

MIUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JUNE 4, 2025
HYBRID REGULAR MEETING – 7:00 P.M.

Item 1. Call to Order. Council Chair Sither called the regular meeting of the Scarborough Town Council to order at 7:04 p.m.

Item 2. Pledge of Allegiance.

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

Councilor Scott W. Doherty	Councilor William J. Donovan
Councilor Karin B. Shupe	Councilor Jonathan E. Anderson
Councilor Cory R. Fellows	Council Chair April V. Sither

Item 4. General Public Comments.

- Alyson Bristol of Bayview Avenue, thanked the Council for the workshop prior to the meeting. She noted that if we build affordable housing it doesn't mean that Scarborough residents would be selected.
- Richard Hayes of Martin Avenue, spoke on the new Marshview Terrace proposal and voiced his concerns as to why this project should not move forward.
- Nina McGee of Black Point Road, wished Councilor Anderson a Happy belated Birthday and went on to comment about the workshop that had been held prior to the meeting.
- Judy Fisher of Piper Shores, spoke about the workshop on affordable housing with emphasis on the infrastructure and asked what was the point at which new residents are not a burden on the tax base
- Marvin Gates of Black Point Road, spoke against the Marshview Terrace proposal. He noted that at the Housing Alliance meeting the committee approved a CEA for this project and are asking the Scarborough residents to subsidize something they are not going to benefit from.
- Matthew Keith of Pleasant Avenue, wished Councilor Anderson a belated Happy Birthday. He went on to voice his concerns regarding the public comments around affordable housing and the negative comments e.g. "Not in my back yard." [via zoom]

Item 5. Minutes: May 21, 2025 - Town Council Meeting. Motion by Councilor Anderson, seconded by Councilor Fellows, to move approval of the minutes of the May 21, 2025 Town Council meeting, as written.

Vote: 6 Yeas. Motion Passes.

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 prior to the meeting.

Item 8. Town Manager Report. Thomas J. Hall, Town Manager, gave the following updates and responded to questions from the Council:

- **Black Point Road Reconstruction Project** -
 - Project ahead of schedule
 - Final paving coat scheduled to be completed Friday, May 30th
 - Substantial Completion required by June 13th

- **Scottow Hill Road Culvert** -
 - Engineering inspection last week
 - Rough estimates are in process (\$500k - \$1M)
 - Road posted for local traffic only
- **Municipal Election - June 10th** -
 - Last day for absentee voting June 5 (June 9 with special exception)
 - As of 4:00 p.m. today, 997 absentee ballots have been issued with 686 returned
- **Eastern Trail- Close The Gap** -
 - Bid Opening on April 24th
 - Final funding identified
 - Bid Awarded to Shaw Brothers
 - Pre-Construction Meeting to be scheduled
- **Marshview Project** -
 - South Portland Housing Authority will be returning with revised proposal
 - 50 Units - 55+ Affordable, Income Restricted
 - Credit Enhancement Agreement - Finance Committee - June 12th
 - Planning Board Meeting - June 16th
- **SBAC2 Site Selection** –
 - Vernal pool evaluations on four sites- none “significant”
 - Soil conditions considered
 - Site assumptions made in cost estimates
 - Recommendation on preferred site imminent
- **Short-Term Rentals** -
 - Public Comments received until July 1st
 - Ordinance Committee on July 9th
- **Personnel Updates** -
 - Congratulations! Officers Lauren Bartlett and Samantha Snow graduated from the Maine Criminal Justice Academy on Friday, May 23rd
 - Welcome! Firefighter/EMTs Ella Boucher, Dean Powers and Frank Provencher starting on Tuesday, May 27th
 - Congratulations! Firefighter Jason Goldman was promoted to Lieutenant on May 25th
 - In Memoriam. On June 10th, Senators Carney and Brenner will be sponsoring a Legislative Sentiment for Lt. Shannon Haley who passed away last month.
 - Fire Department held awards ceremony the past Saturday. Recognitions/Awards are done at the staff level and not from leadership. There were 2 individuals who received the Henry Gould Award for 45 years of service.

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

- Councilor Doughty noted that the Coastal Waters and Harbor Committee would be meeting on Tuesday, June 10th at 5:30 p.m.
- Councilor Shupe gave an update on the Community Services Advisory Board, the Conservation Commission, the Parks and Conservation Committee and the Ordinance Committee meeting on Wednesday, June 11th.

- Councilor Chair Sither noted as Chair she serves in the absence of Councilors not being able to attend. She went on and gave updates on the Communications Committee adding there would be a Council Corner Live on Tuesday, July 15th at 6:00 p.m. possibly at the Public Safety Building and she also commented on the School Building Advisory Committee.
- Councilor Fellows noted the Rules and Policies had not met recently and went to give an update on the Long Range Planning Committee and the Planning Board.
- Councilor Donovan gave an update on the Scarborough Housing Alliance and also commented on the School Building Advisory Committee.
- Councilor Anderson noted that the Finance Committee would be meeting next Thursday, June 12th at 5:00 p.m.

Proclamation 25-004. Act on the request of Proclamation 25-004, in recognition of the 250TH Anniversary of the first Naval Battle of the American Revolution in Machias, Maine, on June 12, 1775. [Council Chair Sither] Council Chair Sither gave a brief overview on this Proclamation.

Motion by Councilor Anderson, seconded by Councilor Donovan, to move approval of Proclamation 25-004, in recognition of the 250TH Anniversary of the first Naval Battle of the American Revolution in Machias, Maine, on June 12, 1775, as follows:

PROCLAMATION 25-004

RECOGNITION OF THE 250TH ANNIVERSARY OF THE FIRST NAVAL BATTLE OF THE AMERICAN REVOLUTION IN MACHIAS, MAINE ON JUNE 12, 1775

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

WHEREAS, in 1762, due to scarcity of hay arising from fires and droughts, Isaiah Foster, Isaac Larrabee, and others from Scarborough visited a place in search of grass, finding a great opportunity of it in the marshes and an opportunity for sawmills on the river there, in what later was settled as Machias; and,

WHEREAS, 80 persons, of whom no less than 54 were from Scarborough, petitioned the General Court for a grant of this vicinity settlement, which was allowed in 1770; and,

WHEREAS, the first naval battle of the American Revolution was the Battle of Machias. This battle, which occurred after townspeople refused to provide the British with lumber for barracks, led to the capture of the armed schooner *HMS Margarett* by settlers under Captain Jeremiah O'Brien and Captain Benjamin Foster, who was originally from Scarborough; and,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Scarborough does hereby honor the courageous actions of the residents of Scarborough and Machias, whose collective efforts at the *Battle of the Margarett* exemplify the spirit of unity and resistance that ignited the flame of liberty in our nation. Their shared commitment to freedom and self-governance serves as a lasting legacy, reminding us of the enduring bond between our communities and the sacrifices made for the cause of independence.

BE IT FURTHER RESOLVED, that the citizens of Scarborough are encouraged to reflect upon this pivotal moment in history and to participate in commemorative events marking the 250th Anniversary of the *Battle of the Margarett*, thereby honoring the shared heritage and enduring spirit of our forebears.

Signed and dated this 4th day of June, 2025, on behalf of the Town Council and the Town Manager of Scarborough, Maine. Signed by the Council Chair and attested by the Clerk to the Council.

Vote: 6 Yeas. Motion Passes.

Order No. 25-057, 7:00 p.m. Public hearing and action on the new request for a Food Handlers License from Blake Orchard, LLC, located at 2 Stewart Drive. *[Town Clerk's Office]* A brief overview was given on this Order. Council Chair Sither opened the public hearing. As there were no comments either for or against the hearing was closed at 7:49 p.m.

Motion by Councilor Anderson, seconded by Councilor Donovan, to move approval on the new request for a Food Handlers License from Blake Orchard, LLC, located at 2 Stewart Drive.

Vote: 6 Yeas. Motion Passes.

Order No. 25-058, 7:00 p.m. Public hearing and action on the new request for a Special Amusement Permit from Daniel Mays d/b/a Frith Farm LLC, located at 61 Ash Swamp Road. *[Town Clerk's Office]*

A brief overview was given on this Order. Council Chair Sither opened the public hearing. As there were no comments either for or against the hearing was closed at 7:49 p.m.

Motion by Councilor Anderson, seconded by Councilor Donovan, to move approval on the new request for a Special Amusement Permit from Daniel Mays d/b/a Frith Farm LLC, located at 61 Ash Swamp Road.

Vote: 6 Yeas. Motion Passes.

Order No. 25-059, 7:00 p.m. Public hearing and action on the new request for a Food Handlers License and a new Liquor License from Key Point Properties, LLC d/b/a Spanish Point, located 3 East Grand Avenue. *[Town Clerk's Office]* A brief overview was given on this Order. Council Chair Sither opened the public hearing. As there were no comments either for or against the hearing was closed at 7:50 p.m.

Motion by Councilor Anderson, seconded by Councilor Donovan, to move approval on the new request for a Food Handlers License and a new Liquor License from Key Point Properties, LLC d/b/a Spanish Point, located 3 East Grand Avenue.

Vote: 6 Yeas. Motion Passes.

OLD BUSINESS: None at this time.

NEW BUSINESS: None at this time.

Item 10. Non-Action Item. None at this time.

Item 11. Council Member Comments.

- Councilor Anderson noted for the record that Ordinance is meeting next week to talk about the Animal Control Ordinance. He would not be disappointed if it did not make it past ordinance and come to the council and ask the Committee to take that into consideration during their deliberations next week.
- Councilor Shupe noted that she had the opportunity to attend the GPCOG Summit. Scarborough had the opportunity to participate in a panel discussion that was made up of myself, our

Sustainability Coordinator Jami Fitch, the Town Planning and a Councilor from Cape Elizabeth regarding the possible closure of Sawyer Road. She then commented on the Ordinance Committee scheduled for next week and encouraged those to review the proposed changes to Chapter 604 – Animal Control Ordinance.

- Councilor Donovan thanked Council Chair Sither for stepping up to fill the vacancy on the Finance Committee.
- Councilor Chair Sither acknowledged the emails that the Council had received regarding the Animal Control Ordinance. She has not responded to many and part of that is indifference to the Ordinance Committee to do their work. Let us see what happens at the Committee level first.
- Councilor Fellows spoke on the emails that had been received on the Marshview project. wanted to reiterate it, as it relates to Marshview. He reiterate that the Council is no longer the arbiter of whether this project moves forward, at least in the term of permitting, as they are no longer requesting a contract zone. Their request for a CEA would ultimately come through the Council. He felt that it would helpful to just think about what things that we already live with and tolerate in town.

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

Vote: 6 Yeas. Motion Passes.

Meeting adjourned at 7:58 p.m.

Respectfully submitted.

Yolande P. Justice
Clerk to the Council