

**MINUTES  
SCARBOROUGH TOWN COUNCIL  
WEDNESDAY - NOVEMBER 6, 2024  
HYBRID REGULAR MEETING - 6:00 P.M.**

**Item 1. Call to Order.** Chairman McGee called the regular meeting of the Scarborough Town Council to order at 7:06 p.m.

**Item 2. Pledge of Allegiance.**

**Item 3. Roll Call.** Roll was called by Yolande P. Justice, Town Clerk. Thomas J. Hall, Town Manager and Liam Gallagher, Assistant Town Manager, were also present. Councilors present:

Councilor April V. Sither - Vice Chair  
Councilor Donald W. Cushing, Jr.  
Councilor Karin B. Shupe

Councilor Donald R. Hamill  
Councilor Jonathan E. Anderson  
Chairman Nicholas S. McGee

**Item 4. General Public Comments.**

- Nina McGee of Black Point Road, thanked Councilors McGee and Hamill for their service as well at the Town Clerk.
- Alyson Bristol of Bayview Avenue spoke to the Councilors who would be leaving this year and went on to comment about the Elections and what a positive experience it was to work it.
- Marvin Gates of Black Point Road also thanked the Councilors who would be leaving this year and asked the Council to consider increasing the stipend that is received by Councilors.

**Item 5. Minutes: October 2, 2024 - Town Council Meeting.** Not available at this time.

**Item 6. Adjustment to the Agenda.** Chairman McGee noted that the public hearings are scheduled for 7:00 p.m. therefore he would recommend that items be taken out of order.

Motion by Chairman McGee, seconded by Councilor Sither, to move approval to move Resolution 24-006 and the 2 public hearings to just after Order No. 24-105.

Vote: 6 Yeas. Motion Passes.

**Item 7. Items to be signed: a. Treasurer's Warrants.** Treasurer's Warrants were signed prior to the meeting.

**Item 8. Town Manager's Report.** Thomas J. Hall, Town Manager, gave the following updates:

- **School Building Project Update**
  - SBAC2 organized - Leadership elected
  - Consultant Selection Complete
- **Eastern Trail - Close The Gap**
  - State and Federal permits forthcoming
  - Solicitation of Bids- final preparations in motion
- **Route One Traffic Signal Coordination** -
  - Rhythm Engineering - Adaptive Technology activated

- **Grant Opportunities -**
  - Exploring potential partnership with the Downs
- **Request Senior Staff/Town Council Workshop**
  - Early December with new Town Council
  - Provide input before Town Council set 2025 Goals
- **Update a new Lawsuit -**
  - Town Received a notice of complaint by Shark Tank and Platinum Smoke
  - Town Attorney will be following up on this
- **PFAS on Town Owned Property -**
  - Site off Tibbett's Road – DEP identified site and tested and the levels were acceptable
  - Other property owners around area have been contacted and private wells will be tested
- **Senior Staff Changes -**
  - Todd Souza - Resignation
  - Nick Cloutier - Director of Special Project
- **Election Update -**
  - Tremendous turn, unfortunately one of the memory sticks on the election day machines went down; State indicated the only way to remedy the situation was to run all of the Election Day ballots through the machines again to ensure all Election Day votes were counted.
  - Kudos to Tody and staff who remained calm under pressure.

The Town Manager thanked Chairman McGee and Councilor Hamill for their service to the community and responded to questions from the Council.

### **OLD BUSINESS:**

**Order No. 24-089. Second reading on the proposed amendments to Chapter 610 – Piping Plover Ordinance. [Conservation Commission]** Jami Fitch, Sustainability Coordinator, gave an update on this Order. The following individuals spoke on this Order:

- Dave Stahelski of 14 Houghton Street spoke in opposition of the proposed and voiced his reasons why.
- Dan Parry of Beech Street at Pine Point also did not support the proposed amendments that are being presented.
- Glennis Chabot of Houghton Street, responded to comments that had been made earlier. She then asked that the recommendations be approved, as recommended
- David Fillingner of Pearl Street, spoke on the proposed changes.

Motion by Councilor Sither, seconded by Councilor Anderson, to move approval of the second reading on the proposed amendments to Chapter 610 – Piping Plover Ordinance.

Motion by Councilor Anderson, seconded by Councilor Sither, to move approval to amend the main motion to remove the recreational activities related to running and reference to structures and replace the language related to dates at the beginning to be aligned with the language that is in our current Beach Management Agreement.

Vote: 5 Yeas. 1 Nay [Councilor Hamill]

Vote on Main Motion as amended:

**CHAPTER 610**  
**TOWN OF SCARBOROUGH**  
**PIPING PLOVER AND LEAST TERN PROTECTION ORDINANCE**

**1. Purpose.**

The purpose of this Ordinance is to avoid or minimize adverse effects on Piping Plovers and Least Tern and their young by protecting their nesting, brooding, fledging, roosting and foraging activities on beaches within the Town of Scarborough from April 1<sup>st</sup> through Labor Day when nesting activity is occurring, except as specified.

**2. Applicability.**

This ordinance shall apply to Scarborough's public beaches and beaches managed by the Town.

**3. Definitions.**

**Beach:** ~~—means—~~aAny area of land covered with sand, pebbles, or small stones at the edge of the oceanbeach area within the Town of Scarborough, which is used by the general public.

**Exclosure:** ~~—means—~~A structure surrounding and protecting a nest an area from ~~which~~ pedestrians and ~~vehicles animals are excluded~~ by means of ~~symbolic~~ fencing and netting.

**Habitat Areas:**

**Essential and Significant Habitat Area:** Habitat areas currently or historically providing physical or biological features essential to the conservation of an endangered or threatened species and which may require special management considerations.

**Identified Habitat Area:** Habitat areas marked by symbolic or electronic fencing, netting, signs, and/or exclosures.

**Least Tern:** The Atlantic Coast Least Tern (*Sternula antillarum*), identified as an endangered species, as listed under Maine's Endangered Species Act (MESA) of 2003.

**Nesting Activity:** When Piping Plover and Least Tern territorial pairs, nests, or chicks are present.

**Piping Plover:** ~~means the~~ The Atlantic Coast Piping Plover (*Charadrius melodus*), identified as a threatened species pursuant to the Federal Endangered Species Act of 1973, as amended, 16 U.S.C. §§ 1531 et seq. and endangered in Maine as listed under MESA of 2003.

**Recreational Activity:**

- a. Any game involving balls, discs, nets in which individuals throw, catch or hit objects (such as volleyball, spike ball, football, frisbee, golf, etc.).
- b. Any use of kites, drones, ultralights, parasails, kneeboards or other devices flown manually or remotely powered by wind power, battery, gas or electric motors.
- c. Any use of wheeled vehicles, such as bicycles, skateboards, sand surfers, or other wheeled recreational devices, excluding non-motorized carts and wagons.

**Owner Responsible Party of a dog-Pet(or owner):** ~~means any p~~Person having custody, possession, or control of a ~~dog~~pet.

**Sand surfer-Surfer:** ~~means a r~~Recreational device consisting of a board on wheels attached to a large kite or sail and propelled by wind power.

**Symbolic fencingFencing:** ~~means o~~One or two strands of lightweight string, tied between posts to delineate areas where pedestrians, ~~pets,~~ and vehicles should not enter.

**Wrack lineLine:** ~~means t~~The line of dried seaweed, marine vegetation and other debris left on the beach by the action of the tides.

#### **2.4. Piping Plover and Least Tern nesting-Nesting habitat-Habitat to be identifiedIdentified.**

On or before April 1<sup>st</sup> of each year, the Town of Scarborough, in conjunction with the Maine Department of Inland Fisheries and Wildlife (MDIFW), the United States Fish and Wildlife Service (USFWS), and/or the Maine Audubon Society, will identify Piping Plover and Least Tern nesting habitat and will mark or arrange for the marking of such habitat with posts and warning signs.

#### **5. Nests and broodsIdentified Habitat Areas Pprotected.**

When Piping Plover or Least Tern nests are present, the Town of Scarborough, in conjunction with the ~~Maine Department of Inland Fisheries and Wildlife~~MDIFW, the ~~United States Fish and Wildlife Service~~USFWS, and/or the Maine Audubon Society, will create or arrange for the installation of fencing (symbolic or electric) and/or creation of ~~an~~enclosures around such nests in accordance with the guidelines of the ~~United States Fish and Wildlife Service~~USFWS and authorization issued by the ~~Maine Department of Inland Fisheries and Wildlife~~MDIFW. Once such fencing and/or enclosures have been created, the following prohibitions shall apply:

- (1)~~a.~~ No person shall physically enter into ~~an~~enclosurean Identified Habitat Area, except for wildlife management purposes authorized by the ~~Maine Department of Inland Fisheries and Wildlife~~MDIFW or the ~~United States Fish and Wildlife Service~~USFWS.
- (2)~~b.~~ No person shall remove or disturb the wrack line located ~~in front of an enclosure~~located within 330 feet of a Piping Plover or Least Tern ~~brooding site~~Identified Habitat Area, unless such activity is approved by the ~~Maine Department of Inland Fisheries~~MDIFW and ~~Wildlife or the United States Fish and Wildlife Service~~USFWS.
- (3)~~c.~~ No ~~owner responsible party~~ of a ~~dog-pet~~ shall cause or permit that ~~dog-pet~~ to enter the ~~enclosure~~Identified Habitat Area or shall fail to prevent that ~~dog-pet~~ from entering the ~~enclosure~~Identified Habitat Area. All dogs shall be leashed-managed in accordance with the Animal Control Ordinance, ~~Chapter-Ch.~~ 604.
- (4)~~d.~~ No person shall drive or operate a vehicle, including a non-motorized vehicle, on or above the wrack line. (a) Non-emergency activities such as removal of dead or injured sea mammals shall require at least two responders, one of which will act as the spotter to and from the scene. (b) All emergency response personnel will account for and avoid nesting sites and chicks to the maximum extent practicable, consistent with the nature and urgency of the emergency. However, it is the policy of the Town of Scarborough that such essential vehicles will avoid driving on the wrack line where possible and will avoid frequent driving on the beach in a way which would create deep ruts that could impede movement of Piping Plover and Least Tern chicks.

- ~~(5)e.~~ No person shall engage in a recreational activity, as specified in Section 3, Definitions, recreational activity, a) within 100 feet of the Identified Habitat kite flying, kitesurfing or parasailing
- f. No person shall engage in a recreational activity, as specified in Section 3, Definitions, recreational activity b) and c) within 650 feet of the Identified Habitat Area within 650 feet of nesting or territorial adult or unfledged juvenile Piping Plovers between April 1<sup>st</sup> and August 31<sup>st</sup>.
- ~~(6)g.~~ No person shall discharge or cause the discharge of any fireworks on any beach on which Piping Plovers or Least Terns are nesting from April 1<sup>st</sup> until all chicks are fledged. See Ch. 608A, Consumer Fireworks Ordinance, for more information.
- h. No person shall discharge or cause the discharge of any fireworks in the Higgins Beach Community and vicinity on the ocean side of Spurwink Road beginning at the intersection of Black Point Road and Spurwink Road to the Cape Elizabeth line, per Ch. 608A, Consumer Fireworks Ordinance.
- ~~(7)i.~~ No person shall build or attempt to build any fires on a beach unless authorized to do so in writing by the Scarborough Community Services Department or owner of the beach property, and then only after obtaining any permits required from the Scarborough Fire Department, as per Ch. 612, Ordinance Creating Rules and Regulations for Use of Parks and Recreational Facilities.~~No person shall utilize a sand surfer within 650 feet of nesting or territorial adult or unfledged juvenile Piping Plovers between April 1<sup>st</sup> and August 31<sup>st</sup>.~~
- j. Holes dug within 330 feet of the Identified Habitat Area must not be left unattended and must be filled in before leaving the beach during the period when unfledged Piping Plover and Least Tern chicks are present.

**5. Enforcement and penalties.**

~~Any person who violates any provision of this Ordinance commits a civil violation for which a civil penalty of no less than \$50.00 and no greater than \$250.00 shall be imposed. This Ordinance may be enforced by any officer of the Scarborough Police Department.~~

**6. Relation to state State and federal Federal lawsLaws.**

This Ordinance is intended to be consistent with state and federal protections of Piping Plovers, Least Terns, and ~~Piping Plover habitat~~their habitat, including the Endangered Species Act (ESA) of 1973 that provides a framework to conserve and protect endangered and threatened species and their habitats both domestically and abroad. In the event of any inconsistency between this Ordinance and state or federal laws or regulations, the more stringent provisions shall ~~control~~prevail.

**7. 7. Relation to private Private protection Protection effortsEfforts.**

This Ordinance is not intended to supersede or displace any efforts or activities of private individuals or organizations or any protections afforded to Piping Plovers and Least Terns and their habitat by deed restrictions, conservation easements, and other types of private covenants. To the extent any such private covenants are more restrictive than the provisions of this Ordinance, this Ordinance does not authorize any departure from the requirements of such covenants.

**8. Enforcement and Penalties.**

Any person who violates any provision of this Ordinance commits a civil violation for which a civil penalty of no less than \$100.00 and no greater than \$500.00 shall be imposed. This Ordinance may be enforced by any officer of the Scarborough Police Department.

(Note: Federal Endangered Species Act [ESA] violations related to Piping Plovers and Least Terns are specified under ESA Section 9 [Prohibited Acts] and are enforced as per ESA Section 11 [Penalties and Enforcement of the Endangered Species Act]. These violations are enforced by federal officers.)

**9. Addendum - Higgins Beach Wildlife Management Area.**

The Higgins Beach Wildlife Management Area (Map U001069) Figure 1., is owned by the State of Maine and is a subunit of the Scarborough Marsh Wildlife Management Area and extends from the Spurwink River approximately 150 yards to the southwest of the point to the low water mark. This area is designated Essential and Significant Wildlife Habitat and protected under the MESA, which is regulated by MDIFW (L.D. 1246, 2023).

The area outlined, is also protected under the Natural Resources Protection Act and regulated by the Maine Department of Environmental Protection Act with input from MDIFW biologists. Significant Wildlife Habitat has been identified in this area for shorebird nesting, feeding and staging. Symbolic fencing on MDIFW-owned property will remain in place into October to protect migrating shorebirds.

Figure 1. Higgins Beach Wildlife Management Area Map



Vote: 5 Yeas and 1 Nay [Councilor Hamill] Motion Passes.

Motion by Chairman McGee, seconded by Councilor Sither, to move approval to move Resolution 24-006, as the next agenda item.

Vote: 6 Yeas. 1 Nay [Councilor Hamill]. Motion Passes.

**Resolution 24-006. Act on the request to recognize the Scarborough High School Boys Golf Team.** [Chairman McGee] Motion by Councilor Sither, seconded by Councilor Anderson, to move approval of Resolution 24-006, recognizing the Scarborough High School Boys Golf Team:

**RESOLUTION 24-006**

## SCARBOROUGH HIGH SCHOOL BOYS GOLF TEAM

**BE IT RESOLVED** by the Council of the Town of Scarborough, Maine, in Town Council assembled that,

**WHEREAS**, the Scarborough High School Boys Golf Team did invest many hours of training in preparation for the 2024 State Boys Golf Championship; and,

**WHEREAS**, the Scarborough High School Boys Golf Team did compete and win the 2024 State of Maine Class A Championship; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Scarborough Town Council, in Town Council assembled, that the following members of the Scarborough High Boys Golf Team and their coaches are hereby recognized for the great honor they have brought to their team, their school, their families and the Town of Scarborough. The Scarborough Town Council is proud of their efforts and hard work.

**Freshmen:** Ethan Skillings

**Sophomores:** Joshua Albert and Charlie Stringer

**Juniors:** Brett Kemper, Thomas Ocampo and Andrew Sawyer

**Seniors:** Grady Burnell, Keenan Buteau, Erik Swenson, Marc Twombly and Camden Zsiga

**Head Coach:** Michael Murphy

Signed and sealed this the 6th day of November, 2024, on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine. Signed by the Town Council Chair and attested by the Town Clerk.

Vote: 6 Yeas.

### **NEW BUSINESS:**

**Order No. 24-100. Act on the request from Police Chief to accept donations from the following:**

- **First Congregational Church in the amount of \$700 to be provided directly to the Social Services Team; and,**
- **Prouts Neck Grant in the amount of \$900 to fund the purchase of thermal range finding binoculars for use by the Marine Resource Office. [Police Chief]**

Police Chief Holmquist gave a brief overview on this Order.

Motion by Councilor Sither, seconded by Councilor Anderson, to move approval to on the request from Police Chief to accept donations from the following:

- First Congregational Church in the amount of \$700 to be provided directly to the Social Services Team; and,
- Prouts Neck Grant in the amount of \$900 to fund the purchase of thermal range finding binoculars for use by the Marine Resource Office.

Vote: 6 Yeas. Motion Passes.



**Order No. 24-101. Act on the request to amend the Credit Enhancement Policy, as recommended by the Finance Committee.** *[Finance Committee]* Councilor Anderson, Chair of the Finance Committee, gave a brief update. The following individual spoke on this Order:

- Alyson Bristol of Bayview Avenue - was disappointed to see this Order was a single action item on the agenda this evening without a public process or public input.

Motion by Councilor Sither, seconded by Councilor Anderson, to move approval on the request to amend the Credit Enhancement Policy, as recommended by the Finance Committee,

After a brief discussion a motion to table was made.

Motion by Councilor Anderson, seconded by Councilor Sither, to move approval to table Order No. 24-101, to the first meeting in February 5<sup>th</sup>, to allow the next Council to discuss and implement process to this particular policy

Vote: 6 Yeas. Motion Passes.

**Order No. 24-102. Act on the request to amend the Fiscal Policy, as recommended by the Finance Committee.** *[Finance Committee]* Councilor Anderson gave a brief overview on this Order. Norman Kildow, Finance Director, responded to questions from the Town Council.

Motion by Councilor Sither, seconded by Councilor Anderson, to move approval on the request to amend the Fiscal Policy, as recommended by the Finance Committee, as follows:

## **SECTION I. DEBT MANAGEMENT**

### **PURPOSE**

The Policy Statement sets forth comprehensive guidelines for the financing of capital expenditures. It is the objective of this policy that (1) the Town obtains financing only when desirable, (2) the process for identifying the timing and amount of debt financing be as efficient as possible (3) obtain and then retain a high grade or above the highest possible credit rating (See Definitions Section IV.), (4) obtain the most favorable interest rate and other related costs and (5) comply with full and complete financial disclosure and reporting, as required.

Debt financing includes general obligation bonds, special assessment bonds, temporary notes, lease/purchase agreements, debt guaranteed by the Town, and other Town obligations permitted to be issued or incurred under Maine statute and should only be used to purchase capital assets that will not be acquired from current resources. The useful life of the asset or project needs to equal or exceed the payout schedule of any debt the Town assumes for that project. This allows for a closer match between those who benefit from the asset or project and those that pay for it.

To enhance creditworthiness and prudent financial management, the Town is committed to systematic capital planning, intergovernmental cooperation and coordination, and long-term financial planning. Evidence of this commitment to capital planning will be demonstrated through adoption and periodic adjustment of the Town's Capital Improvement Plan (the CIP) and the annual adoption of a multi-year Capital Improvement Budget.

## SECTION III. FUND BALANCE

### UNASSIGNED FUND BALANCE

Unassigned Fund Balance is the residual amount of Fund Balance in the General Fund. It represents the resources available for future spending. An appropriate level of Unassigned Fund Balance should be maintained in the General Fund in order to cover unexpected expenditures and revenue shortfalls.

In the event of projected revenue shortfalls, it is the responsibility of the Town Manager to report the projections to the Town Council's Finance Committee on a quarterly basis and will include an outline of recommended Management actions to address any shortfall.

~~The Town aspires to reach an Unassigned Fund Balance of 16.67% (two months or 1/6) of the prior year's Operating Budget. Until the Town reaches this goal, the minimum Fund Balance Policy shall be set to maintain the level of Unassigned Fund Balance equal to 10.00% of its Unassigned Fund Balance, consideration should be given to raise the minimum level of Unassigned Fund Balance until the aspirational goal is met. The Town has set a goal, through this Fund Balance policy, to maintain the level of Unassigned Fund Balance equal to 10.00% of the Town's Operating Budget for the prior fiscal year and to not fall below 8.33% (or 1.12) of the Town's Operating Budget.~~

Once the Town achieves an unassigned fund balance ~~greater than equal to~~ 12%, but less than 16.67% of Scarborough's Operating Budget, any excess above 12% ~~may must~~ be assigned by any combination to one of the following:

- Retained in non-spendable and restricted accounts that offset unfunded liabilities, and/or
- Retained in assigned accounts that may be used in future budget cycles as a property tax rate stabilization; available for use during a catastrophic event, and/or
- Funding future capital expenditures and/or projects, and/or
- Retirement of debt, and/or
- Taxpayer refund.

~~Once the Town achieves an Unassigned Fund Balance greater than 16.67% of the Town's Operating Budget, any excess above 16.67% must be assigned by any combination to one above.~~

In the event that the balance drops below the established minimum level, the Town Council will develop a plan to replenish the fund balance to the established minimum level within two years. ~~Policy statement: Unrestricted Fund Balance is a Percentage of Revenues: The level of unrestricted fund balance will not be allowed to drop below 8% of annual revenues with a goal of building unrestricted fund balance to 12% of annual revenues.~~

## SECTION I. DEBT MANAGEMENT

### **Definitions**

~~Credit Rating Scale. S&P Global uses an alphabetic rating scale to rate the creditworthiness of debt. Their scale ranges from "AAA" (Prime) to "D" (Default)<sup>(1)</sup>. A S&P rating equal to or above "BBB -" is considered investment grade. Moody's uses a similar alphabetic rating scale. Their scale ranges from "Aaa" (Prime) to "C" (Default)<sup>(2)</sup>. A Moody's rating equal to or above "Ba a3" is considered investment grade. Fitch uses an alphabetic rating scale to rate the creditworthiness of~~

debt. Their scale ranges from “AA A” (Prime ) to “D” (Default)<sup>(3)</sup>. A Fitch rating equal t o or above “BB B -“ is considered

**Credit Rating Scales by Agency, Long-Term**

Moody's	S&P	Fitch	
Aaa	AAA	AAA	Prime
Aa1	AA+	AA+	High grade
Aa2	AA	AA	
Aa3	AA-	AA-	
A1	A+	A+	Upper medium grade
A2	A	A	
A3	A-	A-	
Baa1	BBB+	BBB+	Lower medium grade
Baa2	BBB	BBB	
Baa3	BBB-	BBB-	
Ba1	BB+	BB+	Non-investment grade speculative
Ba2	BB	BB	
Ba3	BB-	BB-	
B1	B+	B+	Highly speculative
B2	B	B	
B3	B-	B-	
Caa1	CCC+	CCC	Substantial risk
Caa2	CCC		Extremely speculative
Caa3	CCC-		Default imminent with little prospect for recovery
Ca	CC	CC	
	C	C	
C	D	D	In default
/			
/			



<sup>(1)</sup> <https://www.spglobal.com/ratings/en/about/understanding-credit-ratings>

<sup>(2)</sup> [https://www.moodys.com/sites/products/productattachments/ap075378\\_1\\_1408](https://www.moodys.com/sites/products/productattachments/ap075378_1_1408)

<sup>(3)</sup> [https://www.fitchratings.com/products/rating-definitions\\_ki.pdf](https://www.fitchratings.com/products/rating-definitions_ki.pdf)

Vote: 6 Yeas. Motion Passes.

**Order No. 24-103. Act on the request to move approval on names posted to the various committees/boards, by the Appointments and Negotiations Committee at the October 16, 2024, Town Council meeting. [Appointments and Negotiations Committee] Councilor Shupe gave a brief overview on this Order.**

Motion by Councilor Sither, seconded by Councilor Anderson, to move approval of the names posted to the various committees/boards, by the Appointments and Negotiations Committee, as follows:

- Coastal Waters and Harbor Advisory Committee:  
Move Robert Odlin from 1<sup>st</sup> alternate to a full voting member with a term to expire 2026, move Tyler Davis from 2<sup>nd</sup> alternate to 1<sup>st</sup> alternate with a term to expire 2025 and move to appoint Brittaney Jackson to 2<sup>nd</sup> alternate with a term to expire 2026.
- Conservation Commission:  
Move to appoint Kate Borduas to 2<sup>nd</sup> alternate with a term to expire 2026.
- Community Services Advisory Board:  
Move to appoint Darryl Wright to 2<sup>nd</sup> alternate with a term to expire 2025.
- Long Range Planning Committee:  
Move to appoint Mark Simpson to 1<sup>st</sup> alternate with a term to expire 2024.
- Planning Board:  
Move Bennett Flanders from 2<sup>nd</sup> alternate to 1<sup>st</sup> alternate with a term to expire 2026 and appoint Rudy Caron to 2<sup>nd</sup> alternate with a term to expire 2024.
- Shellfish Conservation Commission:  
Move to appoint Andy Blanchard as a full voting member with a term to expire 2026, Jason Quirk as a full voting member with a term to expire 2025, and Eric Quirk as 1st alternate with a term to expire 2026.

Vote: 6 Yeas. Motion Passes.

**Order No. 24-104. Act to authorize use of the FY2025 overlay funds in the amount of \$13,526, for the purpose of fully funding the Senior Property Tax Assistance Program. [Council Leadership]** Chairman McGee gave a brief overview on this Order.

Motion by Councilor Sither, seconded by Councilor Anderson, to move approval to authorize use of the FY2025 overlay funds in the amount of \$13,526, for the purpose of fully funding the Senior Property Tax Assistance Program.

Vote: 6 Yeas. Motion Passes.

**Order No. 24-105. Act on the request from the Town Clerk to certify the results of the Municipal General/Referendum Elections that were held on Tuesday, November 5, 2024. [Town Clerk's Office]** The Town Clerk read the results into the record.

Motion by Councilor Sither, seconded Councilor Anderson, to move approval to certify the results of the Municipal General/Referendum Elections that were held on Tuesday, November 5, 2024, as follows:

Presented for certification by the Town Council, are the election results for the Municipal General/Referendum Elections, the Sanitary District Trustees Election and the Special Board of Education Election, that were held on Tuesday, November 5, 2024:

<b>TOWN COUNCIL - 2 SEATS:</b>	<b>TRUSTEES FOR THE SANITARY DISTRICT – 2 SEATS:</b>
<u>7,559</u> Doherty, Scott*	<u>10,379</u> RICO, Nicola F.*
<u>7,962</u> Fellows, Cory*	<u>10,014</u> STEIN, Michael A.*
<u>6,316</u> Maurer, Crescencia	<u>10,147</u> BLANKS
<u>8,703</u> BLANKS	

**TOWN CONCIL – 1 SEAT:**

11,228 DONOVAN, William J.\*

4,042 BLANKS

**BOARD OF EDUCATION – 1 SEAT:**

10,129 ROCKENSTIRE, Mitchell T.\*

5,141 BLANKS

**QUESTION 1: BODY WORN/CRUISER CAMERAS**

9,991 YES\*

4,336 NO

992 BLANKS

**QUESTION 2: FIRE PUMPER TRUCK**

9,412 YES\*

5,042 NO

865 BLANKS

**QUESTION 3: LAND BOND FUND**

8,902 YES\*

5,381 NO

1,036 BLANKS

There are approximately 18,511 active voters on our voter registration list for this Election [does not included same day registration]. There were 15,270 voters cast ballots in the November 5th Municipal General/Referendum Elections, the Scarborough Sanitary Trustee Election and the Special Board of Education Election, of which 9,895 were absentee ballots comprising of 53% of the ballots cast. The percentage for overall voter turnout for this Election was 82%. [There were 15,319 ballots cast in the Municipal Referendum Election].

Vote: 6 Yeas. Motion Passes.

**Order No. 24-094, 7:00 p.m. Public hearing and action on the following new request for a Liquor License from Jossie Papanikolaou, d/b/a Stack Scarborough, located at 183 US Route One. Tabled from the October 16, 2024 Town Council meeting. [Town Clerk's Office]** The Town Clerk gave an update on this Order. Chairman McGee opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:05 p.m.

Motion by Councilor Sither, seconded by Councilor Anderson, to move approval of the new request for a Liquor License from Jossie Papanikolaou, d/b/a Stack Scarborough, located at 183 US Route One. Tabled from the October 16, 2024 Town Council meeting.

Vote: 6 Yeas. Motion Passes.

**Order No. 24-099, 7:00 p.m. Public hearing and action on the following new request for a Combined Massage Establishment/Massage Therapist license from Kendra Monroe d/b/a Kendora Healing, located 4 Stewart Driving, Unit 2. [Town Clerk's Office]** The Town Clerk gave an

update on this Order. Chairman McGee opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:06 p.m.

Motion by Councilor Sither, seconded by Councilor Anderson, to move approval of the new request for a Combined Massage Establishment/Massage Therapist license from Kendra Monroe d/b/a Kendora Healing, located 4 Stewart Driving, Unit 2.

Vote: 6 Yeas. Motion Passes.

**Item 9. Non-Action Item.**

- Chairman McGee presented Councilor Hamlin with a plaque recognizing his for his outstanding and dedicated service to the Town of Scarborough as a member of the Town Council.
- Councilor Hamill thanked everyone, adding that it has been really gratifying getting to know people and serving the community.
- Councilor Sither presented Chairman McGee with a plaque recognizing his him for his outstanding and dedicated service to the Town of Scarborough as member of the Town Council and as Council Chair.
- Chairman McGee read a prepared statement of thanks to fellow members of the Council, the Town Manager. the staff and the residents of the Town of Scarborough.

**Item 10. Standing and Special Committee Reports and Liaison Reports.** None at this time.

**Item 11. Council Member Comments.** Councilor comments were made voicing their gratitude to Chairman McGee and Councilor Hamill for their time on the Council.

**Item 12. Adjournment.** Motion by Councilor Sither, and seconded by Councilor Anderson, to move approval to adjourn the regular meeting of the Town Council.

Vote: 6 Yeas. Motion Passes.

Meeting adjourned at 8:21 p.m.

Respectfully submitted,

Yolande P. Justice  
Town Clerk