

MINUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – APRIL 16, 2014
REGULAR MEETING – 7:00 P.M.

Item 1. Call to Order. Chairman Sullivan called the regular meeting of the Scarborough Town Council to order at 7:01 p.m.

Item 2. Pledge of Allegiance.

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

Jessica L. Holbrook, Vice Chair

William J. Donovan

Jean-Marie Caterina

Richard J. Sullivan, Jr., Council Chair

Katherine A. St. Clair

Edward NMI Blaise, III

James E. Benedict

Item 4. General Public Comments.

- Bud Hanson of Stoney Creek Drive spoke on behalf of the Senior Advisory Board by announcing that on Wednesday, May 7th there will be a Senior Expo at St. Max Kolbe Church 9:00 a.m. to 4:00 p.m. and members of the Senior Advisory Board will be participating. He encouraged all to attend.
- Robert Rovner of King Street spoke on the budget and the possible increase that could affect all residents. He would like to see a list from each Councilor of six items that could be cut and six items that could increase revenue.
- Michael Turek of Bayberry Lane agreed with the comments of the earlier speaker. He was under the impression that the budget was to “hold the line.” He noted that he could not handle another increase in taxes. The Council needs to look at what is really needed and not what is wanted.
- Seth Fernald of Maple Avenue pushed for the town to look into a natural gas expansion in areas of town that currently do not have it.
- Dick Springer of Piper Shores noted that Scarborough has the lowest tax rate in Cumberland County and the commented on the School’s budget.
- Liam Summers of Holmes Road spoke on the budget and the plover issue.
- Bob Arsenault of Magnolia Place spoke on the tax rate increase and could not understand why the School came in with another increase. All residents – including Seniors – need to be considered.
- Jolene Conner of Ash Swamp Road had an issue with new computers for the High school students and felt the school budget was running the town in debt and needed to be reduced.
- Wallace Fengler of Holmes Road spoke on the budget and noted that his taxes have gone up 18%. He retired at 65 and had to go back to work because of the taxes. He then asked the Council to figure out ways to keep budget in check.

Item 5. Minutes: April 2, 2014 – Regular Meeting. Motion by Councilor Holbrook, seconded by Councilor Blaise, to move approval of the minutes of the April 2, 2014, 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. 14-34, 7:00 p.m. Public hearing and schedule a second reading on the proposed Municipal/School Budget for FY2015. Thomas J. Hall, Town Manager, gave a brief presentation on the proposed FY2015 Municipal/School Budget. Chairman Sullivan opened the public hearing and the following individuals spoke on this item:

- Bud Hanson of Stoney Creek Drive spoke on the proposed budget and felt that increase in taxes meant his property had increased in value and we need the education part of the budget. Everyone needs to understand the budget.
- Larry Pelletier of Horseshoe Drive asked the Council to really take a look at the proposed budget and see what can be reduced or cut.
- Dick Springer of Piper Shores agreed with Mr. Hanson's comments and asked was curious as to what percent of the budget was being driven by reduction in State Aid.

There being no further comments, the public hearing was closed at 7:41 p.m. The second reading is scheduled for Wednesday, May 7, 2014.

Order No. 14-35, 7:00 p.m. Public hearing and schedule a second reading on the proposed amendments to Chapter 604, the Animal Control Ordinance. Thomas J. Hall, Town Manager, gave a brief overview on the proposed amendment to Chapter 604, the Animal Control Ordinance. Chairman Sullivan opened the public hearing and the following individuals spoke on this item:

- Elaine Richer of Reef Lane voiced her concerns against the proposed changes and added that the "Dog Group" deserves respect for all their hard work.
- Julia Hannon of Mast Road spoke on the proposed changes and the separation between the Federal Government and the State and felt the Town has not received due process.
- Liam Summers of Holmes Road thanked those Councilors who responded to his email. He then spoke on the proposed changes.
- Seth Fernald of Maple Avenue spoke on the proposed changes noting that He did not agree with all the changes.
- Robin Laughlin of Vesper Street spoke on the proposed changes being recommended and then asked the Town to stand up to U.S. Wildlife. What we need to do is enforce the current ordinance.
- Sarah Lathrop of Robinson Road spoke on the proposed changes.
- Pete Hayes of Indian Hill Lane spoke on the changes that have been happening all over the country. We need to have courage and do what is right for the citizens and stand up for our rights against the Federal Government.

There being no further comments, the public hearing was closed at 7:59 p.m. The second reading is scheduled for Wednesday, May 7, 2014.

Order No. 14-36, 7:00 p.m. Public hearing and schedule a second reading on the proposed amendments to Chapter 604A, the Horse Beach Permit Ordinance. Thomas J. Hall, Town Manager, gave a brief overview on proposed amendments to Chapter 604A, the Horse Beach Permit Ordinance. Chairman Sullivan opened the public hearing. There being no comments either for or against, the public hearing was closed at 8:00 p.m. The second reading is scheduled for Wednesday, May 7, 2014.

Order No. 14-37, 7:00 p.m. Public hearing and schedule a second reading on the proposed amendments to Chapter 610 – the Piping Plover Ordinance. Thomas J. Hall, Town Manager, gave a brief overview on the proposed amendments to Chapter 610 – the Piping Plover Ordinance. Chairman Sullivan opened the public hearing and the following individuals spoke on this item:

- Jolene Hannon of Mast Road felt the Plover Ordinance was ridiculous and asked why are we responsible for protecting the animals and not the Federal Government and felt the government was holding the Town hostage.
- Ellie Springer of Piper Road could not understand why we should disregard federal regulations and did not see how we could justify why we would ignore federal regulations.
- Liam Summers of Holmes Road spoke this order noting the amount of money it was going to cost to save these birds could pay for computers for the schools.
- Sue Foley-Ferguson of Black Point Road spoke on this order and the Endangered Species Act noting that they were only guidelines – not the law.
- Dick Springer of Piper Road spoke on this issue.
- Pammela Rovner of King Street also spoke on this issue.

There being no further comments, the public hearing was closed at 8:12 p.m. The second reading is scheduled for Wednesday, May 7, 2014.

Order No. 14-40, 7:00 p.m. Public hearing and action on the new request for a Massage Therapist License from Nancy Whitehouse, working at U.S. Healthworks, located at 55 Spring Street. Chairman Sullivan opened the public hearing on this request. There being no comments either for or against, public hearing was closed at 8:13 p.m.

Motion by Councilor Holbrook, seconded by Councilor St. Clair, to move approval of the new request for a Massage Therapist License from Nancy Whitehouse, working at U.S. Healthworks, located at 55 Spring Street.

Vote: 7 Yeas.

Resolution 14-05. Act on the request to proclaim the week of April 13th as National Library Week in Scarborough. Motion by Councilor Blaise, seconded by Councilor Blaise, to move approval of Resolution 14-05, as follows:

RESOLUTION No. 14-05

***RESOLUTION TO PROCLAIM APRIL 13-19, 2014 AS
NATIONAL LIBRARY WEEK IN SCARBOROUGH, MAINE***

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

WHEREAS, libraries help lives change in their communities, campuses and schools; and,

WHEREAS, librarians work to meet the changing needs of their communities, including providing resources for everyone and bringing services outside of library walls; and,

WHEREAS, libraries and librarians bring together community members to enrich and shape the community and address local issues; and,

WHEREAS, librarians are trained, tech-savvy professionals, providing technology training and access to downloadable content like e-books; and,

WHEREAS, libraries offer programs to meet community needs, providing residents, students, and businesses with classes, services and workshops; and,

WHEREAS, libraries continuously grow and evolve in how they provide for the needs of every member of their communities; and,

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council in Town Council assembled as follows:

That the Scarborough Town Council proclaims Library Week in Scarborough, April 13-19, 2014. And further, encourages all residents to visit the public or school library this week to take advantage of the wonderful library resources available.

Signed and sealed this the 16th day of April, 2014, on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine. Signed by Chairman Sullivan and attested by the Town Clerk.

Vote: 7 Yeas.

OLD BUSINESS: None at this time.

NEW BUSINESS:

Order No. 14-41. Act to set the date, time and location of the School Budget Validation Referendum for Tuesday, May 13, 2014. Motion by Councilor Holbrook, seconded by Councilor Caterina, to move approval to set the date, time and location of the School Budget Validation Referendum for Tuesday, May 13, 2014, as follows:

**WARRANT
SCHOOL BUDGET VALIDATION REFERENDUM
(20-A M.R.S.A. § 1486 and 2307)
TOWN OF SCARBOROUGH
Tuesday, May 13, 2014**

Municipality: Scarborough

Voting District: Town Wide

Voting Place Name: Municipal Building

Voting Location: 259 US Route One

Polls Open at 7:00 A.M.

Polls Close at 8:00 P.M.

Absentee Ballot Processing (check all that apply):

Processed by: Clerk (Centrally)

☒ Clerk (At Polls)

Date/Time of Processing:

☒ **During** Election Day (5/13) Processing Time(s): After 8:00 a.m.

☐ **Only** after 8:00 p.m. on Election Day (5/13)

**WARRANT
SCHOOL BUDGET VALIDATION REFERENDUM
(20-A M.R.S.A. § 1486 and 2307)
TOWN OF SCARBOROUGH
Tuesday, May 13, 2014**

Cumberland County, ss.

State of Maine

TO: Robert A. Moulton, A Resident of Scarborough:

You are hereby required in the name of the State of Maine to notify the voters of the Town of Scarborough of the Special Scholl Budget Validation Referendum Election, as described in this warrant.

To the Voters of the Town of Scarborough:

You are hereby notified that a School Budget Validation Referendum will held at the Scarborough Municipal Building in Council Chambers, located at 259 US Route One, in the Town of Scarborough on Tuesday, May 13, 2014, for the purpose of determining the following questions:

School Budget Validation Referendum Question No. 1:

- ☐ YES Do you favor approving the Scarborough School budget for the upcoming school
☐ NO year that was adopted at the latest Town of Scarborough budget meeting?

The following is a non-binding expression of opinion for the consideration of the Town Council and School Board.

I find the school budget adopted at the May 7, 2014, Town Council meeting to be:

- ☐ TOO HIGH
☐ ACCEPTABLE
☐ TOO LOW
-

The Registrar of Voters will hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote, and to accept new enrollments.

A person who is not registered as a voter may not vote in any Scarborough election.

Given under our hand this 16th day of April, 2014, at Scarborough, Maine.

Signed by Chairman Sullivan, Councilors Benedict, Blaise, Caterina, Donovan, Holbrook and St. Clair.

A majority of the municipal officers of the Town of Scarborough.

A true copy of the Warrant, attest: _____

Vote: 7 Yeas.

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

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

- Councilor St. Clair gave an update on the Ordinance Committee that had been held earlier in the day. Amendments to the Property Tax Rebate Ordinance would be moved forward to the Town Council at the next meeting.
- Councilor Blaise gave an update on the Senior Advisory Board meeting. The Finance Committee has been meeting on a weekly basis reviewing department budgets.
- Councilor Benedict gave an update on the Shellfish Committee meeting.
- Councilor Caterina gave an update on the Long Range Planning Committee and the Conservation Commission Committee.

- Councilor Donovan gave an update on the Finance Committee and its meeting with the School Department.
- Councilor Holbrook gave updates on the following: the Housing Alliance, the Finance Committee and the Appointments Committee met and would like to post the name of Michal Bunting for Housing Alliance

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

- Reported on the dredging project and the cleaning up of this project.
- Complaints of train whistles and this item may come to the Council to deal with. This issue would be taken up at the Transportation Committee.
- Annual Scarborough Chamber Dinner will be held at Piper Shores.

Item 11. Council Member Comments.

- Councilor Blaise thanked those who spoke on the budget.
- Councilor Benedict echoed comments made by Councilor Blaise regarding the budget and the taxes.
- Councilor Caterina spoke on the School Budget and that she supports a budget that can best support the students. She asked the Board to look at the School's Budget and see what they could do get by without and still maintain the current quality of education that is currently in place.
- Councilor Donavon spent four hours at the School District Workshop also in attendance were Councilors Blaise and Caterina. He further stated that this will be a difficult time this budget and must act with restraint.
- Councilor Holbrook commented on the School Workshop, she was unable to attend but heard good comments. We need to be aware of our neighbors and their needs. We really need to look at what is needed now. Happy Easter. Clynk Bags are available in the Clerk's office over 2,000 bottles have been returned. SEDCO will host an all Committee meeting and find out how we all work together.
- Chairman Sullivan commented on the budget and stated that there will be no dog parks. He then stated that he was working on amendments to the dog ordinance and will offer then at the May 7th meeting.

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

Vote:

Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Yolande P. Justice
Town Clerk