

Town of Scarborough Sustainability Committee

September 24, 2025 | 8:00 – 9:30 a.m. | Hybrid Meeting – Town Council Chambers B and Zoom

To participate in the Sustainability Committee's meeting, please use the following link:
https://scarboroughmaine.zoom.us/webinar/register/WN_p9ad_2KsTIWsU0psFsIP_w

To view in the Sustainability Committee's meeting, please use the following link:
<https://www.youtube.com/channel/UCD5Y8CFy5HpXMftV3xX73aw>

Agenda

8:00 am Call to order and attendance

- (1) Welcome and introductions
- (2) Vote on minutes from 7/23/25
- (3) Review 9/24/25 meeting agenda
- (4) Public Comment

8:10 am Old Business

- (1) [LD1870](#) – “An Act to Establish a Climate Superfund Cost Recovery Program to Impose Penalties on Climate Polluters”
 - Update on legislative delegation support
 - Discuss next steps
- (2) Municipal Solar Array
 - Update on IRS guidance
 - Discuss how to proceed
- (3) Climate Action Plan – Update on process
- (4) [Sustainable Scarborough Day](#) (10/5/25)
 - Final update
 - Volunteer needs

9:15 am Updates

- (1) Town Council
- (2) Planning Board
- (3) Conservation Commission
- (4) Transportation Committee

9:25 am Next meeting agenda

Next meeting date: 10/22/25

9:30 am Adjourn

Engineering & Technical Services

259 US Route One | PO Box 360 | Scarborough, ME 04070 | P: 207.730.4400 | scarboroughmaine.org

Town of Scarborough Sustainability Committee

July 23, 2025 | 8:00 – 9:30 a.m. | Scarborough Town Hall and via Zoom

Meeting Minutes - DRAFT

Attendance – in person

Committee: Ron Allen, Anton Bodor, Geoff Gezik, Deb McDonough

Town Council: Bill Donovan

Staff: Jami Fitch, Helen Harmon

Guest: Jackson Chadwick, Maine Youth for Climate Justice

Attendance – Zoom

Committee: Lydia Jopp, Patrice Kastenholz, Dan Shapiro

[Meeting recording](#)

Call to Order

1. The meeting is called to order at 8:01 am.
2. Patrice motions to approve the minutes, Ron seconds. Rollcall vote is unanimous. Motion passes.

Public Comment

1. None.

Old Business

1. [LD1870](#) – “An Act to Establish a Climate Superfund Cost Recovery Program to Impose Penalties on Climate Polluters”
 - Jackson Chadwick of Maine Youth for Climate Justice attends the meeting to provide an overview of LD1870, sponsored by Scarborough Senator Stacy Brenner. His slides are attached.
 - The organizations working on the bill encourage municipalities to formalize their support by passing a resolution. To date, Yarmouth and Rockland have passed resolutions. Wells and Bath are working on resolutions. Outreach is being done with inland and rural communities as well.
 - Q: How the process will work; how will polluters pay?
A: The superfund contribution will be a one-time fixed payment that identified polluters (e.g., oil companies) will need to pay. Vermont and New York have passed similar legislation, which is currently in the courts. If Maine passes the legislation, the State will likely either join the existing lawsuit or bring its own suit to compel the polluters to pay.
 - The legislation can be compared to tobacco settlements, where states received money from tobacco companies to implement anti-smoking campaigns. In this case, the funds would support resiliency and adaptation projects. NY estimates they’ll receive \$75B to fund climate adaptation over the next couple of decades.
 - Q: Why is the legislation based on historic pollution and not future pollution?
A: It’s easier to calculate past emissions than to predict future emissions.

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- Q: Will the funds be used for utility repairs, such as power lines?
A: Yes. The bill includes activities that could be supported by the funds, and electrical grid improvements is one of the activities.
 - Anton asks Bill for his thoughts on the bill from an equity perspective. Bill shares that the concept is in its infancy and it will take time to play out to see if it's lawful and effective. He appreciates learning more about it. He supports the concept of the legislation.
 - Deb notes there is value in having more states pass this type of legislation as NY and VT work through the court process.
 - Q: Why is there a minimum pollution threshold polluters need to reach in order to have to pay into the fund? Why not make everyone pay?
A: The legislation focuses on the biggest and most well-known names that have caused the majority of the damage. The sponsors also don't want any Maine-based companies to be impacted.
 - Q: What expenses do municipalities that support the legislation incur? Would they be brought into the potential appeal process?
A: Any legal process would happen at the state level; towns would not be a party to it. Passing a resolution is an expression of support for the legislation.
 - Jami shares that the Sustainability Committee recommended the Town Council pass a resolution in support of proposed legislation for an extended producer responsibility (EPR) bill that requires producers of packaging to fund or develop systems to recycle the packaging.
 - The fine polluters would pay is not included in the legislation. The DEP and Treasurer's Office would set the fine after the legislation is passed.
 - The Committee believes the legislation essentially puts polluters on notice and indicates they may be held financially liable in the future.
 - Bill feels that the Town Council would likely be open to supporting the legislation in concept. They will have questions on its practical implementation.
 - The Committee encourages Maine Youth for Climate Justice to include Scarborough students in the process.
 - The legislation has been held over to 2026, which gives the Committee time to form their recommendation to the Town Council.
 - Bill suggests the Committee bring its recommendation to the Town Council after the November election.
 - Deb requests Jackson to determine if any youth from Scarborough are involved in the effort. If there are, she would like him to provide them with her contact information so they and the Committee can coordinate efforts. If not, Jami will provide contact information for the ECOS Club to Jackson in hopes of building support in Scarborough.
 - Jami notes that fees collected through this legislation could help fund projects identified in the Town's vulnerability assessment.
 - **ACTIONS:**
 - **COMMITTEE read draft resolution (attached).**
 - **JAMI will share the contact information for the ECOS Club advisor with Jackson.**
 - **DEB will reach out to Scarborough legislative delegation to determine their level of support for the legislation.**
2. Climate Action Plan
- Jami provides an update on the Climate Action Plan (CAP) process. The Town received 5 proposals from consultants to help develop our CAP. Interviews with selected firms will be scheduled the week of 7/28. The contractor should be announced at the next meeting.
3. Municipal Solar Array

- Dan shares an update on the outlook for renewable energy projects now that the federal budget was passed. The IRS needs to release additional guidance on how new provisions will be implemented. He notes that it is likely not the right time to move forward with a municipal solar project. The Town should wait to see the updated IRS guidance and to see how things in the industry will play out.
 - A summary of the site visit that was held in April was provided in the Committee's packet.
 - Deb suggests asking the Conservation Commission review the parcel to determine its suitability for conservation.
4. Sustainable Scarborough Day
- Jami provides an update on Sustainable Scarborough Day. The event will once again be a recognized event as part of the [National Drive Electric Month](#). Greater Portland Council of Governments is leading the EV ride and drive coordination and hopes to incorporate EV "touch a truck" into the mix.
 - Patrice provides an update on her efforts. She is having trouble connecting with schools over the summer.
 - The Committee needs to finalize their focus and activity, if it plans to have a booth at this year's event.
 - **ACTION: JAMI will share the tracking spreadsheet with Patrice.**

Updates

1. Town Council
 - Bill provides an overview of the Marshview senior housing development's credit enhancement process, which the Town Council recently rejected.
2. Planning Board
 - The Marshview development will be before the Planning Board in August for a site plan approval.
 - A short-term rental ordinance is moving through the ordinance review process. The ordinance would require all short-term rentals be registered with the Town.
3. Transportation Committee
 - The Town Council recently approved the [Townwide Transportation Assessment](#).
4. Conservation Commission
 - Conservation Commission is working toward achieving Tree City USA certification.
5. Vulnerability Assessment
 - A Town Council workshop is scheduled for 8/21/25 and neighborhood meetings are being scheduled for Higgins Beach and Pine Point residents. The project will wrap up in early fall.

Meeting adjourned at 9:27 am.

Next Meeting: August 27, 2025 at 8:00 am.

Future Projects List:

- Community solar / municipal solar array
- Revamp [Sustainability Committee webpage](#)
- Recycling information for homeowners when houses change hands
- Composting/food waste

- Residential energy efficiency grants
- Coordination with Scarborough Public Schools
- Municipal building energy audits
- Electric school buses
- Tree preservation ordinance
- Swap shop
- Energy stretch code
- Incremental fees for trash bins
- 10-year cost-benefit analysis for building systems



Maine Climate Superfund

Created by: Maine Youth for Climate Justice, Sierra Club Maine Chapter, Maine Conservation Voters

Image Courtesy: Matt Trognor

Background

- ❑ Sea level rise is projected to inflict **billions of dollars in damages** between now and 2050
- ❑ **Maine's 2023-2024 winter storms** wreaked havoc on public and private infrastructure, and left many Maine coastal and riverfront communities picking up the pieces
- ❑ Municipalities don't have the funding or resources to recover from millions of dollars in damages



Image Courtesy: Daniel Hoebeke



Image Courtesy: WGME

2024 Storm Damage in Scarborough



Image Courtesy: WGME

- ❑ January 10th & 13th, 2024, storms resulted in at least **\$4.3 million in damages to public infrastructure**
- ❑ Damage to roads + causeways, a sanitary pump station, and seawalls/barriers
- ❑ Public **damages submitted through FEMA**

- ❑ Similar to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or **Superfund**, which was **passed by Congress in 1980**
- ❑ The federal Superfund program helps **clean up environmentally hazardous sites** following occurrences of toxic spills or natural disasters
- ❑ A **Climate Superfund** will enable the State of Maine to finance climate adaptation projects without raising taxes on Maine citizens



How Will it Work?



Image Courtesy: WGME

- ❑ The State will produce a report on the **financial impact of fossil-fuel related climate pollution**
- ❑ The State will then issue cost-recovery demands to **major polluters** for their proportion of responsible emissions between 1995 and 2024
- ❑ Upon receiving payment from responsible polluter, the **funds will be deposited into the Superfund account** and can be used to finance climate adaptation projects

Recent Precedent

- ❑ Climate Superfund laws have now passed in **Vermont** and **New York**, with similar legislation being proposed in California, Maryland, and Massachusetts
- ❑ Vermont became the first state to enact Climate Superfund legislation, following the **severe mid-summer storms of 2023**
 - ❑ That legislation passed with **bipartisan support**
- ❑ Climate Superfund legislation has also been introduced by **members of the U.S. Congress**



Image Courtesy: Charles Krupa/AP

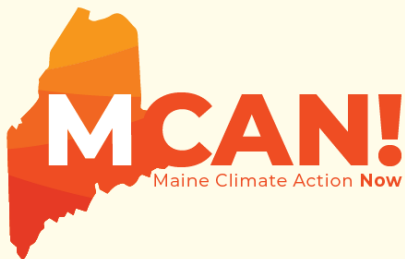


Image Courtesy: Brian Snyder/Reuters

A Climate Superfund Will Help Scarborough Taxpayers



- ❑ Many Maine cities and towns have experienced years of declining revenues.
- ❑ It's time for a creative and proactive approach
- ❑ A Climate Superfund is fiscally prudent and will ensure that Scarborough and their taxpayers don't bear the burden of paying for climate adaptation projects



Jackson Chadwick

Advocacy Director jackson@mycj.org



MAINE YOUTH **FOR**
CLIMATE JUSTICE



Municipal Resolution in Support of a Maine Climate Superfund

Resolution Supporting the Creation of a Maine Climate Superfund

Whereas the Yarmouth Town Council has adopted the Yarmouth Climate Action plan, which includes several actions aimed at adapting to climate change, all of which will require resources to implement; and

Whereas climate change and the resulting storms are costing Mainers billions of dollars; and

Whereas 2023-24 winter storms caused \$90 million in damage to public infrastructure and untold more to private property; and

Whereas climate change is already shifting storm patterns in Maine in ways that will continue to severely damage public and private infrastructure; and

Whereas expensive fuels continue to strain working families' budgets; and

Whereas in the face of environmental and economic crises for Maine people, international oil companies continue to take in near-record profits year after year; and

Whereas declining municipal revenues cannot keep people and property safe from the worst impacts of climate change; and

Whereas the world's largest fossil fuel corporations should contribute significantly to local communities to fix the damage they've caused; and

Whereas a Maine Climate Superfund will help Maine assess the true cost of dealing with climate change and ensure that polluters pay for the climate damage they have caused; and

Whereas under such a program, the state will produce a detailed report of the financial impact of fossil fuel-related climate pollution, then identify the largest emitters responsible for that pollution and recover costs in proportion to their share of emissions; and

Whereas payments from those large oil and gas corporations will be used to finance projects that can protect Maine people, businesses, and property from the devastating impacts of climate change and help our communities adapt to new environmental realities; and

Whereas the original Superfund program and its "make polluters pay" principle has withstood challenges for decades and can be easily applied to the environmental damage caused by

climate change; and

Whereas Maine would join national leaders championing this innovative policy, building on bipartisan legislation successfully enacted in Vermont and New York last year;

Now, therefore, be it resolved by the Town Council of Yarmouth that, the Yarmouth Town Council strongly urges the Maine Legislature and Governor to pass legislation to create a Maine Climate Superfund, to protect Maine communities and ensure the largest oil and gas companies pay their fair share for climate-related damage.

CITY OF ROCKLAND, MAINE

RESOLVE #8

IN CITY COUNCIL

March 10, 2025

RESOLVE Supporting the Creation of a Maine Climate Superfund

WHEREAS, climate change and the resulting storms are costing Mainers billions of dollars; and

WHEREAS, 2023-24 winter storms caused \$90 million in damage to public infrastructure and untold more to private property; and

WHEREAS, climate change is already shifting storm patterns in Maine in ways that will continue to severely damage public and private infrastructure; and

WHEREAS, expensive fuels continue to strain working families' budgets; and

WHEREAS, in the face of environmental and economic crises for Maine people, international oil companies continue to take in near-record profits year after year; and

WHEREAS, declining municipal revenues cannot keep people and property safe from the worst impacts of climate change; and

WHEREAS, the world's largest fossil fuel corporations should contribute significantly to local communities to fix the damage they've caused; and

WHEREAS, a Maine Climate Superfund will help Maine determine the true cost of dealing with climate change and make polluters to pay for the climate damage they caused; and

WHEREAS, the Maine Environmental Priorities Coalition, an inclusive statewide alliance of 39 conservation, climate action, and public health organizations including the Natural Resources Council of Maine, the Bicycle Coalition of Maine, the Maine Medical Association, and many others, has chosen the creation of a Maine Climate Superfund as one of their priorities for the current legislative session; and

WHEREAS, under such a program, the state will produce a detailed report of the financial impact of fossil fuel-related climate pollution, then identify the largest emitters responsible for that pollution and recover costs in proportion to their share of emissions; and

WHEREAS, payments from those large oil and gas corporations will be used to finance projects that can protect Maine people, businesses, and property from the devastating impacts of climate change and help our communities adapt to new environmental realities; and

WHEREAS, the original Superfund program and its “make polluters pay” principle has withstood challenges for decades and can be easily applied to the environmental damage caused by climate change; and

WHEREAS, Maine would join national leaders championing this innovative policy, building on bipartisan legislation successfully enacted in Vermont and New York last year,

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the Rockland City Council urges the Maine Legislature and Governor to pass legislation to create a Maine Climate Superfund in alignment with guidance from the Maine Environmental Priorities Coalition to protect Maine communities and ensure the largest oil and gas companies pay their fair share for climate-related damage.

Sponsor: Councilor Davis
Originator: Councilor Davis