

**MINUTES  
SCARBOROUGH TOWN COUNCIL  
WEDNESDAY – SEPTEMBER 21, 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 7:00 p.m.

Prior to saying the Pledge of Allegiance, Chairman Donovan asked the while saying the Pledge of Allegiance that everyone remember September 11<sup>th</sup> in honoring those whose lives were taken.

**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. The following Town Councilors were 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.** None at this time.

**Item 5. Minutes: September 7, 2016 – Regular Meeting.** Motion by Councilor Babine, seconded by Councilor St. Clair, to move approval of the minutes of the September 7, 2016, regular Town Council meeting.

Vote: 7 Yeas.

**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. 16-56, 7:00 p.m. Public hearing and second reading on the proposed new ordinance, Chapter 615 – the Town of Scarborough Blasting Ordinance.** *[Ordinance Committee]* Thomas J. Hall, Town Manager, gave a brief overview on this Order. Chairman Donovan opened the public hearing. As there were no comments either for or against the hearing was closed at 7:04 p.m.

Motion by Councilor Babine, seconded by Councilor Caterina, to move approval of the second reading on the proposed new ordinance, Chapter 615 – the Town of Scarborough Blasting Ordinance, as follows:

**CHAPTER 615  
TOWN OF SCARBOROUGH  
BLASTING ORDINANCE**

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following amendment to the Zoning Ordinance of the Town of Scarborough, Maine, be and hereby are adopted:

## **SECTION I Purpose**

This ordinance recognizes the need for regulation of blasting within the Town of Scarborough to assure the safety of the blasting company employees, property owners, abutters, citizens, and visitors of the Town of Scarborough.

## **SECTION II Regulations & Codes**

Blasting and transportation of explosives are regulated through laws, codes and standards including:

- a) NFPA 495 Explosive Materials Code
- b) Title 49 CFR, Federal Regulation for Transport
- c) Title 27 CFR, Part 181 Commerce in Explosives
- d) Title 25 Chapter 318 Explosives and Flammable liquids §2471
- e) Title 38, MRS § 490-Z (14)(H), Performance standard for quarries

## **SECTION III Permit Required**

No person shall possess, store, arrange, or conduct blasting operations within the Town of Scarborough without holding a valid Blasting Permit issued by the Scarborough Fire Department.

## **SECTION IV Permit Application Procedure**

Application for a Blasting Permit and request for an on-site inspection shall be made to the Scarborough Fire Department by the responsible party at least five (5) days prior to the blasting date as outlined below:

- a) Prior to applying for a Scarborough Fire Department Blasting Permit the applicant must have a valid State of Maine Explosives User Permit issued by the State Fire Marshal's office.
- b) At time of application the applicant must provide:
  - i. A valid certificate of liability insurance with a policy limit of not less than \$2,000,000 which includes a statement clearly indicating that blasting and use of explosives is covered under the policy.
  - ii. A scaled map denoting the general blasting location(s) and identifying all structures located within 500 feet of the blast area.
  - iii. A list of all properties within the 500 foot pre-blast survey and notification range including the address, owner's name, and a phone number.
  - iv. The proper fee as outlined in the current Town of Scarborough Schedule of License, Permit, and Application Fees.

## **SECTION V Notifications**

All property owners within 500 feet must be notified either by phone, in person, or in writing, of the dates, approximate times, and estimated number of blasts that will occur.

- i. Notification of property owners within 500 feet must be made no more than four (4) days prior to the blasting date.
- ii. A letter certifying that pre-blast surveys were offered to be conducted at each structure on a property located within 500 feet of the detonation point, and that oral and/or written notification has been made to all abutters within 500 feet must be sent to the Scarborough Fire Department prior to the issuance of the permit.
- iii. The applicant shall notify the Scarborough Public Safety Communications Center via phone (207-883-6361) before the first blast and after the last blast each day.
- iv. The applicant shall also sound the required warning horn prior to each blast as outlined in NFPA 495 Explosive Materials Code.

## **SECTION VI Hours of Detonation**

Blasting must occur during daylight hours and no earlier than 8:00 AM or later than 6:00 PM. No blasting is allowed on Saturdays, Sundays and town observed holidays. Production blasting may not occur more frequently than ten (10) times per day. There is no daily limit for micro or cushion blasts.

## **SECTION VII Other Requirements**

- a) A calibrated seismograph must be on-site and operating during all blasts. All data obtained from those measurements must be made available upon request by the Town of Scarborough. Seismograph data must be maintained for no less than six (6) years.

## **SECTION VIII Violation and Enforcement**

- a) **PENALTY FOR VIOLATION:** Any person who violates the provisions of this Ordinance shall commit a civil violation punishable by a penalty of not less than One Hundred (\$100.00) Dollars per day or more than Two Thousand Five Hundred (\$2,500.00) per day as per Title 30-A M.R.S.A, Section 4452. Each day such violation occurs or continues to occur shall constitute a separate violation.
- b) **PENALTY FOR WILLFUL VIOLATION:** Any person who violates the provisions of this ordinance after having been informed by any officer, employee, or agent of the Town of Scarborough has conducted a willful violation of this ordinance and shall be fined the maximum daily amount of Two Thousand Five Hundred (\$2,500.00) Dollars.
- c) **ENFORCEMENT.** This Ordinance shall be enforced by the Town of Scarborough Police Department.
- d) **INJUNCTION:** In addition to any other remedies available at law or equity, the Town of Scarborough, acting through its Town Manager, may apply to any court of competent jurisdiction to enjoin any planned, anticipated or threatened violation of this Ordinance.

## **SECTION IX Severability**

In the event that any section, subsection or portion of this Ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance.



**SCARBOROUGH FIRE DEPARTMENT**  
 246 U. S. Route One  
 Scarborough, ME 04074  
 Tel. (207) 883-4542      FAX: (207) 730-4270



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**APPLICATION FOR BLASTING PERMIT**

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**APPLICANT MUST FILL OUT ALL REQUIRED INFORMATION BELOW**

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NAME OF APPLICANT: \_\_\_\_\_ TEL: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY/TOWN: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

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**BLASTING SITE INFORMATON**

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NAME OF PROJECT/OWNER: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

SPECIFIC LOCATION: \_\_\_\_\_

CONTACT PERSON WHO KNOWS WHERE THE FIRING POINT WILL BE: \_\_\_\_\_

TELEPHONE NUMBERS: \_\_\_\_\_

THE APPLICATION SHALL BE ACCOMPANIED BY AN ACCURATE AND DETAILED SITE DIAGRAM.

**Including:**

1. COPY OF TAX MAP WITH LOTS IDENTIFIED
2. MAP INDICATING STRUCTURE LOCATIONS IN REFERENCE TO BLAST LOCATION
3. COPY OF LIABILITY INSURANCE WITH 2,000,000 MINIMUM COVERAGE
4. PRE-BLAST SURVEY INCLUDING ALL ABUTTERS AND RESIDENCES WITHIN A 500 FOOT RADIUS.

BY SIGNING THE APPLICANT ATTESTS ALL BLASTING WILL BE CARRIED OUT IN ACCORDANCE WITH NFPA 495 EXPLOSIVE MATERIALS CODE AND ALL OTHER APPLICABLE STANDARDS AND LAWS. THE APPLICANT IS RESPONSIBLE FOR ANY BLASTING RELATED DAMAGES THAT MIGHT OCCUR AS A RESULT OF BLASTING ACTIVITIES UNDERTAKEN. THIS PERMIT IS REVOCABLE AT ANY TIME IF IT IS FOUND THAT BLASTING IS BEING CONDUCTED IN VIOLATION OF APPLICABLE LAWS, RULES, AND STANDARDS OR IN A MANNER UNSAFE OR UNSUITABLE AS DETERMINED BY THE FIRE CHIEF OR HIS DESIGNEE. THE APPLICANTS SIGNATURE ON THIS FORM CONSTITUTES AN UNDERSTANDING AND ACCEPTANCE OF THESE TERMS.

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PRINTED NAME OF APPLICANT: \_\_\_\_\_ (SIGNATURE AND TITLE OF APPLICANT)

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**BLASTING INFORMATION**

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NAME OF LICENSED TECHNICIAN: _____ CITY/TOWN: _____ STATE: _____ TELEPHONE: _____ DATE OF BLAST: _____ TIME OF BLAST: _____ <input type="checkbox"/> ABUTTERS & UTILITIES NOTIFIED ESTIMATED NUMBER OF BLASTS: _____ EST. CUBIC YARDS TO BE REMOVED: _____	<input type="checkbox"/> STATE FIRE MARSHAL'S PERMIT FOR EXPLOSIVES USER RECEIVED NOTES: _____
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**↓ SCARBOROUGH FIRE DEPARTMENT USE ONLY ↓**

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APPLICATION REC'D:	INSPECTED:	PERMIT FEE PAID:	PERMIT ISSUED:	NOTES:
DATE:	DATE:	DATE:	DATE:	
BY:	BY:	AMOUNT:	BY:	

Vote: 7 Yeas.

**Order No. 16-57, 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 Department] Thomas J. Hall, Town Manager, gave a brief overview on this Order. Chairman Donovan opened the public hearing. As there were no comments either for or against the hearing was closed at 7:06 p.m.

Motion by Councilor St. Clair, seconded by Councilor Hayes, to 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), as follows:

**Appendix A**

Effective: 10/01/16-09/30/17

**GA Overall Maximums**

**Metropolitan Areas**

**Persons in Household**

<b>COUNTY</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5*</b>
<b>Bangor HMFA:</b> Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	703	777	981	1,227	1,437
<b>Penobscot County HMFA:</b> 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	596	673	836	1,082	1,254
<b>Lewiston/Auburn MSA:</b> Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	575	678	855	1,086	1,241
<b>Portland HMFA:</b> 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	838	975	1,220	1,638	1,717
<b>York/Kittery/S.Berwick HMFA:</b> Berwick, Eliot, Kittery, South Berwick, York	967	1,011	1,316	1,693	2,070
<b>Cumberland County HMFA:</b> Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	750	796	1,058	1,542	1,759

COUNTY	1	2	3	4	5*
<b>Sagadahoc HMFA:</b> Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	769	851	986	1,302	1,581
<b>York County HMFA:</b> Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	734	860	1,065	1,439	1,460

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

### Non-Metropolitan Areas

#### Persons in Household

COUNTY	1	2	3	4	5*
<b>Aroostook County</b>	609	624	750	948	1,037
<b>Franklin County</b>	636	662	783	973	1,383
<b>Hancock County</b>	653	737	936	1,231	1,277
<b>Kennebec County</b>	612	663	846	1,075	1,141
<b>Knox County</b>	743	745	916	1,172	1,299
<b>Lincoln County</b>	672	743	935	1,163	1,379
<b>Oxford County</b>	572	621	761	1,040	1,325
<b>Piscataquis County</b>	583	663	817	1,035	1,106
<b>Somerset County</b>	665	694	824	1,119	1,122
<b>Waldo County</b>	655	741	876	1,191	1,266
<b>Washington County</b>	584	633	752	957	1,159

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

**Appendix B**

Effective: 10/01/16 to 09/30/17

**Food Maximums**

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan.

Number in Household	Weekly Maximum	Monthly Maximum
1	45.20	194.36
2	89.60	385.28
3	119.80	515.14
4	151.00	649.30
5	194.90	838.07
6	233.90	1,005.77
7	257.20	1,105.96
8	283.00	1,216.90

**Note: For each additional person add \$149 per month.**

**Appendix C**

Effective: 10/01/16 to 09/30/17

**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**

Aroostook County Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	111	476	129	556
1	111	476	131	565
2	130	558	159	682
3	167	718	202	870
4	177	762	220	947

<b><u>Franklin County</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	117	503	136	583
1	117	503	140	603
2	137	591	166	715
3	173	743	208	895
4	258	1,108	301	1,293
<b><u>Hancock County</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	114	489	137	590
1	126	543	155	667
2	163	699	198	853
3	220	948	264	1,136
4	220	948	271	1,166
<b><u>Kennebec County</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	104	448	128	549
1	109	469	138	593
2	142	609	177	763
3	184	792	228	980
4	186	801	240	1,030

**Non-Metropolitan FMR Areas**

<b><u>Knox County</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	135	579	158	680
1	135	579	158	680
2	158	679	194	833
3	207	889	250	1,077
4	223	959	276	1,188
<b><u>Lincoln County</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	119	513	142	609
1	128	549	157	673
2	162	698	198	852
3	205	880	248	1,068
4	242	1,039	295	1,268
<b><u>Oxford County</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	95	408	118	509
1	101	427	128	551
2	122	524	158	678



3	176	757	220	945
4	229	985	282	1,214
<b><u>Piscataquis County</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b><u>Weekly</u></b>	<b><u>Monthly</u></b>	<b><u>Weekly</u></b>	<b><u>Monthly</u></b>
0	104	447	123	530
1	116	500	140	604
2	144	621	174	749
3	186	798	222	956
4	192	824	236	1,016
<b><u>Somerset County</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b><u>Weekly</u></b>	<b><u>Monthly</u></b>	<b><u>Weekly</u></b>	<b><u>Monthly</u></b>
0	120	517	141	606
1	121	519	147	631
2	143	615	175	753
3	202	869	241	1,038
4	202	869	241	1,038

### **Non-Metropolitan FMR Areas**

<b><u>Waldo County</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b><u>Weekly</u></b>	<b><u>Monthly</u></b>	<b><u>Weekly</u></b>	<b><u>Monthly</u></b>
0	116	497	138	592
1	127	547	156	671
2	149	639	184	793
3	211	908	255	1,096
4	215	926	269	1,155
<b><u>Washington County</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b><u>Weekly</u></b>	<b><u>Monthly</u></b>	<b><u>Weekly</u></b>	<b><u>Monthly</u></b>
0	98	420	121	521
1	102	439	131	563
2	120	515	156	669
3	157	674	200	862
4	191	819	244	1,048

### **Metropolitan FMR Areas**

<b><u>Bangor HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b><u>Weekly</u></b>	<b><u>Monthly</u></b>	<b><u>Weekly</u></b>	<b><u>Monthly</u></b>
0	125	539	149	640
1	135	583	164	707
2	173	744	209	898

3	219	944	263	1,132
4	255	1,097	308	1,326
<b><u>Penobscot Cty. HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	101	432	124	533
1	111	479	140	603
2	139	599	175	753
3	186	799	230	987
4	213	914	266	1,143
<b><u>Lewiston/Auburn MSA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	96	411	119	512
1	112	484	141	608
2	144	618	180	772
3	187	803	230	991
4	210	901	263	1,130

**Metropolitan FMR Areas**

<b><u>Portland HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	157	674	180	775
1	182	781	210	905
2	229	983	264	1,137
3	315	1,355	359	1,543
4	320	1,377	373	1,606
<b><u>York/Kittery/S. Berwick HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	187	803	210	904
1	190	817	219	941
2	251	1,079	287	1,233
3	328	1,410	372	1,598
4	402	1,730	456	1,959
<b><u>Cumberland Cty. HMFA</u></b>				
	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
Bedrooms	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	136	586	160	687
1	140	602	169	726
2	191	821	227	975
3	293	1,259	337	1,447
4	330	1,419	383	1,648

<u>Sagadahoc Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	141	605	164	706
1	153	657	182	781
2	174	749	210	903
3	237	1,019	281	1,207
4	289	1,241	342	1,470
<u>York Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	133	570	156	671
1	155	666	184	790
2	193	828	228	982
3	269	1,156	313	1,344
4	269	1,156	314	1,349

### GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from **October 1, 2016 to September 30, 2017.**

#### APPENDIX A - OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
<b>NOTE:</b> For each additional person add \$75 per month.						
<b>(The applicable figures from Appendix A, <i>once adopted</i>, should be inserted here.)</b>						

#### APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	45.20	194.36
2	89.60	385.28
3	119.80	515.14
4	151.00	649.30
5	194.90	838.07
6	233.90	1,005.77
7	257.20	1,105.93
8	283.00	1,216.90
<b>NOTE:</b> For each additional person add \$149 per month.		

**APPENDIX C - HOUSING MAXIMUMS**

Number of Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				

(The applicable figures from Appendix C, *once adopted*, should be inserted here.)

**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:

Number in Household	Weekly	Monthly
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.70	\$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:

Number in Household	Weekly	Monthly
1	\$20.08	\$86.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
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**

<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

Vote: 7 Yeas.

**Order No. 16-60. 7:00 p.m. Public hearing and action on the renewal requests for Junkyard Permits, pursuant to Title 30-A – M.R.S.A. Chapter 183: Goldstein Steel Company Inc., located at 36 Running Hill Road; A. Gagnon or E. Perry Iron & Metal, located at Rigby Road; Scarborough Auto Parts, located at 40 Holmes Road and Speedway Auto, located at 343 Payne Road. [Town Clerk] Thomas J. Hall, Town Manager, gave a brief overview on this Order. Chairman Donovan opened the public hearing. As there were no comments either for or against, the hearing was closed at 7:08 p.m.**

Motion by Councilor St. Clair, seconded by Councilor Caterina, to move approval on the renewal requests for Junkyard Permits, pursuant to Title 30-A – M.R.S.A. Chapter 183: Goldstein Steel Company Inc., located at 36 Running Hill Road; A. Gagnon or E. Perry Iron & Metal, located at Rigby Road; Scarborough Auto Parts, located at 40 Holmes Road and Speedway Auto, located at 343 Payne Road.

Vote: 7 Yeas.

**OLD BUSINESS:** None at this time.

**NEW BUSINESS:**

**Order No. 16-61. First reading and schedule a public hearing and second reading on the proposed amendments to Chapter 1002, the Town of Scarborough Shellfish Ordinance, section 5. Licensing - D. Conservation Activities. [Shellfish Conservation Commission] Councilor Hayes, Liaison to the Conservation Commission, gave an overview on this Order.**

Motion by Councilor St. Clair, seconded by Councilor Hayes, to move approval of the first reading on the proposed amendments to Chapter 1002, the Town of Scarborough Shellfish Ordinance, section 5. Licensing - D. Conservation Activities and schedule a public hearing and second reading for Wednesday, October 5, 2016, as follows:

**5. Licensing – Municipal Shellfish Digging is required.**

**D. Conservation Activities:** [Adopted 06-03-15]

The Town encourages all shellfish diggers to protect and enhance the resource by participating in conservation activities such as seeding clam beds, participating in shellfish surveys, and participating in other approved resource management activities. All Commercial License holders 18 years of age or older may be required to participate in shellfish seeding as deemed necessary by the Shellfish Conservation Committee. Seeding or other approved conservation activities also may be undertaken on a volunteer basis. Commercial License Holders who complete the specified number of hours of conservation activities which may include required shellfish seeding hours and volunteer hours for a total of twelve (12), will be eligible for priority license renewal pursuant to Section 5.E.4.(a) of this Ordinance.

The Shellfish Conservation Committee will approve all accepted conservation activities by a majority vote. The names and number of hours completed on an accepted conservation activity will be recorded in writing by the Shellfish Conservation Officer and submitted to the Shellfish Committee on a monthly basis for their records.

It shall be the sole responsibility of the Commercial License holder to contact the Shellfish Committee Members or the Shellfish Officer to determine the conservation available to participate in. The Shellfish Committee Chair, with consent of the majority membership of the Committee, may designate special conservation work during any period of State closure of the

Town of Scarborough shellfish beds. The Chair may poll the Committee by telephone, email, fax or in person for the purposes of this section. Each Commercial License holder is encouraged to contribute at least half of their voluntary conservation activity in the form of low tide work. All crab trapping is considered low tide work. The conservation year will run from May 1<sup>st</sup> to November 30<sup>th</sup>. School conservation activities have a deadline of December 31<sup>st</sup> and are limited to a maximum of three (3) hours per project and six (6) hours total allowed.

The Shellfish Conservation Committee may waive all or part of the requirement for shellfish seeding for an applicant who provides the Committee with a written statement from a physician indicating that the applicant was not able to participate in any regularly scheduled shellfish seeding do to incapacitation by illness or injury. The Committee may also allow the following alternative conservation work, on an hour for hour basis, upon the request of an applicant made at a regular monthly meeting of the Committee. Such alternative work may be used to meet the shellfish seeding requirement or may be used to qualify as additional volunteer conservation activity:

- i. Another time to complete conservation time for an applicant who demonstrates to the Committee that the illness or incapacitation of a parent, spouse or child prevented that person from participating in regularly scheduled conservation time; or,
- ii. Alternate, less strenuous work for an applicant who provides the Committee with a written statement from a physician indicating that the applicant is not physically able to participate in regular conservation work.
- iii. At the discretion of the Project Leader, any scheduled conservation project may be canceled and/or terminated due to severe weather or safety concerns for those involved. Any participate present or arriving within ten minutes at the designated meeting area and start time must still sign in and sign out. These participants will receive the allotted hours of conservation time for that particular project regardless of performing the activity.

Vote: 7 Yeas.

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

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

- Councilor Caiazzo gave updates on the following: the Energy Committee and the Board of Education.
- Councilor Hayes gave updates on the following: the Rules and Policies Committee, the Senior Advisory Committee, the Coastal Harbor Committee and the Shellfish Conservation Commission.
- Councilor St. Clair gave updates on the following: the Appointments Committee and the Pest Management Committee.
- Councilor Babine gave updates on the following: the Finance Committee, the Library Trustees, the Maine Municipal Association Legislative Policy Committee and the Cumberland County Commissioners.
- Councilor Rowan gave updates on the following: the Scarborough Housing Alliance and the SEDCO Board.
- Councilor Caterina gave updates on the following: the Long Range Planning Committee, the Ordinance Committee and the Conservation Commission.

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

- Addressed the Martin's Point item noting that the applicant withdrew its application and would be submit an application on their own.
- The new Assistant Town Manager, Larissa Crockett, would be starting on Monday, October 3<sup>rd</sup> and would be attending the October 5<sup>th</sup> Town Council meeting.
- Sustainability Coordinator process has been started and there are three finalist that have been scheduled for a second interviewed for next week.
- We have been busy with the Eastern Trail Fundraising effort and had a great meeting with Town and Country Credit Union – they would be planning a fundraising event in the very near future.
- He would be heading to Kansas City for the National Manager's Meeting and would be back in the office on Tuesday.

**Item 11. Council Member Comments.**

- Councilor Babine noted that there are 94 days until Christmas.
- Councilor Rowan noted that he would not be in attendance at the October 5<sup>th</sup> meeting.
- Councilor Caterina wished Councilor Babine a very happy birthday.
- Councilor Caiazzo noted that the Scarborough Education Foundation 5th Annual Fundraiser would be coming up and that Foundation would be hosting a fundraiser night at the Portland Pie Company on Wednesday, October 5<sup>th</sup>.
- Councilor Hayes mentioned the upcoming elections. He encourage voters to please read both sides of the issues that are on ballot before casting a vote.
- Councilor St. Clair noted that on Saturday, October 8<sup>th</sup> the Team Kyle 5K would be held. Those interested can register on the day of the run at the First Congregational Church oat 161 Black point Road. She too, encourage voters to get out and vote....there are many issues on the ballot.
- Chairman Donovan stated there are very important issue on the ballot and one is the marijuana question. The Town is reviewing what action the Council might have to make it this passes. Early voting will take over the month of the October and the next Town Council meeting will be held at the Wentworth School on October 5<sup>th</sup>. An hour prior to the meeting there will be tours given by students.

**Item 12. Adjournment.** Motion by Councilor Babine, seconded by Councilor St. Clair, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 7 Yeas.

Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Yolande P. Justice  
Town Clerk