AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 7, 2015
TOWN COUNCIL WORKSHOP ON
HIGGINS BEACH ZONING REPAIR – 6:00 P.M.
REGULAR MEETING – 7:00 P.M.

NO NEW BUSINESS SHALL BE TAKEN UP AFTER 10:00 P.M.

Item 1. Call to Order.

Item 2. Pledge of Allegiance.

Item 3. Roll Call.

Item 4. General Public Comments.*

Item 5. Minutes: September 16, 2015 – Regular Meeting.

Item 6. Adjustment to the Agenda.

Item 7. Items to be signed: a. Treasurer's Warrants.

***Procedure for Addressing Council** [Posted in Chambers.]

Order No. 15-061, 7:00 p.m. Public hearing and second reading on the proposed amendments to Chapter 405 the Scarborough Zoning Ordinance to establish a Small Batch Processing Facilities use and definition; performance standards; and the zoning districts in which to allow these facilities.

Order No. 15-075, 7:00 p.m. Public hearing and second reading on the proposed amendments to the Chapter 1301, the General assistance Ordinance, pursuant to Title 22, M.R.S.A §4305 (4).

OLD BUSINESS:

Order No. 15-068. Second reading on the proposed amendments to Chapter 601 – the Town of Scarborough Traffic Ordinance Section 25, Parking Restrictions, Section A. Parking Restrictions, subsection II. Higgins Beach.

Order No. 15-076. Act on the names that were posted to the various committees/board, by the Appointments Committee at the September 16, 2015, Town Council meeting.

NEW BUSINESS:

Order No. 15-077. First reading and scheduled a public hearing and second reading on the proposed amendments to Chapter 313-A, the Town of Scarborough Property Tax Assistance Ordnance.

Order No. 15-078. Act on the request to accept the new Town of Scarborough Crosswalk Marking Policy, as recommended by Transportation Committee.

Order No. 15-079. Act on to authorize the Town Manger to sign a utility easement on town own property at the end of Down East Lane [Map045/Lot16].

Order No. 15-080. Act on the request to rescind unused and unneeded bonded indebtedness, as noted in attached Order.

Order No. 15-081. Act on the request Act to set the date, time, and location of the Municipal Elections for Tuesday, November 3, 2015; appoint the warden, set the hours for voter registration, and act on appointments of election/ballot clerks, pursuant to Chapter 200 – Article VIII. Nomination and Elections and authorize the Town Clerk to make any additional appointments as necessary.

Resolution 15-005. Resolve to authorize the Town Manager to research and provide recommendations to the Town Council regarding metered parking at Higgins Beach.

Item 8. Non Action Items.

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

Item 10. Town Manager Report.

Item 11. Council Member Comments.

Item 12. Adjournment.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 7, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-061. Move approval of the second reading on the proposed amendments to Chapter 405 the Scarborough Zoning Ordinance to establish a Small Batch Processing Facilities use and definition; performance standards; and the zoning districts in which to allow these facilities.

To: Town Councilors and Tom Hall, Town Manager
From: Karen Martin, Executive Director of SEDCO and Dan Bacon, Planning Director
CC: Long Range Planning Committee
Date: June 24, 2015

New Zoning Tools to Enable
Small Batch Processors and Production

Similar to the initiative to broaden where contemporary food processing and production is allowed in town to include the Haigis Parkway (HP) District, SEDCO, the Planning Department and the Long Range Planning Committee (LRPC) have also been partnering to examine the trends and market demand for commercial space for smaller processing and production businesses. Through our review, it is evident that smaller scale food and drink production as well as other producers of small lots of consumer goods (jewelry makers, furniture makers, clothing designers, art studios etc) are on the rise. Further, many of these small-scale processors are types of businesses that may be fitting and appropriate in our commercial zones, where they can provide some retail space and can be more integrated into our activity centers. A bakery, coffee producer, craft brewery or furniture maker all come to mind, and many of which are growth industries in greater Portland.

Currently though, small and large processors are generally limited to our Industrial Districts. This creates a challenge for these smaller batch processors, not only because it isn't always the environment they are seeking, but also because our industrial land is already at a premium and our vacancy rates are some of the lowest in the state, so there is often little suitable space available.

To address this issue for a growing economic sector, SEDCO and LRPC have crafted a new use definition that categorizes these small scale processing businesses as well as a set of performance standards that limit their size, scale and operations, and provide a review process to ensure they fit in with surrounding businesses and properties.

More specifically the zoning proposal does the following:

- Establishes a definition for “Small Batch Processing Facilities”

- Establishes performance standards for small batch processing facilities that limits the size of these uses to 5,000 square feet or less and gives the Planning Board the review authority to ensure they are compatible with adjacent uses and properties. These performance standards include consistency with the Town’s commercial design standards; review and limitations on truck traffic; limitations on outdoor storage and activities; and standards for noise, odors, emissions and the like.

- Allows this new use in our business districts (the B2, B3, HP and BOR Zones) and our more commercially focused mixed use districts (TVC, CPDD and RH Zones)

This zoning proposal is intended to be a measured and controlled allowance for these small processing and production businesses that have the desire and ability to be compatible in our commercial, retail and mixed use areas, while reserving our industrial zones for the larger or more impactful processors where aesthetics and compatibility are less of a concern.

Thank you.

Dated 6-24-15

Proposed Amendment to the Zoning Ordinance to Establish Small Batch Processing Facilities and Performance Standards

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:

1. Amend Section VI. DEFINITIONS by adding, in proper alphabetical order, a definition for Small Batch Processing Facilities to read:

Small Batch Processing Facilities: A category of a food processing facility or light industrial use that processes, produces or assembles small lots of consumer goods. Processors in this category include, but are not limited to, clothing design and production, small batch food production, craft brewers, jewelry makers and other product lines that have an element of handcrafted design or hand-made production. Small batch processing facilities shall not include the production or processing of medical marijuana.

2. Amend SECTION IX. PERFORMANCE STANDARDS by adding a new performance standard subsection M.3. as follows (additions are underlined; deletions are struck through):

M.3. PERFORMANCE STANDARDS – SMALL BATCH PROCESSING FACILITIES

Small batch processing facilities may be undertaken only after the Planning Board has reviewed and approved the use in accordance with the following performance standards and requirements:

1. Small batch processing facilities shall be limited to no greater than 5,000 square feet of floor area including any accessory uses, such as a retail area, a tap room, sampling area, storage or warehousing;

2. The design and external appearance of the small batch processing facility and site improvements will constitute an attractive and compatible addition to the neighborhood, shall be of a scale of, and compatible with, other non-residential uses allowed in the same zone, and will be consistent with the Design Standards for Scarborough's Commercial Districts;

3. The facility will not create any unhealthy or offensive odor, emissions, dust or other airborne discharges;

4. The facility will not include any outdoor storage of equipment, materials or processing byproduct or waste;

5. The facility will not create any offensive noise or vibration, heat or glare to abutting landowners; and

6. The facility will not create unsafe traffic conditions or a volume of truck traffic in excess of other non-residential uses allowed in the same zone that would either adversely affect neighborhood character or be incompatible with abutting properties or uses.

3. Amend Sections XVIII.A. TOWN AND VILLAGE CENTERS TVC; XVIII.B. HAIGIS PARKWAY DISTRICT HP; TOWN AND VILLAGE CENTERS 4 DISTRICT TVC4; XIX REGIONAL BUSINESS DISTRICT B2; XIX.A. GENERAL BUSINESS DISTRICT B3; XX BUSINESS OFFICE-RESEARCH DISTRICT BOR; XX.A. RUNNING HILL – GORHAM RD DISTRICT RH; and CROSSROADS PLANNED DEVELOPMENT DISTRICT CPD to add Small Batch Processing Facilities to the list of permitted uses in each zoning district (additions are underlined; deletions are struck through):

Small Batch Processing Facilities, subject to the performance standards of Section IX.(M.3.) of this Ordinance

Town of Scarborough, Maine

Planning Board September 14, 2015

DRAFT MINUTES

Members Present
Mr. Fellows
Ms. Auglis
Mr. Mazer
Mr. McGee
Mr. Beeley
Mr. Dupont
Mr. Wood

Staff
Mr. Chace, Senior Planner
Mrs. Patterson, Recording Secretary

1. Call to Order

Mr. Fellows called the meeting to order at 7:00 P.M.

2. Roll Call

The Recording Secretary called the roll; all members were present

3. Approval of Minutes (August 24, 2015)

4. Public Hearing on proposed amendments to Chapter 405 the Scarborough Zoning Ordinance to establish a Small Batch Processing Facilities use and definition; performance standards; and the zoning districts in which to allow these facilities

Karen Martin, Director of SEDCO explained the proposed amendments to the Zoning Ordinance regarding small batch processing facilities. Ms. Martin explained that currently small and large processors are limited to the Industrial Districts. The proposed amendment would allow small batch processors in business districts and mixed use districts. The amendment establishes a definition of small batch processing facilities as well as performance standards.

Mr. Fellows open the public hearing. There was none. Mr. Fellows closed the public hearing.

Ms. Auglis was in favor of the item. She stated it is a positive change for present and future business in the Town.

Mr. Beeley was glad that the Town was being proactive and applauded the various groups behind it for their efforts.

Mr. McGee question the language used in the definition. To the question Ms. Martin responded that several similar ordinances had been reviewed and that language was chosen that fit what criteria worked best for the Town.

Mr. Mazer was in support of the item. He felt it opened new avenues to people and business in Scarborough.

Mr. Dupont was in support of the item. He did have concerns regarding enforcement of odor emissions to which he stated he would address during the Planning Board Comments at the end of the meeting.

Mr. Wood was in support of the item. He did question language in the definition excluding medical marijuana processing or production. Mr. Wood stated that with no strict definition of medical marijuana how can this be the one exclusion that is explicitly called out.

Mr. Fellows was in support of the item as well. He felt the ordinance was proactive and well thought out by all involved. Mr. Fellows stated it was a good balance for the Town. Mr. Fellows stated for the record that collectively the Board was in support of the change to the zoning ordinance.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 7, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-075. Move approval of the second reading on the proposed amendments to the Chapter 1301, the General assistance Ordinance, pursuant to Title 22, M.R.S.A §4305 (4).

Family Independence
An Office of the Department of Health and Human Services
Paul R. LePage, Governor Mary C. Mayhew, Commissioner

Office for Family Independence
19 Union Street
11 State House Station
Augusta, Maine 04333-0011
Tel: (207) 624-4168
Toll Free: 1-800-442-6003
Fax (207) 287-3455

TO: Municipal Officials/Welfare Directors/General Assistance Administrators

FROM: Ian Miller, General Assistance Program Manager

RE: 2015 – 2016 General Assistance Ordinance Maximums

DATE: September 8, 2015

Enclosed please find the following items:

- MMA's new (October 1, 2015–September 30, 2016) "**General Assistance Ordinance Appendix"** (A, C & D).

- **"GA Maximums Summary Sheet"** which consolidates GA maximums into one document. Municipalities do have to insert individual locality maximums from Appendix A and C in the summary sheet where indicated in order to complete the information. The "summary" does not have to be adopted, as it is not an Appendix but a tool for municipal officials administering GA.

- **"GA maximums adoption form"** which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS. *(see "Filing of GA Ordinance and/or Appendices" below for further information).*

Appendix A - D

The enclosed Appendices A - D have been revised for your municipality's General Assistance Ordinance. These new Appendices, **once adopted**, should replace the existing Appendices A – D. Even if you have already adopted MMA's model General Assistance Ordinance, **the municipal officers must approve/adopt the new Appendices yearly.**

The Adoption Process

The **municipal officers (i.e., selectpersons/council) adopt the local General Assistance Ordinance and yearly Appendices**, even in town meeting communities. The law requires that the municipal officers adopt the ordinance and/or Appendices ***after notice and hearing***. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
2) End public discussion, close the hearing; and
3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted. *(For a copy of the GA model ordinance, please call MMA's Publication Department, or visit their web site www.memun.org*). In addition, any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that a municipality has adopted the current GA maximums.

We will forward to you, copies of the revised Statute and Policy that cover the changes once they have been published.

Appendix A

Effective: 10/01/15-09/30/16

GA Overall Maximums

Metropolitan Areas

COUNTY	Persons in Household 1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	628	734	916	1,141	1,326
Penobscot County HMFA: 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	590	618	733	1,025	1,185
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	549	650	849	1,070	1,136
Portland HMFA: 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	803	956	1,181	1,563	1,641
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	958	964	1,245	1,684	1,833
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	638	773	1,025	1,466	1,747

COUNTY	1	2	3	4	5*
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	762	810	960	1,245	1,579
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	695	796	1,009	1,370	1,418

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

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	603	620	747	946	1,036
Franklin County	630	658	780	971	1,382
Hancock County	647	733	933	1,228	1,246
Kennebec County	570	659	843	1,057	1,126
Knox County	736	741	913	1,170	1,298
Lincoln County	666	739	932	1,161	1,245
Oxford County	567	618	758	1,023	1,324
Piscataquis County	578	659	814	1,033	1,105
Somerset County	659	690	821	1,117	1,121
Waldo County	649	737	873	1,189	1,265
Washington County	572	629	749	955	1,158

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

Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2015, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	45.12	194
2	83.02	357
3	118.84	511
4	150.93	649
5	179.30	771
6	215.12	925
7	237.67	1,022
8	271.86	1,169

Note: For each additional person add $146 per month.

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	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	108	464	128	550
1	108	464	130	561
2	127	546	158	679
3	164	705	202	868
4	176	758	223	957
Franklin County	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	114	491	134	577
1	114	491	139	599
2	135	579	166	712
3	170	730	208	893
4	257	1,104	303	1,303
Hancock County	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	112	480	136	584
1	124	534	154	663
2	161	691	198	851
3	218	937	263	1,133
4	218	937	264	1,136
Kennebec County	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	94	403	118	507
1	107	460	137	589
2	140	601	177	761
3	178	766	224	962
4	181	778	236	1,016

Non-Metropolitan FMR Areas

Knox County	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	132	569	157	673
1	132	569	157	673
2	156	671	193	831
3	204	879	250	1,075
4	221	950	276	1,188
Lincoln County	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	119	513	141	607
1	126	540	156	669
2	160	690	198	850
3	202	870	248	1,066
4	209	897	264	1,135
Oxford County	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	93	400	117	504
1	101	420	128	549
2	120	516	157	676
3	170	732	216	928
4	227	976	282	1,214
Piscataquis County	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	103	443	115	496
1	115	493	128	552
2	142	613	158	681
3	184	792	202	870
4	192	827	211	906
Somerset County	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
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

Waldo County	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	116	497	137	590
1	125	538	155	667
2	147	631	184	791
3	209	898	254	1,094
4	213	917	269	1,155

Washington County	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	94	405	118	509
1	100	430	130	559
2	118	507	155	667
3	154	664	200	860
4	188	810	244	1,048

Metropolitan FMR Areas

Bangor HMFA	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	107	461	131	565
1	124	535	154	664
2	157	674	194	834
3	198	850	243	1,046
4	227	978	283	1,216

Penobscot County HMFA	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	99	427	123	531
1	99	427	127	548
2	114	491	151	651
3	171	734	216	930
4	195	837	250	1,075

Lewiston/Auburn MSA	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	89	382	113	486
1	105	451	135	580
2	141	607	178	767
3	181	779	227	975
4	183	788	239	1,026

Metropolitan FMR Areas

Portland HMFA	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	148	636	172	740
1	176	757	206	886
2	218	939	256	1,099
3	296	1,272	341	1,468
4	301	1,293	356	1,531

York/Kittery/S. Berwick HMFA	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	186	798	210	902
1	186	798	210	902
2	233	1,003	270	1,163
3	324	1,393	370	1,589
4	345	1,485	401	1,723

Cumberland County HMFA	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	111	471	134	575
1	133	574	163	703
2	182	783	219	943
3	273	1,175	319	1,371
4	325	1,399	381	1,637

Sagadahoc County HMFA	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	138	603	163	702
1	142	611	172	740
2	167	718	204	878
3	222	954	267	1,150
4	286	1,231	342	1,469

York County HMFA	**Unheated**		**Heated**	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	126	541	148	637
1	139	597	169	726
2	178	767	216	927
3	251	1,079	297	1,275
4	251	1,079	304	1,308

GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from **October 1, 2015 to September 30, 2016.**

APPENDIX A - OVERALL MAXIMUMS

County	Persons in Household					
	1	2	3	4	5	6

NOTE: For each additional person add $75 per month.

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

APPENDIX B - FOOD MAXIMUMS

Number in Household	Weekly Maximum	Monthly Maximum
1	45.12	194
2	83.02	357
3	118.84	511
4	150.93	649
5	179.30	771
6	215.12	925
7	237.67	1,022
8	271.86	1,169

NOTE: For each additional person add $146 per month.

APPENDIX C - HOUSING MAXIMUMS

	Unheated		Heated	
Number of Bedrooms	Weekly	Monthly	Weekly	Monthly
0				
1				
2				
3				
4				

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

FOR MUNICIPAL USE ONLY

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	$19.10	$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

Month	Gallons	Month	Gallons
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

Number in Household	Weekly Amount	Monthly Amount
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:

Number of Children	Weekly Amount	Monthly Amount
1	$12.80	$55.00
2	$17.40	$75.00
3	$23.30	$100.00
4	$27.90	$120.00

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 7, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-068. Move approval of the second reading on the proposed amendments to Chapter 601 – the Town of Scarborough Traffic Ordinance Section 25, Parking Restrictions, Section A. Parking Restrictions, subsection II. Higgins Beach.

CHAPTER 601
TOWN OF SCARBOROUGH
TRAFFIC ORDINANCE

BE IT HEREBY ORDAINED, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that Chapter 601 - - the Traffic Ordinance of the Town of Scarborough, Maine is amended by adding the underlined text and deleting the text shown in strikeover type, as shown below:

II. HIGGINS BEACH.[amended 01/19/2011][amended02/16/2011]

a. Upon any of the public streets or highways within the area known as Higgins Beach. For the purpose of this Ordinance the Higgins Beach area is defined as including the area bounded on the South by the Atlantic Ocean, on the East by the Spurwink River, on the West by the property now or formerly of one Edward Piper and on the North by the Spurwink Road (Route #77).

Parking shall be allowed on the easterly side of Acorn Lane from September 16^{h} to April 30th.

b. Exempt from paragraph (a) of this subsection are the following:

(i) two handicapped parking spaces on Bayview Avenue across from Ashton Street, with no time limit. (amended April 21, 1999)

(ii) 30 minute ~~1 hour~~ parking shall be allowed, from ~~7:00 a.m.~~ 6:00 a.m. to 10:00 p.m., in designated parking spaces, on the ocean side only of Bayview Avenue from the end of the drop-off zone to Morning Street from September 16th to April 30th, the 30 minute ~~1 hour~~ parking shall not be in effect.

(iii) On all other areas of Bayview Avenue there shall be no parking at any time, except during the off-season [September 16th to April 30th] on the ocean side of Bayview Avenue from Morning Street to Vesper Street. (amended02/16/2011)

(iiii) there shall be no parking on any of the other streets year round unless otherwise noted herein.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 7, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-076. Move approval on the names that were posted to the various committees/board, by the Appointments Committee at the September 16, 2015, Town Council meeting.

> Moira Erickson as 1st Alternate to the Coastal Waters and Harbors Committee and Carol Rancourt as a full voting member to the Senior Advisory Board.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 7, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-077. Move approval of the first reading on the proposed amendments to Chapter 313-A, the Town of Scarborough Property Tax Assistance Ordnance and scheduled a public hearing and second reading for Wednesday, October 21, 2015.

Note: Amend existing Ch. 313 not to apply to refund years after 2015

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that new Chapter 313-A – Town of Scarborough Property Tax Assistance Ordinance is hereby adopted as follows:

CHAPTER 313-A
TOWN OF SCARBOROUGH PROPERTY TAX ASSISTANCE ORDINANCE

Section 1. Purpose

The purpose of this Ordinance is to establish a program to provide property tax assistance to persons 62 years of age and over who reside in the Town of Scarborough.

Section 2. Definitions

Homestead: A homestead is a dwelling owned or rented by the person seeking tax assistance under this Ordinance or held in a revocable living trust for the benefit of that person. The dwelling must be occupied by that person as a home.

Qualifying applicant: A qualifying applicant is a person who is determined by the Tax Assessor or his designee, after review of a complete application submitted under Section 4 of this Ordinance, to be eligible for a payment under the terms of this Ordinance.

Section 3. Criteria for Participation

In order to participate in the Property Tax Assistance Program, an applicant shall demonstrate all of the following:

a. The applicant shall be 62 years of age or more by last day on which an application may be filed under Section 4 of this Ordinance.
b. The applicant shall have been a resident of the Town of Scarborough with a Homestead therein for the ten years immediately preceding the last day on which an application may be filed under Section 4 of this Ordinance.
c. The federal adjusted gross income of the applicant (plus that of any other adult members of the applicant's household) does not exceed $50,000.

Section 4. Application and Payment Procedures

Persons seeking to participate in the Property Tax Assistance Program shall submit a written request to the Tax Assessor no later than October 15th. Applications are required every year to participate in this program. The Tax Assessor shall provide an application form for the program, which shall include the applicant's name, homestead address and contact information. At the time of application, Applicants must provide adequate evidence of eligibility. The Assessor may accept a statement under oath. No confidential income records, including tax returns, will be kept by the Town. The Tax Assessor shall review and determine if the application is complete and accurate and if the applicant is eligible to participate in the Program. The Tax Assessor shall notify an applicant if an application is determined to be incomplete. The Tax Assessor's decision on eligibility to participate in the Program shall be final.

Section 5. Determination of eligibility and amount of eligibility

1. Eligibility for Homeowners

If the Tax Assessor determines that the applicant is eligible to participate in the Program, he shall determine the amount of the benefit paid. The amount shall be the least of the following:

a. The amount, if any, by which (i) the taxes assessed for fiscal year of the Town beginning on July 1 of the preceding calendar year exceeds (ii) 5% of the federal adjusted gross income of the applicant (plus that of any other adult members of the applicant's household); or

b. A pro-rata share of the available monies in the Program Fund, including any amount in the Property Tax Assistance Reserve Account, allocated based on the amount of the refunds determined under sub-section a for all eligible applicants; or

c. $500.00.

In the case of applicants who did not file federal income tax returns, the Tax Assessor, upon presentation of adequate information returns and other information, shall calculate the federal adjusted gross income.

2. Eligibility for Renters

In the case of renters, the tax assessed for purposes of Section 5.1.a(i) shall be deemed to be 18% of the rent payable from own funds by applicant (and other adult members of applicant's household) in the preceding calendar year. The Tax Assessor, upon presentation of adequate documents and other information, shall determine the amount of rent.

Section 6. Annual Report to the Town Council

The Tax Assessor shall report in writing to the Town Council no later than their first regular meeting in December each year the projected payments and number of eligible applicants requesting assistance for the program fund.

Section 7. Program Fund - Limitations On Payments

In the event that a lack of funding results in no payment or less than the full payment to a qualifying applicant, the request will not carry over to the next year.

Section 8. Creation of the Program Fund

The Program Fund from which payments shall be made under the terms of this Ordinance shall be created as follows:

As funds are available, the Town Council shall annually appropriate monies from the general fund or other sources to support this program. Any surplus monies available after all payments have been made shall revert to the Property Tax Assistance Reserve Account.

Section 9. Timing of Payments

A person who qualifies for payment under this Program shall be mailed a check for the full amount no later than December 15th for the year in which participation is sought.

Section 10. Limitations upon payments

Only one qualifying applicant per household shall be entitled to payment under this Program each year. The right to file an application under this Ordinance is personal to the applicant and does not survive the applicant's death, but the right may be exercised on behalf of an applicant by the applicant's legal guardian or attorney-in-fact. If an applicant dies after having filed a timely complete application that results in a determination of qualification, the amount determined by the Tax Assessor shall be disbursed

to another member of the household as determined by the Town Assessor in consultation with the Town Manager. If the applicant was the only member of a household, then no payment shall be made under this Ordinance.

Section 11. Effective Date and Repeal of Prior Ordinance

This ordinance repeals and replaces Chapter 313, the Town of Scarborough Property Tax Assistance Ordinance adopted on April 18, 2007 as amended such that this Chapter applies to applications for property tax assistance received after October 15, 2015 under this chapter for payments paid beginning in calendar year 2016 related to taxes assessed in fiscal year July 1, 2015 through June 30, 2016, and thereafter.

Town of Scarborough
Property Tax Assistance Program
Determination of Eligibility and Benefits
2016

(This version for Tax Filing Owners)

1. Name: _____ Phone:_____
2. Address: _____ E-Mail:_____
3. Date of Birth: _____ Document Seen: _____ ME Drivers License/ID
   Applicants must be 62 on 10/15/2016 _____ US Passport
   Born on/before 10/15/1954 _____ Other _____
4. Resident of Scarborough Document Seen: _____ Assessing Record
   For at least 10 years on 10/15/2016 _____ Other
   _____ Oath
5. Federal Adjusted Gross Income
   From filed Form 1040, 1040-A, or 1040-EZ _____
6. Additional income of other adults in household _____
7. Total Income (Line 5 plus Line 6) _____
8. Income Limit $50,000
   a. If line 7 exceeds line 8: STOP: No benefit paid
9. Benefit Threshold _____
   5% of Line 7
10. Real Estate Tax Assessed _____
    July 1, 2015 through June 30, 2016 (FY 2016) _____
11. Excess of Tax Assessed over Benefit Threshold _____
    Line 10 minus Line 9. If line 10 does not exceed
    Line 9: STOP: No benefit paid
12. Benefit Cap $500
13. Benefit Determined (Check Mailed by 12/15/2016) _____
    Lesser of Excess Tax of Benefit Cap
    (Lesser of Line 11 or Line 12)

Oath: I certify that the information contained herein is accurate to the best of my knowledge and belief, under penalties of perjury.

Signed: _____

Prepared / Approved by _____ Date: _____

Explaining the Proposed Senior Property Tax Relief Program

1. Why does our ordinance need to decouple from the State program?
Our ordinance relies on the State program for eligibility. State program changes caused nearly half of our participants to lose eligibility. Our residents should have a consistent program.

2. What is the framework of the new program?
Applicants need to be at least 62 years of age and reside in Scarborough for 10 years (no change from the current ordinance). The test for eligibility then looks at how much of an applicant's income (5%) has to be paid in property taxes. For every dollar the property taxes are more than 5% of income a rebate is paid up to $500.

3. Will the new program be too complicated to manage with our limited resources in assessing?
The formula focuses on simplicity. It uses information that is readily available to applicants and is easily calculated by the staff. No sensitive documents will be or need be retained by the Town.

4. Why was 5% of income chosen as a threshold for creating eligibility?
Relying upon the judgments underlying the State's successful earlier program, any percentage in the 4-6% range is probably appropriate as a limit on how much of an applicant's income should go to property tax. The former State program started with 4% and the 2015 proposed legislative fix that failed used 5%.

5. Why was $50,000 chosen as an income cap?
Several benchmarks were considered. The income limit for eligibility for affordable housing like the new Avesta project in Scarborough is slightly below $50,000. Median household income in Scarborough is roughly $60,000.

6. So a person with income just over $50,000 gets no benefit?
The draft does cut off eligibility. This is somewhat inequitable but the formula as proposed has a progressive element (higher income levels require higher tax obligations). At the price of increased complexity a phase-out could be introduced. Allowing the program to operate for a year with a "hard cap" will allow us to monitor the need for a phase-out.

7. Why was Federal Adjusted Gross Income (AGI) chosen?
The premise was to use a suitable number that nearly every applicant would have. Federal AGI is the simplest of the readily available numbers and is much simpler than Maine AGI. It is anticipated that few if any recipients will have sources of income that escape Federal AGI and staff can monitor for any anomalies.

8. Why is the maximum benefit capped at $500?
$500 was chosen because it was the limit in the Town's previous ordinance and having a cap helps control the size of the program. With the loss of State program benefits for many Scarborough residents it would not be unreasonable to consider increasing the cap.

9. How do the changes work procedurally for adoption?
Chapter 313 is the old ordinance and remains in effect for the 2015 program. Chapter 313-A replaces Chapter 313 for 2016 and thereafter.

10. Are renters and persons not filing tax returns covered?
Yes. For renters the same formula applies using 18% of rent (the State figure proposed in the 2015 legislative fix) as their "property taxes". As a practical matter, few renters are expected to be 62 and 10 year residents. Rent subsidies cannot be used to qualify. Non-filers only need to show their W-2's and 1099's to allow staff to calculate Federal AGI.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 7, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-078. Move approval on the request to accept the new Town of Scarborough Crosswalk Marking Policy, as recommended by Transportation Committee.

SCARBOROUGH
MAINE

To: Town Councilors and Tom Hall, Town Manager
From: Angela Blanchette, Town Engineer and Dan Bacon, Planning Director
CC: Transportation Committee and Planning Board
Date: September 24, 2015

Proposed Crosswalk Marking Policy
Recommended by the Transportation Committee

On a fairly regular occurrence the Town staff receives inquiries and requests from residents, business owners and other constituents looking to have crosswalks delineated or installed at various locations in Town. These are requests that we are generally eager to receive, as it often indicates people are looking out for safety and are interested in being more active and mobile, but we don't have a clear process to consider them. Further, we don't currently have a policy on situations or contexts where crosswalks make sense and are warranted, and where they may not be.

To address this issue, the Public Works, Planning and Police Departments brought this matter to the Transportation Committee to work collaboratively on crafting a policy and process around fielding crosswalk requests, reviewing these requests, and making determinations on their appropriateness, design, and safety. To help with this effort we also engaged the services of the Greater Portland Council of Governments (GPCOG) who have experience working on similar initiatives.

This effort has resulted in the attached "Crosswalk Marking Policy" that is intended to do the following:

- Identifies a Town Staff point person to field requests and a Review Committee (staff from Public Works, Police and Planning) to consider applications for crosswalks;
- Spells out the application steps and process;
- Establishes a Siting Criteria to give general guidance on the type of area or location where a crosswalk may be justified and warranted;
- Provides Design Guidelines and Requirements that inform and dictate how crosswalks will need to be designed and what standards need to be met

The Transportation Committee and staff from the three departments think this policy and process can go a long way to providing a clear direction and process for handling these requests, and can result in properly located and safely designed crosswalks to better accommodate pedestrians in Town. We look forward to reviewing this further with the Council.

Thank you.

Dated September 23, 2015

Town of Scarborough, Maine

CROSSWALK MARKING POLICY

Adopted xx/xx/15

The Scarborough Crosswalk Marking Policy represents a commitment by the Town of Scarborough to promote safety and livability in its neighborhoods by striving to provide safe and efficient movement of pedestrians throughout town. The goal of this policy is to promote an open process for citizen participation by: a) providing a formal process for submitting crosswalk requests and b) adopting standard procedures for town staff to follow regarding crosswalk requests.

A. Staff Crosswalk Review Committee

All requests will be initially reviewed by the Staff Crosswalk Review Committee. Members of the Crosswalk Review Committee include the Planning Director, Public Works Director, Town Engineer, and Police Department designee.

B. Procedure for Request for New Crosswalks

1. To initiate a request proposing a new crosswalk, Scarborough residents must submit a completed "*Application for Pedestrian Crosswalk Marking*" form to the Town Engineer in the Planning and Code Enforcement Department. *(The form is available on the town's website or in hardcopy at the town office).*

2. Upon receipt of the application, the Town Engineer will determine if the proposed location meets the basic criteria cited in **Section D** of this document. If so, the application will be circulated to members of the Staff Crosswalk Review Committee to determine if it merits a more comprehensive review.

3. If further review is warranted, the Crosswalk Review Committee may request any of the following next steps:

    a. A meeting with the applicant.
    b. A "walking audit" of the site.
    c. Pedestrian counts at the proposed location.
    d. A full, or partial, traffic engineering study evaluating such characteristics as roadway geometry, motorist sight distance, pedestrian and vehicle volume data, posted speed limits, crash history, distance to nearest marked crossing, and any other factor deemed relevant by the Committee.

    The Committee will determine which of the above measures are appropriate based on the unique characteristics of each site. The Committee will determine the timing of these measures based on factors such as staff capacity, coordinating improvements with other planned or anticipated construction/maintenance activities, and the availability of funding.

C. Procedure for Staff Response to Request

1. If it is determined the request warrants further consideration by the Committee, the applicant will be directly notified. A final determination letter will also be sent when the Committee reaches a decision on the proposed location.
2. If it is determined by the Town Engineer that the proposed location does *not* warrant a full review by the Committee, a determination letter regarding the matter will be sent to the requestor.

D. Site Criteria

1. In order for an "*Application for Pedestrian Crosswalk Marking*" form to be complete, the proposed location must meet **one** or more of the following site-specific criteria – the strongest applications will likely meet multiple criteria. *(Please note: the criteria below are only used to determine whether a crosswalk proposal will be considered for further review by the Committee. Every crosswalk location is unique and the Committee will evaluate each request independently if warranted).*
    a. The location is adjacent to a school and is part of an established walking route to/from the school.
    b. The location is part of an established Walking School Bus (WSB) route to/from a nearby school.
    c. The location is adjacent to a public park, playground, or other such public recreation area.
    d. The location is adjacent to, or part of, a designated trail system.
    e. The location is adjacent to a community center, library, or other high use public facility.
    f. The location experiences, or is expected to experience, "high pedestrian volume."[1]
    g. The location experiences, or is expected to experience, high pedestrian volumes for vulnerable demographic groups, such as children, or handicapped/disabled persons.
    h. The location is adjacent to a senior housing facility or nursing home.
    i. The location has experienced one or more pedestrian crashes with motor vehicles in the last five years.[2]
    j. The location is within a village center area.
    k. The location has been identified or recommended in previous town plans or traffic studies.
    l. The location has been identified as part of a formal development review process or similar development opportunity.

[1] "High pedestrian volume" may be seasonal, or occur at specific intervals throughout the day. The Crosswalk Review Committee will use a consistent approach, and its best professional judgment, to determine whether high pedestrian volumes are present at any given location. If warranted, pedestrian counts may be conducted to provide a more detailed assessment.

[2] Information on bicycle and pedestrian crashes can be found in the "Biking & Walking" section of MaineDOT's website here: http://www.maine.gov/mdot/bikeped/safety/.

E. General Guidelines

1. Crosswalks proposed on state roads, or state aid roads must be in accordance with the MaineDOT Guidelines on crosswalks. (Link: MaineDOT Crosswalk Guidelines.)
2. All marked crosswalks shall lead from one safe landing zone to another. A safe landing zone is an area where a pedestrian is safe from vehicle conflict while waiting to cross or when finished crossing a roadway. *(Safe landing zones can vary by location. In some areas this may be a wide road shoulder, while in others it could be an ADA accessible ramp).*
3. All crosswalks shall meet the criteria put forth in the American's with Disabilities Act (ADA).
4. Crosswalks shall be placed in areas where there is sufficient stopping sight distance for the posted speed limit and be adequately signed and lighted for nighttime use, if warranted.
5. Pedestrian crosswalks shall not be located on roadways with more than 3 lanes or on roadways with speeds greater than 40 mph unless in conjunction with existing or proposed sidewalks and pedestrian actuated signals.
6. Crosswalks installed at a signalized intersection shall include the installation of pedestrian signal heads with push button actuation and countdown timers. Pedestrian signal timing changes to the signalized operation of the intersection must be completed that meet the requirements stated in the latest version of the Federal Highway Administrations "Manual on Uniform Traffic Control Devices".
7. Mid-block crosswalks shall be avoided whenever possible, as they are generally not expected by motorists and create an unsafe condition for pedestrians. However, some circumstances warrant their creation such as a location where a trail or a parking area may require a pedestrian to cross a road to reach their destination, or continue on the trail. These crosswalks shall be appropriately signed for advanced warning, and if possible, lighted and provide pedestrian actuated signals, so as to be more visible to a driver.
8. Other than at signalized intersections, a new crosswalk shall not be marked within 200 feet of an existing crosswalk.
9. The style and type of marking for any new crosswalk will be in accordance with the Town of Scarborough's adopted design guidelines.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 7, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-079. Move approval to authorize the Town Manger to sign a utility easement on town own property at the end of Down East Lane [Map045/Lot16].

Town of Scarborough, Maine
Planning and Code Enforcement

MEMORANDUM

TO: Town Council

FROM: Angela Blanchette, PE, Town Engineer

DATE: October 2, 2015

RE: Unitil Corporation Request for Utility Easement

Staff has been approached by Unitil Corporation earlier this year to discuss their overall utility expansion and reinforcement plans for the Scarborough/South Portland service area. Their goal is to find the shortest and most economically feasible route to get from the Eastern Road substation, near the back entrance of Eastern Village Subdivision, to the Route 1 corridor, and eventually down to Cash Corner in South Portland. After field reconnaissance and multiple meetings with Public Works and Planning Department staff, Unitil has determined that going down Eastern Road and through a cross-country section in order to enter into the Down East Lane cul-de-sac, is the most feasible approach for this project.

This construction activity will result in the need for a 20-foot utility easement to be granted by the Town of Scarborough over the land currently held between Down East Lane and Eastern Road. This is a wooded area and therefore some tree clearing is required to install the proposed 8-inch diameter coated steel gas main. Unitil has marked out the alignment in the field to show where the new gas line will be installed, as well as marked the trees that will need to be removed.

259 US ROUTE ONE, PO BOX 360
SCARBOROUGH, MAINE 04070-0360
PHONE: 207-730-4040 FAX: 207-730-4046
WWW.SCARBOROUGHMAINE.ORG

DRAFT

GAS LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the TOWN OF SCARBOROUGH,

hereinafter known as the Grantor, for one dollar paid and other good and valuable consideration, grants to: **Northern Utilities, Inc. d/b/a Unitil**, a Maine corporation, having its principal place of business at 6 Liberty Lane West – Hampton, NH 03842, hereinafter referred to as the Grantee, a company duly established by law, its successors and assigns forever, without covenant, the perpetual right and easement at any time and from time to time to excavate for, lay, add to and remove gas pipelines and other appurtences for the transmission of high and low pressure gas through, under, and across a portion of the land conveyed to the Grantor by deed recorded in the Cumberland County Registry of Deeds, Book 4638, Page 251, said portion being a twenty-foot wide strip of land more particularly described in Exhibit A attached hereto.

The above granted rights being more particularly described as the right to excavate for, lay, alter, enlarge, relocate, rebuild, repair, maintain, operate, use, and remove one or more high or low pressure gas pipelines with the suitable foundations, manholes, equipment and appurtenances through, under and across the Easement Premises with permission to enter upon said premises for access thereto for all of the above purposes.

The exact location of said facilities within the Easement Premises and all necessary appurtenances are to be determined by the Grantee. The type of equipment needed is to be determined by the Grantees. The location of said equipment shall become permanent upon the erection or placement thereof. Said equipment shall be and remain the property of the Grantee, its sucessors and assigns.

Also granted, is the perpetual right and easement at any time and from time to time to clear and keep cleared that portion and areas of the Easement Premises wherein the systems are located, of trees, roots, branches, structures, objects and surfaces as may, in the opinion of the Grantee, its successors and assigns, interfere with the safe and efficient operation and maintenance of said systems.

The rights herein granted are subject to any leases, easements, restrictions, and/or mortgages of record insofar as same are now in force and applicable.

Signed as a sealed instrument this ____ day of _____, 2015.

CITY OF SCARBOROUGH

_____
Witness

By:_____
Thomas Hall
Its Acting Town Manager

STATE OF MAINE

Exhibit A

20 foot wide gas line easement across the Town of Scarborough property, located between the Down East Lane "cul-de-sac" and the Eastern Road "right-of-way".

A certain gas line easement across the Town of Scarborough land situated southerly of and adjacent to the southerly side of Down East Lane "cul-de-sac" and on the northerly side of Eastern Road in the Town of Scarborough, Cumberland County, State of Maine, bounded and described as follows:

COMMENCING at the southeasterly corner of said easement, said corner being at distance of **thirty nine and thirty-four hundredths (39.34')** westerly from the southeasterly corner of said Town land abutting on Eastern Road.

THENCE, N06°37'01"W a distance of **ninety and sixty-six hundredths feet (90.66')** across said Town land to a point on the Down East Lane right-of-way "cul-de-sac" curve;

THENCE, westerly along said Down East Lane right-of-way "cul-de-sac" curve with a radius of seventy five feet (75.00') a distance of **twenty and seven hundredths feet (20.07')** to another point on said curve;

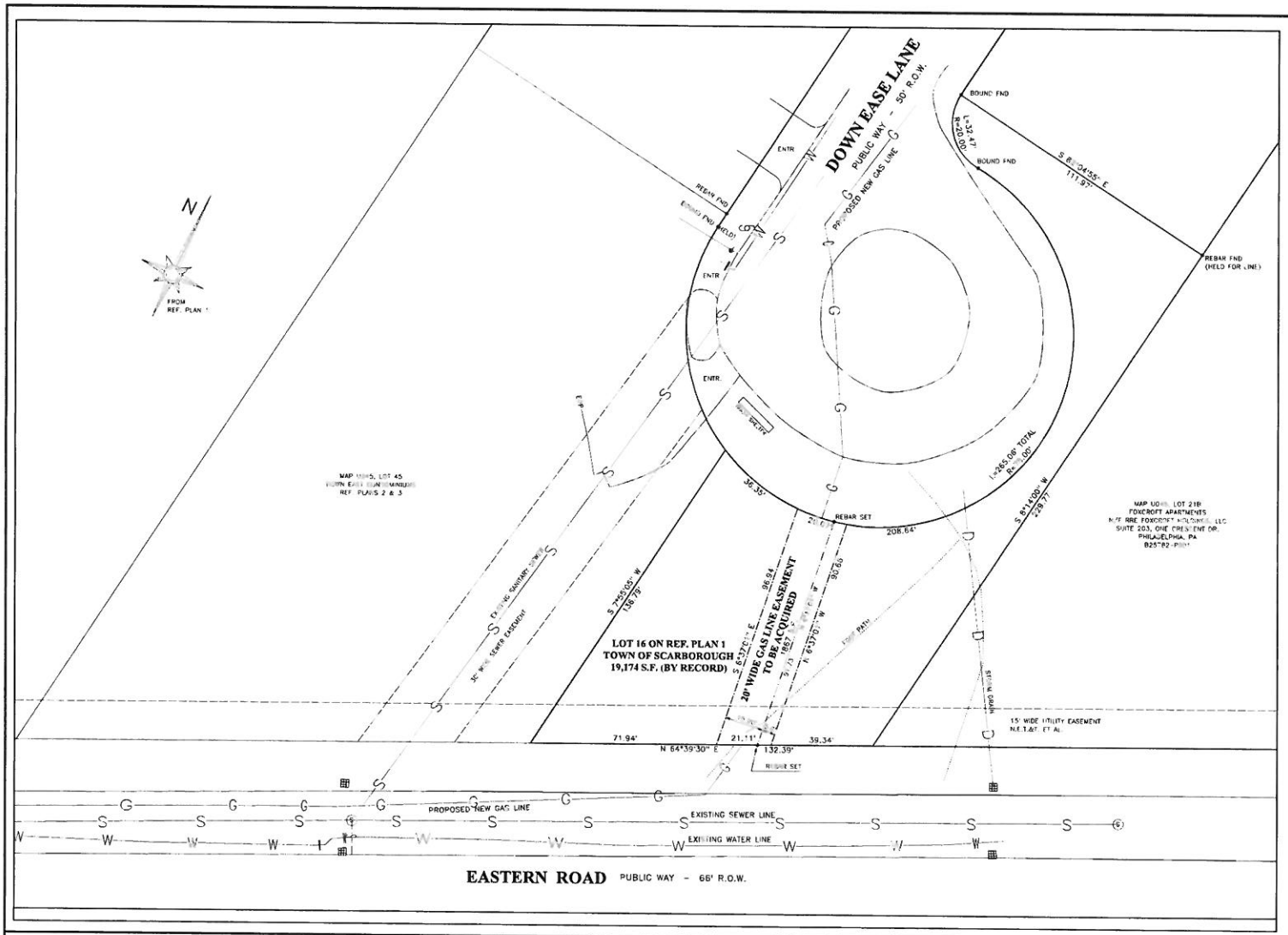
THENCE, S06° 37' 01"E a distance of **ninety-six and ninety-four hundredths feet (96.94')** across said Town land to a point on the Eastern Road right-of-way;

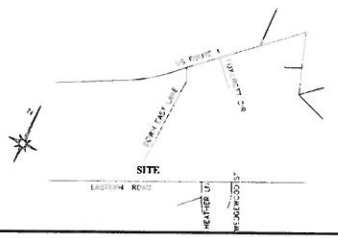
THENCE, N64° 39' 30"E along Eastern Road right-of-way a distance of **twenty-one and eleven hundredths feet (21.11')** to the said point of beginning with an area of 1,867 square feet.

The above Gas Line Easement "Metes and Bound" description is from a Plan prepared as titled:

PROPOSED EASEMENT PLAN - ENCUMBERING
ASSESSOR'S MAP U045, UNDESIGNATED LOT - SCARBOUROUGH, ME
OWNED BY - THE TOWN OF SCARBOROUGH, ME
Easement To Be Acquired By: Northern Utilities, Inc. - 6 Liberty Lane West - Hampton, NH 03842
Prepared By: TJW Survey – P.O. Box 2000 – Derry, NH 03038
Scale: 1" = 20', Dated: August 15, 2015

PROPOSED EASEMENT PLAN
TO BE RECORDED AT: PLAN BOOK_____PAGE_____





VICINITY PLAN - NOT TO SCALE

REFERENCE PLANS:

1. "DOWN EAST LANE SECTION II, SCARBOROUGH, MAINE" MADE FOR LOUIS J. & CARMEL CROCE, WINDHAM, MAINE, BY ROBERT P. TITCOMB, INC., DATED 4/18/1978, RECORDED AS PLAN BOOK 120, PAGE 1.

2. "DOWN EAST LANE SECTION II LOT 17 SITE PLAN", LOUIS J. & CARMEL CROCE, 9/20/78, RECORDED AS PLAN BOOK 121, PLAN 53

3. "DOWN EAST LANE CONDOMINIUM" MADE FOR R. RISBARA CONSTR. CO., INC., 7/22/80, RECORDED IN FILE 31-1.

4. TOWN OF SCARBOROUGH GEOGRAPHIC INFORMATION SYSTEM.

NOTES:

1. THE PROPOSED NEW GAS LINE AND OTHER UNDERGROUND UTILITIES WERE LOCATED FROM MARKS ON THE GROUND PLACED BY UNITIL AND DIG SAFE PERSONNEL.

0 5 20 40 80
GRAPHIC SCALE IN FEET

PROPOSED EASEMENT PLAN

ENCUMBERING
ASSESSOR'S MAP U045, UNDESIGNATED LOT
SCARBOROUGH, ME
OWNED BY
THE TOWN OF SCARBOROUGH, ME
CCRD B04638-P251

EASEMENT TO BE ACQUIRED BY
NORTHERN UTILITIES, INC. dba UNITIL
5 LIBERTY LANE
HAMPTON, NEW HAMPSHIRE

STATE OF MAINE
TIMOTHY J. WININGS
No. 2488
PROFESSIONAL LAND SURVEYOR

SURVEYOR'S CERTIFICATION:

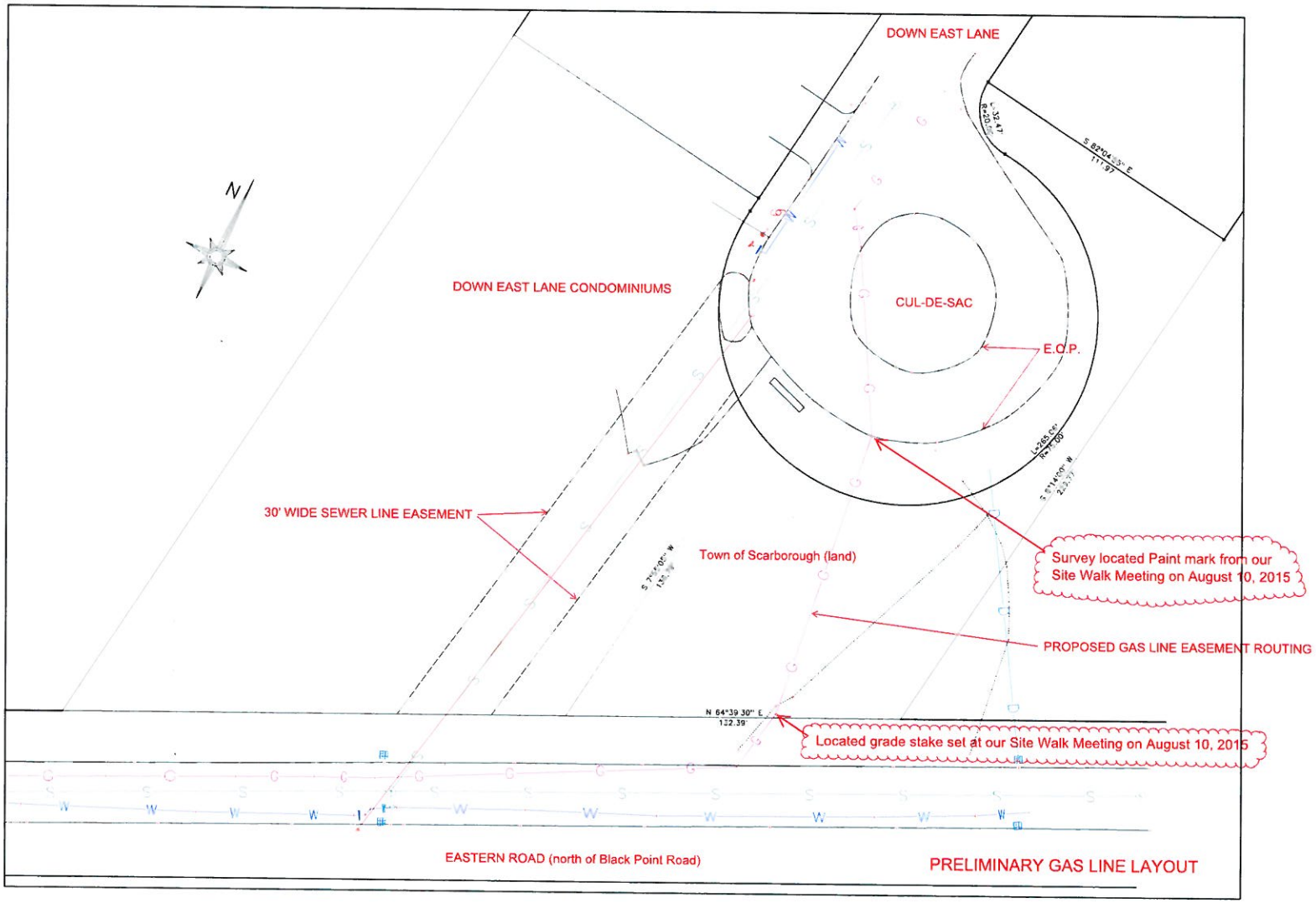
I HEREBY CERTIFY THAT THIS PLAN IS BASED UPON A FIELD SURVEY BY TOTAL STATION HAVING A TRAVERSE ERROR OF CLOSURE NOT GREATER THAN 1 PART IN 10,000 AND THAT SAID SURVEY WAS PERFORMED BY MYSELF OR THOSE UNDER MY DIRECT SUPERVISION.

#	Date	Description	By
1	9/24/2015	CORRECTED DEED REF. & GRANTEE NAME	TJW

DATE: AUGUST 2015
SCALE: 1 INCH = 20 FEET

TJW SURVEY
TIMOTHY J. WININGS, PLS,PSS,PWS
P.O. Box 2000
Derry, NH 03038
603-216-2492

15-17094


DOWN EAST LANE
N
DOWN EAST LANE CONDOMINIUMS
CUL-DE-SAC
E.O.P.
30' WIDE SEWER LINE EASEMENT
Town of Scarborough (land)
Survey located Paint mark from our Site Walk Meeting on August 10, 2015
PROPOSED GAS LINE EASEMENT ROUTING
N 64°39'30" E
132.39'
Located grade stake set at our Site Walk Meeting on August 10, 2015
EASTERN ROAD (north of Black Point Road)
PRELIMINARY GAS LINE LAYOUT

WARRANTY DEED

17215

Know all Men by these Presents,

That We, LOUIS J. CROCE and CARMEL M. CROCE, both of Scarborough, County of Cumberland and State of Maine,

in consideration of ONE DOLLAR ($1.00) and other valuable consideration,

paid by the TOWN OF SCARBOROUGH, a body politic and corporate duly organized under the laws of the State of Maine, with a place of business in Scarborough, County of Cumberland and State of Maine,

whose mailing address is

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said TOWN OF SCARBOROUGH,

its successors

~~their~~ and assigns forever,

A certain lot or parcel of land with the improved paved surface thereon, situated in the Town of Scarborough, County of Cumberland and State of Maine, and bounded and described as follows:

The fee in and to that portion of Down East Lane shown on a Plan entitled Down East Lane, Section II, Scarborough, Maine, made for Louis J. Croce and Carmel M. Croce, prepared by Robert P. Titcomb, Inc., dated April 19, 1978, recorded in Cumberland County Registry of Deeds in Plan Book 120, Page 1; included within this grant is the 50' right-of-way shown as it begins at the northwest corner of Lot 2 and extends in a southerly direction along Lots 2, 4, 6, 8, 10, 12, and 14 and then continues in a series of arcs and curves along Lot 16 and 17 and then continues on a course of N 7° 55' 5" E along Lots 15, 13, 11, 9, 7, 5, 3, and 1 to the northeast corner of Lot 1; thence on a course of S 82° 43' 38" E 45' to a lot marked "N/F Beeler"; thence in a southerly direction along land now or formerly of Beeler to the southwest corner of Beeler; thence on a course of S 82° 43' 38" E to the point of beginning.

The above-described premises are conveyed subject to easements to the Portland Water District dated August 2, 1978, recorded in Book 4278, Page 96, and to Central Maine Power Company dated July 24, 1978, recorded in Book 4283, Page 73.

The above-described premises are also conveyed subject to a sewer easement granted to The Scarborough Sanitary District.

ALSO, another certain lot or parcel of land being Lot 16 as shown on said Plan recorded in Plan Book 120, Page 1, in said Registry of Deeds, which is bounded on the north by Lot 14, on the east by land now or formerly of Rocco C. Risbara Jr., et al, on the southeast by land now of the Town of Scarborough, which formerly was an old railroad right-of-way, and on the west by Lot 17 and by the cul-de-sac of Down East Lane, which cul-de-sac is a portion of the parcel first conveyed above.

Excepting and reserving to the Grantors herein and their heirs and assigns, the perpetual easement in common with others over, under and across a strip of land fifteen (15) feet in width running along the entire length of the Southeasterly boundary of said Lot 16 for the installation, repair, replacement, maintenance and use of

utility mains, pipes, lines, conduits, wires and poles, including without limitation, easements for the transmission of power, telephone, television and other electronic intelligence, together with a right of entry for such purposes. This conveyance is also made subject to an easement granted to New England Telephone & Telegraph Company dated December 8, 1925, recorded in Book 1228, Page 408 in said Registry of Deeds.

MAINE SAVINGS BANK joins in this Deed but not in the covenants of warranty or any other covenants herein for the sole purpose of releasing the above-described premises from the operation and effect of a certain Mortgage dated July 14, 1978, recorded in Book 4261, Page 230, in said Registry of Deeds.

Being a portion of those premises conveyed to the Grantors herein by Deed of Laurene E. Webber dated November 21, 1977, recorded in Book 4137, Page 255, in said Registry of Deeds.

The Grantors herein and their heirs and assigns, covenant that following the exercise of the easement rights herein excepted and reserved, that the easement premises shall be substantially returned to their former condition, to the extent reasonably possible, so as to minimize the interference of the use thereof by the Grantee herein, its successors and assigns. This covenant shall not bind Maine Savings Bank, and upon a transfer of rights to said easement, the liability of the transferor under said covenant shall automatically terminate as to breaches arising out of the exercise of said rights by the transferee.

To have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said TOWN OF SCARBOROUGH, its successors ~~heirs~~ and assigns, to it and their use and behoof forever. successors

And we do covenant with the said Grantee, its/ ~~heirs~~ and assigns, that we are lawfully seized in fee of the premises, that they are free of all encumbrances

that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will **warrant and defend** the same to the said successors Grantee, its/ ~~heirs~~ and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, it, the said MAINE SAVINGS BANK has caused these presents to be signed and sealed with its corporate seal by Kenneth A. McAfee its Vice President, duly authorized,

and

LOUIS J. CROCE and CARMEL M. CROCE, being husband and wife,

~~husband and wife~~

each joining in this deed as Grantors and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this thirty first day of the month of July, A.D. 1980.

Signed, Sealed and Delivered in presence of

Ruth B. Haggerwell

Estelle J. Crocetti

MAINE SAVINGS BANK

By Its Vice President

Louis J. Croce

Carmel M. Croce

State of Maine, County of Cumberland **ss.** July 28, 1980.

Then personally appeared the above named Louis J. Croce

and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Estelle J. Crocetti

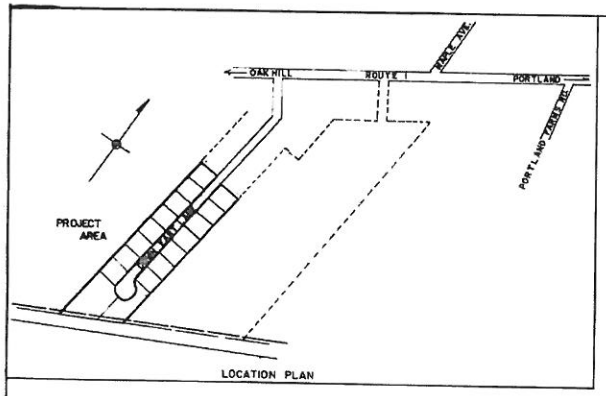
~~Justice of the Peace~~ Notary Public ~~Attorney at Law~~

MY COMMISSION EXPIRES NOVEMBER 20, 1983

AUG 1 1980

REGISTRY OF DEEDS CUMBERLAND COUNTY, MAINE
Received at 10:35 A/M, and recorded in

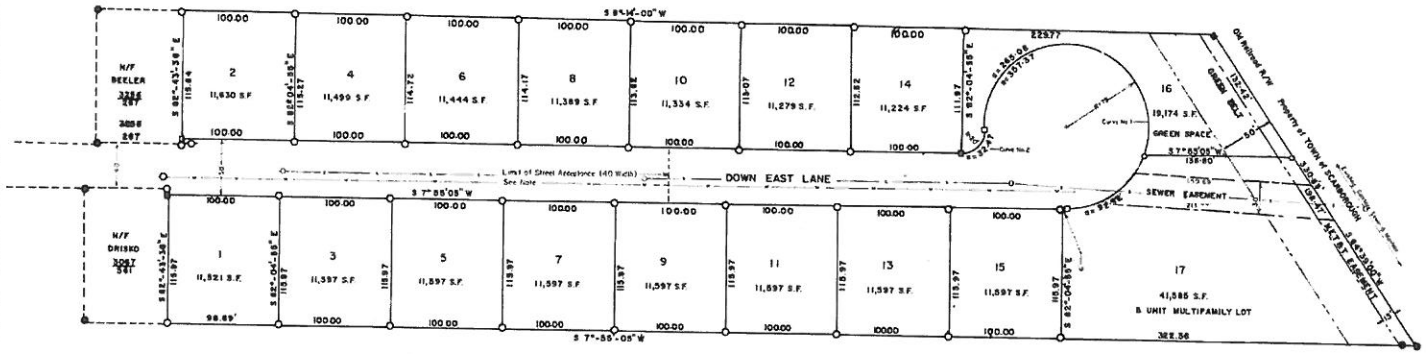
BOOK 4638 PAGE 251 Edward J. Bonstein Register



PLAN APPROVED Dated June 15, 1978
TOWN OF SCARBOROUGH, MAINE
PLANNING BOARD

Cynthia Sanderson
Gregory A. Foddis
Wesley A. Ward
Ed Kuzmeski
Rachel Hamond

N/F
ROCCO & MARCIA RISBARA
3884
301



PLANS RECORDED IN CUMBERLAND COUNTY REGISTRY OF DEEDS

PLAN BOOK	PAGE
35	59
42	20

PREVIOUS DOWN EAST LANE STREET ACCEPTANCE RECORDED IN TOWN OF SCARBOROUGH RECORD BOOK 10 PAGE 288

OWNER OF RECORD

LOUIS J. CROCE 4137/255

LEGEND

- ⊕ IRON PIPE FOUND
- ○ IRON PIPE SET
- □ STONE MONUMENT FOUND
- ▣ GRANITE MONUMENT SET
- N/F NOW OR FORMERLY OF
- ○ END EXISTING WATER MAIN
- —w— NEW WATER MAIN
- —s— NEW SANITARY SEWER

NOTE: 1. Parcel 16 designated as green space is to be dedicated to the Town of Scarborough for open space, and recreation or whatever use is deemed appropriate by the Town Council.

2. A fire hydrant is to be installed as directed by the Town of Scarborough manager and fire chief.

3. Density calculation for Lot 17

Area Lot 17	41,585 S.F.
Area Lot 16-Green Space	19,174
Area Sewer Easement	(3,804)
Area N.E.T.B.T. Easement	(8,407)
Net Area	50,948 S.F.

4. Zone: R-10
Density: 10,000 S.F. per unit

CURVE NO. 1
Δ = 275°01'01"
R = 75.0'
L = 357.37'

CURVE NO. 2
Δ = 93°01'01"
R = 20.0
L = 32.47'

GRAPHIC SCALE 1"=50'
50 0 50 100 150 200 FEET
25 0 25 50 METERS

I hereby certify that the lines and bearings shown on this plan are correct to the best of my knowledge.

ROBERT P. TITCOMB RLS 734

STATE OF MAINE
CUMBERLAND COUNTY SS REGISTRY OF DEEDS
RECEIVED June 30, 1978
AT 2 h 20 m PM AND RECORDED IN
PLAN BOOK 120 PAGE 1
ATTEST Edward A. Chapman REGISTRAR

DOWN EAST LANE
SECTION II
SCARBOROUGH, MAINE
MADE FOR
LOUIS J. & CARMEL CROCE
WINDHAM, MAINE

Job 7767	Scale 1"=50'	Drawn By C.M.G	Checked By	Date 4/19/1978 MELS	Sheet 1 of 1
BOOK 185 File 547	ROBERT P. TITCOMB INC LAND SURVEYORS				

120 1

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 7, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-080. Move approval on the request to rescind unused and unneeded bonded indebtedness, as noted in attached Order.

TOWN OF SCARBOROUGH
ORDER RESCINDING UNUSED AND UNNEEDED
BONDED INDEBTEDNESS AUTHORITY

WHEREAS, The Town of Scarborough has authorized certain bonded indebtedness between 1995 and 2014 that was not needed and the full amount of such originally authorized municipal bonded indebtedness was never issued either because the projects did not require the full amount of bonded indebtedness that was authorized or the projects were abandoned.

NOW THEREFORE, BE IT ORDERED, That the following list of unused and unneeded bonded indebtedness authority be rescinded and de-authorized in the amount of $4,346,004:

Bond Orders to be Rescinded

Budget Year	Project	Amount of Bond Order	Actually Bonded	Will Not Bond	Order #	Second Reading Date	Reason
94-95	Wentworth Energy Improv	107,771	51,057	56,714	96-29	05/01/96	Under Budget
96-97	OH Prof Building Renov.	160,000	-	160,000	96-61	10/02/96	Avail Funds
99-00	CS Blue Point Park	45,000	16,270	28,730	00-63	05/03/00	Under Budget
99-00	SEMA Generators Eng 3,4	107,100	60,000	47,100	00-63	05/03/00	Under Budget
01-02	CS Rec Trak Web Applic	8,500	-	8,500	02-31	04/03/02	Avail Funds
01-02	MIS Web Server	9,500	-	9,500	02-31	04/03/02	Avail Funds
01-02	Planning GIS Applicatn	5,000	-	5,000	02-31	04/03/02	Avail Funds
01-02	Planning Workstation/phon	1,850	-	1,850	02-31	04/03/02	Avail Funds
01-02	Library Exterior Lighting	10,000	-	10,000	02-31	04/03/02	Under Budget
03-04	Nutrition POS System	47,492	47,300	192	03-142	11/05/03	Under Budget
03-04	SW Equip Replace	282,934	282,900	34	03-142	11/05/03	Under Budget
04-05	PW Loader/Backhoe	95,779	95,700	79	05-7	02/16/05	Under Budget
04-05	School System Wide ADA	183,000	153,500	29,500	05-8	02/16/05	Under Budget
06-07	CS Synthetic Turf Field	395,000	394,000	1,000	06-128	11/01/06	Under Budget
06-07	PW Roof Repair	290,230	225,667	64,563	06-128	11/01/06	Under Budget
06-07	Sch Technology	69,383	69,380	3	06-129	11/01/06	Under Budget
07-08	Tax/Excise Office Renova	325,000	194,620	130,380	08-25	04/02/08	Under Budget
07-08	Facilities-support equip	30,000	25,160	4,840	08-26	04/02/08	Under Budget
07-08	Blue Point Sch Fence	25,000	7,500	17,500	08-26	04/02/08	Under Budget
07-08	SW Asbestos Flooring Aba	225,000	215,300	9,700	08-26	04/02/08	Under Budget
07-08	PH/BL Pt sch exterior litin	70,000	55,000	15,000	08-26	04/02/08	Under Budget
07-08	Long Range Planng Schoo	160,000	80,000	80,000	08-26	04/02/08	Under Budget
08-09	Public Safety Bldg Site Stu	100,000	25,000	75,000	08-122	09/17/08	Under Budget
08-09	MS/WW Bldg Modif	100,000	40,000	60,000	08-123	09/17/08	Under Budget
08-09	WW Interior Finishes	50,000	30,000	20,000	08-123	09/17/08	Under Budget
09-10	Old County Rd Drainage S	1,350,000	1,150,000	200,000	10-11	02/17/10	Under Budget
09-10	PW Plow Truck	160,600	160,505	95	10-11	03/03/10	Under Budget
10-11	HS Field Lighting	85,650	85,640	10	11-30	05/04/11	Under Budget
10-11	PW Backhoe	121,000	103,815	17,185	11-30	05/04/11	Under Budget
11-12	PW Loader	152,650	152,400	250	12-28	03/21/12	Under Budget
11-12	Wentworth School Constru	39,077,594	35,784,815	3,292,779	11-68	08/17/11	Under Budget
12-13	Town Hall Boilers	165,500	165,000	500	13-07	02/20/13	Under Budget
		44,016,533	39,670,529	**4,346,004**			

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 7, 2015
REGULAR MEETING – 7:00 P.M.

Order No. 15-081. Move approval on the request Act to set the date, time, and location of the Municipal Elections for Tuesday, November 3, 2015; appoint the warden, set the hours for voter registration, and act on appointments of election/ballot clerks, pursuant to Chapter 200 – Article VIII. Nomination and Elections and authorize the Town Clerk to make any additional appointments as necessary.

WARRANT FOR
Regular Municipal Election
TOWN OF SCARBOROUGH, MAINE

TUESDAY, NOVEMBER 3, 2015
DAY AND DATE OF ELECTION

County of Cumberland, ss State of Maine

To: Robert A. Moulton, the Police Chief 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 Regular Municipal & Referendum Election, as described in this warrant.

To the Voters of the Town of Scarborough:

You are hereby notified that an election for the purpose of a Regular Municipal Election will be held on Tuesday, November 3, 2015, at the Scarborough High School Alumni Gymnasium:

FOR COUNCIL MEMBER	FOR BOARD OF EDUCATION MEMBER	FOR TRUSTEE OF SCARBOROUGH SANITARY DISTRICT
Vote for Two 3 Year Term	Vote for THREE 3 Year Term	Vote forTWO 3 Year Term
BENEDICT, James E.	BEELEY, Donna L.	RICO, Nicola F.
CAIAZZO, Christopher J.	MILES, Kathryn E.	VIOLA, Benedetto
ROWAN, Robert W.	PERRY, Jacquelyn A.	
SOMERS, William F.		
TUREK, Michael B.		

FOR BOARD OF EDUCATION MEMBER
1 Year Term to fill a vacancy created by the resignation of Jane S. Leng, with a term to expire in 2016.
Vote for One

LYFORD, Cari S.

==========

The polls shall be opened at 7:00 A.M. and closed at 8:00 P.M.

Absentee Ballots shall be processed on Election Day, Tuesday, November 3, 2015, starting at 9:00 a.m. and hourly thereafter.

The Registrar of Voters will hold office hours during regular business hours of the Town Hall and at the polls to correct any error 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 in the Town of Scarborough may not vote in any Scarborough election.

Approved on Wednesday, October 7, 2015, by the Scarborough Town Council.

_____ _____

_____ _____

_____ _____

_____

Attest to a True Copy:

_____
Yolande P. Justice, Town Clerk

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – OCTOBER 7, 2015
REGULAR MEETING – 7:00 P.M.

Resolution 15-005. Move approval of Resolution 15-005 to authorize the Town Manager to research and provide recommendations to the Town Council regarding metered parking at Higgins Beach.

Town of Scarborough, Maine
US Route One, PO Box 360
Scarborough, Maine • 04070-0360

RESOLUTION 15-005

Town of Scarborough

METERED PARKING AT HIGGINS BEACH

BE IT RESOLVED, by the Town Council of the Town of Scarborough, in Town Council assembled that the Town Council directs the Town Manager to research and provide recommendations to the Town Council regarding metered parking at Higgins Beach. Recommendations are to be provided in such time to allow for consideration of any action item that may be required at the October 21, 2015, regular meeting.

Signed and sealed this the 7th day of October, 2015, on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine.

Signed by:	Jessica L. Holbrook Council Chair	Attested by:	Yolande P. Justice Town Clerk