Projects</u>	
MIS Office Reconfiguration	10,000.00
MIS Server Virtualization	25,000.00
Eastern Trail Improvements (Local Match)	45,000.00
Mid-level Road Rehabilitation	543,000.00
Pleasant Hill Reconstruction Phase II (RR Overpass)	556,000.00
Gorham Road Engineering	65,000.00
Cummings Road Reconstruction	245,000.00
Fuel Station Replacement Engineering & Permitting	60,000.00
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	\$1,549,000.00
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<u>2015-2016 School Projects</u>	
H.S. Tech – New Laptops	700,000.00
3 - 84 Passenger Buses	301,350.00
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	\$1,001,350.00
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2014-2015 Municipal - Projects

Mid-Level Road Rehabilitation (3 Miles per year)	68,000.00
	\$ 68,000.00

2014-2015 Municipal – Lease Projects

259 U.S. Route One – Fire Alarm System - Replacement	45,000.00
MIS Main Office 10 GB Switch	8,000.00
	\$ 53,000.00

2014-2015 School Projects

DW Roofing	88,000.00
DW Technology	360,000.00
Security System Upgrade Property	65,000.00
	\$ 513,000.00

2009-2010 Municipal - Projects

Referendum to Fund-Purchase Parks and Conservation Land	
Danish Village Archway Relocation	25,000.00
	\$ 25,000.00

Total to Bond

\$3,830,000.00

BE IT FURTHER ORDERED, That a sum, not to exceed \$3,830,000, is hereby appropriated to provide for the costs of said projects and expenses associated with said projects; and,

BE IT FURTHER ORDERED, That to fund said appropriation, the Treasurer and the Chairman of the Town Council are hereby authorized to issue, at one time or from time to time, general obligation securities of the Town of Scarborough, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$3,830,000 and the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, call(s) for redemption, refunding, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, is hereby delegated to the Treasurer and the Chairman of the Town Council; and,

BE IT FURTHER ORDERED, That the Treasurer and the Chairman of the Town Council are hereby authorized to issue, at one time or from time to time, general obligation securities of the Town of Scarborough, Maine, in an aggregate principal amount not to exceed \$3,800,000, to refund, on an advance basis, the remaining outstanding 2006, 2007, 2008 and 2009 General Obligation Bonds of the Town of Scarborough, Maine, and the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, is hereby delegated to the Treasurer and the Chairman of the Town Council.

Roll Call Vote: Councilor Babine - Yea Councilor Caiazzo - Yea
 Councilor Rowan - Yea Councilor Hayes - Yea
 Councilor Caterina - Yea Councilor St. Clair - Yea
 Chairman Donovan - Yea

Order No. 16-022. Act on the request to approve the names that were posted to the Senior Advisory Board and the Scarborough Housing Alliance, by the Appointments Committee at the March 16, 2016, Town Council meeting. Motion by Councilor Caterina, seconded by Councilor Babine, to move approval of the request to approve the names that were posted to the Senior Advisory Board and the Scarborough Housing Alliance, by the Appointments Committee at the March 16, 2016, Town Council meeting, as follows:

Senior Advisory Board:

- Donnamarie Collins, 1st Alternate, with a term to expire in 2017
- Kenneth N. Simons, 2nd Alternate, with a term to expire in 2017

Scarborough Housing Alliance:

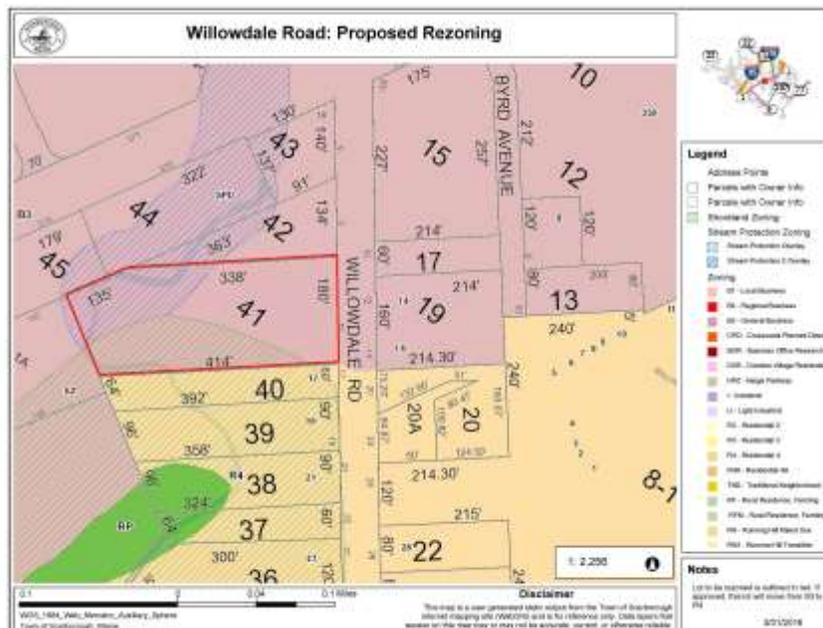
- Marj DeSanctis, Full voting member, with a term to expire in 2017

Vote: 7 Yeas.

NEW BUSINESS:

Order No. 16-023. First Reading and schedule a Planning Board public hearing for an amendment to the Town of Scarborough Official Zoning Map to rezone the parcel located at 11 Willowdale Road and identified as Map U39, Lot 41 as shown on the Town Assessor’s Map from the General Business District (B3) to the Residential 4 District (R4). Karen Martin, President of Scarborough Economic Development, gave a brief overview on the proposed amendment to the Town of Scarborough Official Zoning Map and responded to questions from the Town Council.

Motion by Councilor Babine, seconded by Councilor Caterina, to Move approval of the first reading and schedule a Planning Board public hearing for an amendment to the Town of Scarborough Official Zoning Map to rezone the parcel located at 11 Willowdale Road and identified as Map U39, Lot 41 as shown on the Town Assessor’s Map from the General Business District (B3) to the Residential 4 District (R4) and schedule a Town Council public hearing and second reading upon the filing of the Planning Boards recommendations, as follows:



Vote: 7 Yeas.

Order No. 16-024. First reading and schedule a public hearing on the on the proposed FY2017 Municipal/School Budget. Thomas J. Hall, Town Manager, gave an overview on the proposed FY2017 Municipal Budget. Dr. George Entwistle, School Superintendent, gave an overview on the FY2017 School Budget.

The following individuals spoke on this order:

- Mike Turek of Bayberry Lane stated that this is the first time that he had understood what had been presented. He felt the presentations were both clear and he thanked the Town Manager and the Superintendent for this. He felt that this was a good start, but could do better.
- Stacey Neumann of Windsor Pines Drive and thanked the Town and the School for the presentations this evening. She felt that it was an excellent budget and would support the proposed budget.

Motion by Councilor Babine, seconded by Councilor Caterina, that be it ordered that the Scarborough Town Council moves approval of the first reading on the Fiscal Year 2017 Budget and **schedule the public hearing for Wednesday, May 4, 2016**, on the line item appropriations and expenditures for all offices, agencies and departments of the Town as follows, and approves other additional operating expenditures which may result from the receipt of Federal or State funds or other grants and subsidies not requiring local taxation:

SUMMARY MUNICIPAL OPERATING BUDGET 2017	
TOTAL ADMINISTRATION	\$ 1,348,187
TOTAL TOWN CLERK/ELECTIONS	193,957
TOTAL HUMAN RESOURCE/GENERAL ASSISTANCE	320,015
TOTAL FINANCE ALL DIVISIONS	1,024,430
TOTAL MUNICIPAL INFORMATION SYSTEMS	1,183,430
TOTAL PLANNING DEPARTMENT ALL DIVISIONS	951,269
TOTAL COMMUNITY SERVICES ALL DIVISIONS	2,753,340
TOTAL LIBRARY NET – TOWN APPROPRIATION	1,099,898
TOTAL SEDCO	224,694
TOTAL FIRE ALL DIVISIONS	4,641,596
TOTAL POLICE ALL DIVISIONS	6,228,611
TOTAL PUBLIC WORKS ALL DIVISIONS	6,748,940
TOTAL DEBT (Town Only)	<u>4,875,093</u>
MUNICIPAL TOTALS	\$31,593,460

Be it further ordered, that the Scarborough Town Council hereby appropriates the sum of **\$75,000** for Resident Senior Property Tax Relief as authorized under – Chapter 313 – Property Tax Assistance Ordinance; and,

Be it further ordered, that the Scarborough Town Council hereby appropriates, for school purposes, the Education Operating Budget (including Adult Education, Food Services and school debt), the sum of **\$47,508,938** and the Town of Scarborough raises as the local share for the Education Operating Budget, the sum of **\$39,833,562** and,

Be it further ordered, that the Town Council hereby authorizes the Chairperson of the Town Council to sign the Municipal Expenditure Warrant approving all expenditures paid at the regular meetings of the Town Council and;

Be it further ordered, that the Town of Scarborough hereby adopts the **Schedule of License, Permit and Application Fees** as presented and attached hereto – Chapter 311 – Town of Scarborough, Schedule of License, Permit and Application Fees, for Budget Presentation FY 2017; and,

Be it further ordered, that the Town of Scarborough hereby appropriates the Town’s due portion of the County Tax, in the amount of **\$2,568,852** for the period July 1, 2016 through June 30, 2017; and,

Be it further ordered, that the Scarborough Town Council hereby appropriates for capital purposes, the sum of **\$1,380,830** for school capital programs and **\$1,194,470** for town capital equipment and **\$2,194,132** for town capital improvements; for a total Capital Budget of **\$4,769,432** to be funded from property taxes, lease and bond arrangements and other local, state and federal sources; and,

Be it further ordered, that the Total Gross Budget of **\$87,586,082** this total less estimated revenues and other credits of **\$27,188,603** result in a Net Appropriation of **\$60,397,479**, which shall be raised from taxation. The Scarborough Town Council further fixes **Monday, October 17, 2016**, and **Wednesday, March 15, 2017**, as the dates upon each of which one-half of such tax is due and payable, and pursuant to 36 M.R.S.A. Section 505.4 with interest to accrue upon taxes due and unpaid after each such date at the rate of **7.00%** per annum.

Be it further ordered, that in accordance with 36 M.R.S.A Section 506, the Tax Collector/Treasurer is authorized to accept prepayment of taxes not yet committed or prior to any due date and pay no interest thereon. In accordance with 36 M.R.S.A. Section 506-A, a taxpayer that pays an amount in excess of that finally assessed shall be repaid the amount of overpayment plus interest from the date of overpayment at the annual rate of **3.00%**.

Be it further ordered, that the Town Council hereby authorizes the Finance Director-Tax Collector/Treasurer or Deputy Tax Collector/Treasurer to withhold monies payable to the Town of Scarborough to cover taxes due pursuant to M.R.S.A. Title 36, Section 905; to sign on behalf of the Town, the necessary deeds and liens and tax settlements; and to invest funds in accordance with M.R.S.A. Title 30-A, Section 5706; in accordance with 36 M.R.S.A. Section 906, the Tax Collector/Treasurer is authorized to apply any tax payment received as payment for any property tax against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill and processed in the order of liens and fees, interest and then to principal and, after the date of perfection of the tax, the Tax Collector/Treasurer is authorized to discharge any obligation to collect unpaid property taxes in the amount of \$5.00 or less and remove same from the municipal books, pursuant to 36 M.R.S.A. Section 970-A.

Be it further ordered, that in the event that that the 2017 Municipal Budget exceeds the Property Tax Levy Limit for fiscal 2017, pursuant to Title 30-A, Section 5721-A of the Maine Revised Statutes, as amended, it is the intent of the Town Council to increase the commitment to greater than the Property Tax Levy Limit.

**CHAPTER 311
TOWN OF SCARBOROUGH
SCHEDULE OF LICENSE, PERMIT AND APPLICATION FEES**

<u>Chapter 402a – Electrical Permit Fees</u>	<u>Fee</u>
Administrative Fee [for each application] (adopted 05/06/09)	\$30.00
<u>RESIDENTIAL</u>	
Minimum Fee (amended 05/06/09)	\$30.00
Square footage of any structure (adopted 05/06/09)	\$0.05
Service Inspection (adopted 05/06/09)	\$30.00
Each Garage – Under, Attached, Unattached (amended 05/06/09)	\$30.00

<u>RENOVATIONS</u>	
Rewiring Complete Existing Home – Same as New	
Each Room (amended 05/05/04)	\$15.00
Meter and Panel Upgrade (amended 05/06/09)	\$30.00
Alarm/Low Voltage (adopted 05/06/09)	\$30.00
Pools, In-Ground or Above (amended 05/06/09)	\$30.00
Storage or Utility Buildings (amended 05/06/09)	\$30.00
<u>COMMERCIAL</u>	
Minimum Fee	\$30.00
Square Footage of Any Structure (adopted 05/06/09)	\$0.05
All Signs – Each (amended 05/05/04) (amended 05/06/09)	\$30.00
Yard Lights – Up to 6 (amended 05/05/04) (amended 05/06/09)	\$40.00
Each Additional over 6 Yard Lights (amended 05/06/09)	\$10.00
<u>Chapter 404a – Local Plumbing Permit Fees Internal Permit Fee Schedule</u>	
	<u>Fee</u>
Administrative Fee [for internal permit applications](adopted 05/07/2014)	\$20.00
1. The minimum permit fee is: (amended 05/06/09)(amended 02/16/2011)	\$40.00
2. The fixture fee for all fixtures is per fixture and is: The fixture fees are no longer on a sliding scale. (amended 05/06/09)(amended 02/16/2011)	\$10.00 ea.
<u>EXTERNAL PERMIT FEE SCHEDULE COMPLETE SYSTEM</u>	
Non-engineered System (amended 05/06/09)(amended 02/16/2011)	\$250.00
Primitive Disposal System (includes alternative toilet) (amended 05/06/09)	\$130.00
Engineered System (amended 05/06/09)	\$250.00
<u>SYSTEM COMPONENTS (INSTALLED SEPARATELY)</u>	
Treatment Tank (amended 05/06/09)(amended 02/16/2011)	\$150.00
Holding Tank (amended 05/06/09)	\$130.00
Alternative Toilet (amended 05/06/09)	\$65.00
Disposal Area (amended 05/06/09)(amended 02/16/2011)	\$150.00
Engineered Disposal Area (amended 05/06/09)	\$200.00
Separated Laundry Disposal Area (amended 05/06/09)	\$50.00
<u>OTHER</u>	
External Permit Amendments (adopted 05/07/2014)	\$75.00
Seasonal Conversion Permit (amended 05/06/09)	\$65.00
<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)	
Affordable Housing In-Lieu Fee Per Dwelling Unit [Adopted 11/06/2013]	\$20,000
<u>CODE ENFORCEMENT -</u>	
Building Permit Fees [-a minimum of] (amended 05/06/09)	\$35.00
Residential / Commercial Unfinished, per square foot (amended 05/05/04) (amended 05/03/06)	\$0.20
Residential / Commercial Finished, per square foot	\$0.40

(amended 05/05/04) (amended 05/03/06)	
Renovations/Remodels/Alterations/Minor Additions, Residential/Commercial (adopted 05/07/2014)	\$10.00 per \$1,000 of est. cost of construction
Sheds less than 250 SF(adopted 05/07/2014)	\$35.00
Minimum Application Fee - Will be applied toward the building permit when issued. Applies to new construction and renovations over 1,000 square feet.	\$110.00
First Offense Double the Permit Fee	
Each Offense Thereafter Triple the Permit Fee	
Demolition Permit Fees (amended 05/05/04) (amended 05/06/09)(amended 05/02/2012)	\$50.00
Zoning Board Of Appeals - Per Appeal (amended 05/05/04)	\$250.00
Certificate of Occupancy/Change of Use Fee [no charge if in conjunction with other active permits] (adopted 05/06/09) (amended 05/07/2014)	\$50.00
Sign Permit Fees	
Permanent Signs – each (amended 05/05/04) (amended 05/06/09)	\$35.00
Temporary Signs – each (amended 05/05/04) (amended 05/06/09)	\$35.00
Plus Deposit Required (refundable deposit for removal of sign) (10/02/02)	\$300.00
Temporary Storage Containers - Per Application (10/01/97) (amended 05/05/04)	\$25.00
Heating Appliance Permit (adopted 05/07/2014)	\$35.00
The fees for electrical permits, plumbing permits and building permits shall include one inspection of the work covered by each permit. Typically permits include the following inspections: A) Foundation; B) Bed bottom for leech fields; C) Leech bed; D) Electrical; E) Plumbing; F) Framing; and, G) Certificate of Occupancy. For each re-inspection thereafter, per-permit, a fee of \$50 shall be charged. If a re-inspection is required because the permit holder called for an inspection before the work was ready for inspection, such re-inspection shall not occur for at least two (2) weeks, unless the permit holder pays a surcharge of \$200 in addition to the \$50 re-inspection fee. For after the fact Certification of Occupancy/Change of Use Permits and Inspections, the fee is doubled (amended 10/06/04) (amended 05/07/2014)	
Chapter 405A - Floodplain Management	Fee
Non-Refundable Permit Application Fee	\$50.00
Chapter 405B - Site Plan Review	Fee
Site Plan Application Fee (plus fee per Square Feet)(adopted 05/07/2014)	\$500.00
Site Plan Amendment Fee (plus fee per Square Feet)(adopted 05/07/2014)	\$250.00
Under 1,000 Square Feet (amended 05/07/2014)	\$0.00
1,000 to 2,000 Square Feet (amended 05/07/2014)	\$250.00
>2,000 to 5,000 Square Feet (amended 05/07/2014)	\$500.00
>5,000 to 10,000 Square Feet (amended 05/07/2014)	\$1,000.00
>10,000 Square feet and over, plus \$25.00 per 1,000 above 10,000 square feet (amended 05/07/2014)	\$1,000.00
Chapter 405C – Shoreland Zoning	Fee
Planning Board Review (adopted 05/07/2014)	\$250.00
Chapter 406 - Subdivision Review	Fee
Subdivision Application Fee (plus fee per lot) (adopted 05/07/2014)	\$750.00
Subdivision Amendment Application Fee (plus fee per lot) (adopted 05/07/2014)	\$250.00
Charge Per Lot (amended 05/05/04)	\$175.00

<u>Chapter 407 - Septic Tank Sludge Disposal Fees</u>	<u>Fee</u>
Field Spread - per gal. (amended 05/05/04)	\$0.04
Holding Tank - per gal. (amended 05/05/04)	\$0.08
Disposal Of Treatment Plant Sludge S.S.D. Only - per gal. (amended 05/05/04)	\$0.08
Disposal Of Industrial Sludge & Wastes - per gal. (amended 05/05/04)	\$0.08
Grey Water 2,000 Gallons, Maximum Load - per load (amended 05/05/04)	\$4.00

<u>Chapter 408 - Extractive Industry, Waste Control, Landfill, And Land Reclamation</u>	<u>Fee</u>
Plan Review Fee - Minimum fee (amended 05/05/04) (amended 05/07/2014)	\$250.00
Additional Fee Per Acre In Excess Of 10 Acres - Per additional acre over 10 acres (amended 05/05/04)	\$15.00

<u>Chapter 410 - Road Impact Fee Ordinance And Designating Approved Projects</u>			
The following fees and charges are established for development and the following projects are designated as eligible for funding from the Highway Impact Fee Trust Fund:			
Fees	Peak Hour Trips		Cost of Trip
A. District 1	N	X	\$149.43
B. District 2	N	X	\$292.42
C. District 3	N	X	\$499.05
D. District 5	N	X	\$1,024.52
Where N = Estimated number of peak hour trips. Total trips generated during the p.m. peak hour for a development can typically be determined by trip rates presented in the 1987 Institute of Transportation Engineers (ITE) “ <u>Trip Generation</u> ” handbook, or estimated by field measurements collected at similar type developments. If, however, the ITE handbook does not have applicable rates, then the rates should be based on sufficient field data collected at a similar site. There are several types of development (i.e., fast food, shopping plazas, convenience stores, etc.) that simply redirect existing pass-by trips already on the existing roadway system; these trips should not be included in the assessment system. Only “new” trips to the system roadways should be assessed a development fee.			
The total Impact Fee for a project shall be the sum of the fees for each district affected.			
Projects eligible for funding from the Road Impact Fee Trust Funds are those projects depicted on the 100 scale aerial photographs titled “Long Range Transportation Improvement Program” (April 1989), prepared by Vanasse Hangen Brustling, Inc. as part of the 1988 Maine Mall/Jetport Area Traffic Study conducted for the Portland Area Comprehensive Transportation Study (PACTS) and the Maine Department of Transportation.			

<u>Chapter 413 – Growth Ordinance</u>	<u>Fee</u>
Application Fee (amended 11/03/04)	\$1,500.00

<u>Chapter 500 - Trailer & Trailer Camp</u>	<u>Fee</u>
Application Fee, minimum	\$27.50
Each unit in excess of 10 (amended 05/21/2008)	\$3.75
Maximum Fee (amended 05/21/2008)	\$200.00

<u>Chapter 501 - Tenting & Camping Ordinance</u>	<u>Fee</u>
Annual Fee For Tenting/Camping Season License, per lot (amended 05/05/04; 05/21/2008)	\$2.25

<u>Chapter 601 – Traffic Ordinance [amended 05/02/2012]</u>	<u>Fee</u>
Section 26 – Penalties General (05/03-2006) Fine for any violation of this ordinance is:	\$80.00
If paid within 30-days of issuance of the ticket the fine is reduced to:	\$40.00
Section 27 – Illegally Parked Vehicles (05/03-2006) Fine for illegally parked vehicle, except handicapped parking violation is:	\$80.00
If paid within 30-days of issuance of the ticket parking fine is reduced to:	\$40.00
Fine for parked vehicle violating handicapped parking is:	\$120.00
If paid within 30-days of issuance of the ticket parking fine is reduced to:	\$60.00
Section 30 – Towing Rate Schedule -	
Service Call - Gas, Jumpstarts, lockouts, tire change, etc. Range	\$25.00 to \$40.00
Vehicle Storage, per day, INCLUDING non-business days (amended 05/07/2014)	\$40.00 per day
Call out fee, to come to shop during non-business hours (amended 05/07/2014)	\$40.00
Vehicle Tow	
Day (amended 05/07/2014)	\$80.00
Night (amended 05/07/2014)	\$90.00
Snow Tow – Range	
Day (amended 05/07/2014)	\$90.00
Night (amended 05/07/2014)	\$100.00
Vehicle Tow w/dollies – Range (amended 05/07/2014)	\$80 to \$100
Motorcycle Tow – Same as vehicle due to special equipment	
Pull out – Range	\$40 to \$85
Recovery – Same as tow, depending on time of day. After first hour \$70 per additional hour plus any special equipment, i.e., bulldozer, etc.	
Definition of Hours – Daytime Hours = 0700 to 1800 hours; Night Time Hours = 1800 to 0700 hours	

<u>Chapter 602A – Mass Gathering</u>	<u>Fee</u>
Application Fee, each event; 1,000 – 2,500 (Number of anticipate patrons) [amended 05/05/04; 05/21/2008; 06/06/2012]	\$175.00
Application Fee, each event; 2,501 – 5,000 (Number of anticipate patrons) [adopted 06/06/2012]	\$350.00
Application Fee, each event; >5,000 (Number of anticipate patrons) [adopted 06/06/2012]	\$500.00

<u>Chapter 607 - Alarm Systems</u>	<u>Fee</u>
False Alarm Fee - per occurrence after third false alarm within one year (amended 05/05/04)	\$250.00

<u>Chapter 608 – Fireworks Ordinance</u>	<u>Fee</u>
Non-Refundable Local Fireworks Display Permit Application Fee (amended 06/15/05)	\$50.00

<u>Chapter 612 – Rules & Regulations for Use of Parks & Recreation Facilities</u>	<u>Fee</u>
Application Fee	\$100.00
Application Fee for Non-Profit or Service Groups	\$50.00

<u>Chapter 702 - Street Opening, Fees</u>	<u>Fee</u>
Excavator License Fee Annual (amended 05/07/2014)	\$125.00
Excavation Permit Fee - Each Excavation (amended 05/05/04)	\$50.00
Renewal Of Excavation Permit (amended 05/05/04)	\$50.00
<u>Other Charges</u>	
1. Removing and replacing regulatory signs	\$50.00 each
2. Removing and replacing street name and stop signs	\$50.00 each
3. Reinstalling street and right of way granite monuments	\$800.00 each
4. Long-term maintenance reserve for bituminous street openings	\$25.00 per sq. yd.
<u>Chapter 901 – Refuse collection Fee</u>	<u>Fee</u>
1. Commercial Hauler	\$500.00 each
2. Residential Hauler	\$500.00 each
Applications for license renewal received after March 1 st shall pay a late fee in the amount of \$100.00 in addition to the regular application fee. (05/03/2006)	
<u>Chapter 1002 - Shellfish Ordinance, Fees</u>	<u>Fee</u>
Resident Commercial	\$200.00
Non-resident Non-reciprocating Commercial	\$400.00
Resident Student Commercial	\$100.00
Non-resident Student Commercial	\$200.00
Over - 60 Years Resident Commercial (Bushel)	\$100.00
Resident Recreational - (Over 65 Free)	\$25.00
All Day Licenses – Resident and Non-resident (amended 04/06/05)	\$10.00
<u>Chapter 1003 – Hawkers & Peddlers</u>	<u>Fee</u>
License Fee for Hawkers & Peddlers License (05/21/2008)	\$110.00
<u>Chapter 1004 - Taxicab Licenses</u>	<u>Fee</u>
Annual License - Each Taxicab (amended 05/05/04) (amended 05/06/09)	\$150.00
Annual License - Each Operator (amended 05/05/04) (amended 05/06/09)	\$50.00
<u>Chapter 1005 - Innkeepers Licenses (06/21/2006)</u>	<u>Fee</u>
Application Fee	\$50.00
Per Room Fee	\$3.00 per room
Maximum Fee Not to Exceed	\$350.00
<u>Chapter 1006 - Ferry Beach/Hurd Park Fees Season Passes</u>	<u>Fee</u>
Resident and/or Taxpayer Season Pass - (includes Ferry Beach, Higgins Beach and Hurd Park) (amended 05/05/04; 05/18/11)(amended 05/02/2012) (amended 05/07/2014)	\$40.00
Resident - Additional Vehicle Registered to the Same Address	\$5.00
Non-Resident Season Beach Pass - (includes Ferry Beach Higgins Beach and Hurd Park) (amended 05/05/04) (amended 05/02/2012) (amended 05/07/2014)	\$75.00
Resident Commercial Fisherman Season Beach Pass - (Ferry Beach <u>only</u> , <i>must</i> show State Commercial Fisherman License)	FREE
Resident Senior Citizen Season Pass - (includes both Ferry Beach, Higgins Beach and Hurd Park)	FREE
Resident Veteran Lifetime Season Pass – Applications must be filed and	

applicant must meet the following criteria: must be a resident of the Town of Scarborough and must have received an honorable discharge or general discharge under honorable conditions [copy of DD214 must accompany application]. This pass will not expire and is valid for the lifetime of the holder. (Please note that any Scarborough Veteran age 60 years or older will not be issued a Resident Veteran Season Pass as they are automatically entitled to a free Resident Senior Citizen Season Pass.) (Adopted 05/19/2010)	FREE
<u>DAILY PARKING RATES (WITHOUT PASS)</u>	
Daily Parking: Ferry Beach, Higgins Beach And Hurd Park (amended 05/05/04) [amended 05/02/2012]	\$10.00
End of Day Parking Fee (e.g. Passenger Vehicles, Motor Bikes) – 3 PM to 5 PM (amended 05/03/05)	\$5.00
Larger Vehicle Daily Parking Fee - (R.V.'s, Campers and Buses) (amended 05/05/04)	\$35.00
<u>BOAT LAUNCHING FEE</u>	
Launching from any town facility, includes Ferry Beach Boat Launch and Co-op Boat Launch (Note – Ferry Beach – parking is not included)	
Resident – Daily Boat Launching Fee (amended 05/05/04)	\$10.00
Resident – Seasonal Boat Launching Fee	\$25.00
<u>Resident - Additional Boat Launching Fee Registered to the Same Address</u>	<u>\$5.00</u>
Resident Commercial Fisherman Seasonal Boat Launch Pass	Free
Non-Resident – Daily Boat Launching Fee (amended 05/05/04)	\$20.00
Non-Resident – Seasonal Boat Launching Fee	\$50.00
<u>Chapter 1007 - C.A.T.V. (Cable T.V.) Operators Fees</u>	
	<u>Fee</u>
Franchise Filing Fee (Amended 05/04/2011)	\$1,000.00
<u>Chapter 1008 - Special Amusement Operator License Fees</u>	
	<u>Fee</u>
Annual License Fee	\$110.00
<u>Chapter 1009 – Coin Operated Game License Fees</u>	
	<u>Fee</u>
Annual License Fee - Per Machine (B-2 Zone)	\$110.00
Annual Video Arcade License Campgrounds (R-F Zone) Maximum of 25 machines (amended 05/03/06)	\$1,500.00
<u>Chapter 1010 - Massage Establishment Annual License Fees</u>	
	<u>Fee</u>
Massage Establishment	\$55.00
Combined Massage Establishment/Massage Therapist	\$35.00
Massage Therapist	\$30.00
<u>Chapter 1011 - Para-Massage Establishment Annual License Fees</u>	
	<u>Fee</u>
Para-Massage Establishment License	\$55.00
Para-Massager License	\$30.00
Combined Para-Massager Est./Para-Massager License	\$35.00
<u>Chapter 1012 - Adult Business - Viewing Booth Annual License Fees</u>	
	<u>Fee</u>
Annual License For Each Viewing Booth	\$110.00

Chapter 1013 - Ice Cream Trucks (06/18/97)	Fee
Application Fee	\$110.00
Each Additional Truck	\$30.00

Chapter 1017 – Pawnbroker Fees/Secondhand Dealer Fees (02/17/2010)	Fee
Application Fee	\$100.00
SBI Check	\$25.00

Chapter 1201 - Cemetery Fees	Fee
Sale Of Lots -	
Scarborough Memorial Cemetery Per Grave (amended 05/05/04)	\$400.00
Scarborough Memorial Cemetery – Section D, Lots for Cremations Only (adopted 02/16/2011)	\$220.00
Grave Opening Charges	
Regular Burial (amended 05/05/04 – 05/04/2011)	\$450.00
Cremations/Other (Weekends) (amended 05/05/04 – 05/04/2011)	\$125.00

Chapter 1401 – Coastal Water and Harbor Fees [amended 02-20-13]	Fee
Annual Mooring Fee	
Resident And/Or Taxpayer (amended 05/05/04)	\$50.00
Non-Resident (amended 05/05/04)	\$100.00
Annual Pier Maintenance Fee	
Commercial User	\$100.00
Non-Commercial User	\$50.00

Assessing Office Charges	Fee
Printouts	
Name/Location/Map & Lot	\$25.00
Name/Address/Location/Map & Lot	\$50.00
Name/Location/Map & Lot/Assessment	\$75.00
Name/Address/Location/Map/Lot/Assess	\$75.00
Name/Address/Location/Map/Lot/Assess/Ref.	\$100.00
Valuation Report – Printout per page	\$2.00
Mailing Labels - Each	\$.05
Copy of Property Card	\$2.00
Large Map	\$5.00
Reduced Map	\$2.50
Reduced Set of Maps	\$200.00

Fire Department Fees	Fee
Fire Department Construction Permit & Plans Review Fees	
A Fire Department construction permit is required for any new construction, or remodeling of existing commercial space, or erection of any temporary structures for commercial purposes. The permit allows us to review important information concerning life safety issues, the buildings alarm & suppression systems, utility connections, heating system information, water supply, hazardous materials, fire lanes, and a variety of other items prior to the start of construction. (amended 11/05/03)	
Minimum Construction Permit Fee	\$25.00 \$35.00
Construction permit fees for all commercial buildings shall be	\$0.10 per sq. ft.

Commercial structures include any building that is non-residential, or any residential complex that has three or more living units.	
Construction permit fees cover the following services:	
Initial conference and fact finding discussion	
Concept plans review for compliance with local ordinances	
Site Plan review	
Construction plans review	
Follow-up meetings with contractors, architects, and building owners	
Structural building inspections as necessary during construction	
One (1) comprehensive alarm system and fire suppression system test to be scheduled after coordination of reporting information with the Fire Department, and after all components have been installed to the applicable codes and pre-tested through to the monitoring company.	
One (1) final Certificate of Occupancy inspection to be scheduled when all Federal State and Local codes have been met and the building is ready for occupancy.	
Additional Fire Dept. Construction Permits & Plans Review Fees	
Re-inspection of alarm & fire suppression system testing required due to improper pre-testing, installation, or lack of coordination with the Fire Department concerning appropriate reporting requirements. (amended 05/05/04) (amended 05/06/09)	\$100.00 first occurrence and \$200.00 for second and any subsequent occurrence
Re-inspection fee for Certificate of Occupancy (amended 05/05/04) (amended 05/06/09)	\$100.00 first occurrence and \$200.00 for second and any subsequent occurrence
Commercial Fire Alarm Plan Review & Permit Fees (adopted 05/06/09)	\$100.00
<u>Minimum Permit Fee</u>	\$35.00
<u>New Fire Alarm Control Panel</u>	\$100.00
<u>Replacement of Fire Alarm Panel with Existing Devices</u>	\$100.00
<u>New Initiation or Notification Devices</u>	\$50.00
Commercial Sprinkler System Plan Review & Permit Fees (adopted 05/06/09)	\$100.00
<u>Minimum Permit Fee</u>	\$35.00
<u>New Sprinkler Heads</u>	\$1.00/Head
<u>Relocation of Sprinkler Heads</u>	\$0.50/Head
<u>Fire Pump Installations</u>	\$100.00 Each
<u>Fuel Canopy Installations</u>	\$100.00 Each
<u>Kitchen Suppression System Installations</u>	\$100.00 Each
Blasting Permit Fee (adopted 05/06/09)	\$50.00
<u>Fire Department Fees</u>	<u>Fee Per Hour</u>
Aerial / Ladder Truck	\$150.00
Pumper Truck	\$125.00
Squad Truck	\$125.00
Command Van	\$100.00
Rescue Unit	\$100.00
Tank Truck 4 x 4/Marine Rescue Boat (amended 05/07/2014)	\$75.00
Utility Truck/Chief or Duty Officers SUV (amended 05/07/2014)	\$50.00

All-Terrain Vehicles (amended 05/07/2014)	\$25.00
Personnel Labor [amended 05/01/2013]	\$45.00
<u>Fire Department Rescue Charges</u>	<u>Fee</u>
Base Rescue Charges:	
Based on bundled rate plan adopted May 1, 2013, these rates shall automatically adjust when and by the same % as those established and approved by the Centers for Medicare & Medicaid Services (CMS).	
Basic Life Support Non-Emergency (adopted 05/01/2013) (amended 05/07/2014)(05/20/15)	\$533.91 \$531.77
Basic Life Support Emergency (adopted 05/01/2013)(amended 05/07/2014) (05/20/15)	\$533.91 \$531.77
Advance Life Support Level 1 Emergency (adopted 05/01/2013) (amended 05/07/2014) (05/20/15)	\$823.68 \$820.39
Advance Life Support Level 2 Emergency (adopted 05/01/2013) (amended 05/07/2014) (05/20/15)	\$1,168.67 \$1,164.00
Additional Rescue Charges:	
Mileage (adopted 05/07/2014) (05/20/15)	\$9.04 \$9.00
No Transport (amended 05/05/04)(amended 05/06/09)(amended 01/18/12)	\$125.00
Paramedic Intercept Fee (05/21/2008)	\$300.00
Fees are set by State Statutes – pursuant to Title 22, Health and Welfare, subtitle 2, §1711, pertaining to <i>Fees charges</i> , and as amended from time to time. (adopted 05/07/2014)	

<u>Chapter 1015 -Food Handlers Registration Fee</u> <u>(adopted 05/03/06)(amended 05/21/08)(amended 05/05/2010)</u>	
Food handlers Registration Fee – Year Round Business	\$220.00
Seasonal, catering and in-home food handlers [Seasonal - 6 months or less]	\$110.00

<u>Chapter 1016 - Garage/Yard Sale (adopted 03/07/2007)</u>	<u>Fee</u>
Garage/Yard Sale Permit	\$5.00 per sale

<u>Horse Beach Permit (per rider) (adopted 10/02/02)</u>	<u>Fee</u>
All Permits (amended 05/06/09; amended 09/16/09)	\$20.00

<u>Interest Penalties (adopted 05/02/2007)</u>	<u>Penalty</u>
Interest on fees, charges or payments owed to the Town which are more than 30-days past due	1.5% per month

<u>Miscellaneous Fees (adopted 05/03/05) (amended 02/15/06)</u>	<u>Fee</u>
Marriage Ceremonies Performed (amended 02/15/06)	\$50.00
Miscellaneous Administrative Fees – Town Clerk’s Office (amended 05/06/09)	\$15.00
Replacement Fee for all Applications and Licenses/Permits (adopted 05/04/2011)	\$5.00
Genealogy / Research – \$3.00 per name, whether or not a record is found, this includes a photocopy. For an attested copy, the fee is as set by the State of Maine Office of Vital Records.	
Dog License Late Fee – Upon receipt of the rabies certificate(s) from the State of Maine the Town Clerk’s Office will notify owner(s) they need to	\$25.00 per dog

register their dog(s) within 10-days. If a resident fails to license their dog(s) within 10-days of notification from the Town Clerk's Office a late fee will be charged for each dog. (05/21/2008) (amended 05/07/2014)	
Non-sufficient Funds (adopted 05/07/2014)	\$30.00

<u>Notary Fee (amended 3/6/96; 05/05/04; 05/21/2008)</u>	<u>Fee</u>
First 3-pages	\$10.00
Any Documents more than 3-pages	15.00
<u>Photocopies</u>	<u>Fee</u>
Single Sheets - Their Original	
8 ½ x 11 Regular, each copy	\$0.25
8 ½ x 14 Legal, each copy	\$1.00
11 x 17 Ledger, each copy	\$1.50
<u>Photocopies (amended 3/6/96)</u>	<u>Fee</u>
Single Sheets - Our Document	
8 ½ x 11 or 14 or 17, first page	\$2.00
Each Additional Page	\$0.50
Maps, each copy	\$5.00
Meeting DVD [Copying]	\$25.00
Electronic Responses to Requests (adopted 05/07/2014)	\$15.00 per hour [or any part thereof]

<u>Police Department Charges</u>	<u>Fee</u>
Special Police Charge, Per Hour (amended 05/05/04; 05/02/07; 05/21/2008; 05/04/2011)	\$43.90
Police Cruiser Charge (adopted 05/07/2014)	\$46.35 per every four hours
Notice of minimum charge if event is canceled without proper notice	
Police Reports	
First Page (amended 05/05/04)	\$12.00
Each Additional Page (amended 05/05/04)	\$1.50
Fingerprinting	
For Civilians' Personal Use (not criminal), each set	\$3.00
Copy Of Video Tape	
Blank Tape Provided (amended 05/05/04)	\$12.00
No Tape Provided (amended 05/05/04)	\$15.00

<u>Public Works Department Charges</u>	<u>Fee</u>
Fee for Building Coordination Form (05/05/04)	\$25.00

<u>Voter Registration Fees (amended 09/06/2006)</u>	<u>Fee</u>
Fees are as set by the Secretary of State's Office pursuant to Title 21-A, Section 2, §4, <i>Fees</i> , and as amended from time to time.	

<u>Vehicle Registration Fee</u>	<u>Fee</u>
Fees are set by the Secretary of State's Office, Department of Motor Vehicles pursuant to Title 29-A, Subchapter 2 §, <i>Fees</i> , and as amended from time to time. [amended 05/02/2012]	

Vote: 7 Yeas.

Order No. 16-025. Act on the request from the Vacationland Dog Club, Inc. and York County Kennel Club, for a Mass Gathering Permit for the AKC sanctioned dog show, the Southern Maine Coastal Classic, located at Wassamki Springs Campground scheduled for Thursday, May 19, 2016 through Sunday, May 22, 2016. Motion by Councilor Caterina, seconded by Councilor Babine, to move approval on the request from the Vacationland Dog Club, Inc. and York County Kennel Club, for a Mass Gathering Permit for the AKC sanctioned dog show, the Southern Maine Coastal Classic, located at Wassamki Springs Campground scheduled for Thursday, May 19, 2016 through Sunday, May 22, 2016.

Vote: 7 Yeas.

Order No. 16-026. Act to authorize the Town Manager to enter into an Interlocal Agreement with Cape Elizabeth for shared Harbormaster Services. Thomas J. Hall, Town Manager, gave a brief overview on this item and responded to questions from the Town Council.

Motion by Councilor Babine, seconded by Councilor Caterina, to move approval to authorize the Town Manager to enter into an Interlocal Agreement with Cape Elizabeth for shared Harbormaster Services.

Vote: 7 Yeas.

Item 8. Non Action Items. None at this time.

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

- Councilor Rowan gave a brief overview on the Housing Alliance, the SEDCO Board and the Historical Implementation Preservation Committee.
- Councilor Caterina gave a brief overview on the Long Range Planning Committee, the Communication – FB and the Community Calendar.
- Councilor St. Clair noted that the Appointments Committee had met prior to the Town Council Workshop and would like to post the name of Kimberly Fowler to the Housing Alliance Committee.
- Councilor Hayes gave an update on the Eastern Trail Fund Raising efforts.
- Councilor Caiazzo gave an update on the School Board – noting that Scarborough and Cape Elizabeth share the Food Service Director.
- Chairman Donovan gave an update on the Energy Committee.

Item 10. Town Manager Report. Thomas J. Hall, Town Manager, gave the following updates:

- The education piece on recycling has been in progress; the stickers for the containers would be distributed soon
- The Plovers are back on all three beaches.
- The Gateway Signage [entrance into Scarborough] will be in place soon. The service clubs who would like to be listed on these signs will be.
- The sale of the Higgins Beach Inn did not go through; therefore, the agreements that the Town Council had approved at the last meeting are now moot.
- The Police and Fire Annual Ceremony would be on Friday, April 29th at 5:30 p.m. at the High School.
- The Annual Chamber Dinner would be on Tuesday, May 10th at the new Bellavita Facility, located on the Black Point Road

Item 11. Council Member Comments.

- Councilor Caiazzo noted that the Backyard Composting Workshop would be held on Monday, April 11th here at Town Hall in Chambers. He then went on to comment on the current budget process and appreciated the efforts from all Departments.
- Councilor Babine welcomed Councilor St. Clair back. He would like to have an update on the Parking at Higgins Beach. He then gave a list of dates for upcoming Budget Meetings.
- Councilor Rowan welcomed Councilor St. Clair back. He thanked the School Board members for being present this evening. He noted that St. Max would be starting a Community Garden – those interested should contact St. Max. He had attended the presentation on the Pine Point area and found it to be very interesting. There would be a Scarborough Compassion Dialogue on Tuesday, April 26th at 7:00 p.m. here at Town Hall.
- Councilor Caterina also welcomed back Councilor St. Clair. She then thanked the School Board for their presentation on the budget and went on to comment further about both the Town and the School Budgets. She appreciated how the process has been this year and thanked everyone involved.
- Councilor St. Clair commented on how people need to pay more attention to school buses and when they are stopped to pick up kids. She witnessed two incidents this morning where people ignored the red flashing lights and kept on going, not stopping. Please pay more attention before something serious happens.
- Chairman Donovan welcomed Councilor St. Clair back. He noted that he and Karen Martin, President of SEDCO had attended a conference on Complete Streets – it was very interesting. He had been part of the Superintendent’s search and thanked the Board for have a Town Council Representative on the panel. He had also attended a conference on Drone Laws. He noted that the Community Calendar is for non-profit and municipal use – this is very informative.

Item 12. Adjournment. Motion by Councilor Rowan, seconded by Councilor Caterina, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 7 Yeas.

Meeting adjourned at 9:19 p.m.

Respectfully submitted:

Yolande P. Justice
Town Clerk