

**AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 1, 2017
REGULAR MEETING – 6:00 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.

Order No. 17-018. Act on the request for an executive session pursuant to Title 1, M.R.S.A. §405(6)(C) regarding economic development relating to the Eighth Amendment to Contract Zone IX by The Residences at Gateway Commons – Devine Capital, LLC [formerly New England Expedition].
[Town Manager]

Item 4. General Public Comments.*

Item 5. Minutes: February 15, 2017 – Regular Meeting.

Item 6. Adjustment to the Agenda.

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

Resolution 17-001. Act on Resolution 17-001 to follow through with a Transportation and Land Use Action Plan for the Gorham East-West Corridor and authorize the Town Manager to sign the Resolve.
[Town Manager]

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

Order No. 17-014, 7:00 p.m. Public hearing and possible second reading on the proposed amendments to Chapter 601- the Town of Scarborough Traffic Ordinance, Section 25. Parking Restrictions, subsection A.IV-1. Pine Point. *[Ordinance Committee]*

OLD BUSINESS:

Order No. 17-019. Act to approve the names posted to the various committees/boards, as recommended by the Appointments Committee on February 15, 2017. *[Town Clerk]*

NEW BUSINESS:

Order No. 17-020. Act on the request to authorize the Town Manger to sign a Memorandum of Understanding with Manomet for a grant for commercial scale soft shell clam farming. *[Shellfish Conservation Commission]*

Order No. 17-021. Act on the request from the SEDCO Board to move approval on the appointments of Allen Paul and James Hartley with terms to expire in 2020 and the reappointments of Dr. Gayle Brazeau and Jon Crasnick with terms to expire in 2020 and Rick Shinay with a term to expire in 2019.
[SEDCO]

Order No. 17-022. Act to certify the election results of the Special Municipal Election held on Tuesday, February 28, 2017. *[Town Clerk]*

Order No. 17-023. Act on the annual "Seasonal Road Posting" for weight restrictions, if necessary, from February 27th to May 15th. *[Director of Public Works]*

Order No. 17-024. Act on the request to adopt the 2017 Town Council Goals. *[Town Council]*

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.

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Order No. 17-018. Move approval on the request for an executive session pursuant to Title 1, M.R.S.A. §405(6)(C) regarding economic development relating to the Eighth Amendment to Contract Zone IX by The Residences at Gateway Commons – Devine Capital, LLC [formerly New England Expedition]. *[Town Manager]*

Town Manager

Sponsor

03/01/2017

First Reading/Vote

Ought to Pass

Recommendation

N/A

Second Reading/Final Approval/Vote

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 1, 2017
REGULAR MEETING – 6:00 P.M.

Resolution 17-001. Move approval of Resolution 17-001 to follow through with a Transportation and Land Use Action Plan for the Gorham East-West Corridor and authorize the Town Manager to sign the Resolve. *[Town Manager]*

Town Manager

Sponsor

03/01/2017

First Reading/Vote

Ought to Pass

Recommendation

N/A

Second Reading/Final Approval/Vote

RESOLUTION 17-001
RESOLVE TO FOLLOW THROUGH WITH
A TRANSPORTATION AND LAND USE ACTION PLAN
FOR THE GORHAM EAST-WEST CORRIDOR

WHEREAS,

A. Vital to the economy of our region are the principal East-West routes between the urban core of Portland and South Portland and the suburbs in Scarborough, Gorham, Westbrook and other areas to the west, connected by Routes 22, 25, and 114, and the intersecting North-South Routes 1 and 202, and the Maine Turnpike (I-95) and I-295.

B. At the request of the Towns of Gorham and Scarborough and the Cities of South Portland and Westbrook, the 123rd Maine State Legislature in Resolve 2007, c. 95, commissioned the Maine Turnpike Authority (MTA) and the Maine Department of Transportation (MaineDOT) to review existing and potential new routes from the Maine Turnpike to municipal centers in western Cumberland County, to determine how to reduce congestion on state and local roads and to improve access between the Turnpike and outlying communities.

C. As directed by the Legislative Resolve, the parties have completed the Gorham East-West Corridor Feasibility Study led by a Steering Committee of officials from Gorham, Westbrook, South Portland, Scarborough, MTA, MaineDOT, and the Portland Area Comprehensive Transportation System (PACTS).

D. The Feasibility Study published in September 2012 responded to the Resolve with findings that the study area is highly congested with 64 high crash locations and seven intersections operating at unacceptable levels of service.

E. Current morning and evening rush hour congestion on key arterials such as Route 114, Route 22, Running Hill Road, and Spring Street is probably the worst in Maine. Traffic backups of more than a mile long are not uncommon. This congestion causes an unacceptable loss of productivity, wasted fuel, degraded air quality, safety hazards, ever-worsening environmental impacts, and mobility constraints for those who depend on these over-burdened roads for daily passage.

F. The Feasibility Study projected that over the next 25 years this area of Maine will receive a significant share of statewide growth, leading to worsening traffic, a tripling in the number of congested intersections, a shift of traffic to residential and secondary roads, and an increase in safety “hotspots.”

G. It is currently projected that population growth if left unchecked will build out rural areas rather than congregate in existing suburban and urban centers and that this will impose unsustainable demands on the existing transportation network.

H. The 2012 Feasibility Study identified and evaluated a range of potential solutions to the area’s transportation and land use needs, resulting in recommendations to implement roadway improvements; transit service expansion; and land use, zoning and growth management measures in a regionally planned and coordinated manner. The Study highlighted that all three of these strategies are necessary to address the existing transportation congestion and capacity issues. A regional approach is necessary to provide more efficient land use choices, expand transit services, and maximize the efficiency and safety of the roadway system to avoid an over-reliance on adding highway capacity.

I. The 2012 Feasibility Study identified two alternative highway improvement scenarios to address congestion and safety within the study area:

- (1) further develop, widen and expand the capacity of existing roads and intersections along the congested routes; or
- (2) build a limited access by-pass corridor to provide unimpeded mobility, remove traffic from existing roads, and preserve local roads for local destinations including residential, village, and small businesses areas.

J. MaineDOT has limited resources with which to build either scenario recommended by the 2012 Feasibility Study. If granted Legislative authority, MTA does have the fiscal capacity to plan for and build a limited access by-pass through the region as a connector to the Turnpike provided that a toll is imposed to build and maintain the connector and amortize necessary bonding.

K. Until a new strategy for regional traffic management is defined for the study area, it is not possible for municipalities to complete long range plans for future land use, to zone affected regions appropriately, to consider how and where to extend public utilities, or to determine how best to develop or preserve existing villages in North Scarborough, South Gorham and other areas under pressure from growing congestion.

L. All area communities have benefited from extensive reviews and studies conducted by (PACTS) which is the region's federally-mandated metropolitan planning organization.

NOW, THEREFORE,

1. Given the public consensus among municipal and regional interests, the shortage of resources from the Maine Department of Transportation, the compelling long term and sustainable safety, environmental and livability advantages of a new limited access highway, and the fiscal capacity of the Maine Turnpike to address such needs, we urge the Maine Legislature to find it in the public interest for the Turnpike to pursue planning and development of a limited access connector between South Gorham and an appropriate juncture to the Maine Turnpike at or near Exits 44 or 45.

2. The undersigned communities find that building a new limited access highway corridor is appropriate from an economic, environmental, and land planning perspective if done in conjunction with coordinated plans supported by each of the engaged municipalities under guidance and coordination from PACTS.

3. Each of the undersigned municipalities pledges to make sensible and appropriate land planning decisions to adjust to improved patterns of travel through and within the affected area in coordination with each other.

City of South Portland

Signed: _____

Title: _____

Date: _____

City of Westbrook

Signed: _____

Title: _____

Date: _____

Town of Gorham

Signed: _____

Title: _____

Date: _____

Town of Scarborough

Signed: _____

Title: _____

Date: _____

**Portland Area Comprehensive Transportation
System**

Signed: _____

Title: _____

Date: _____

A Turnpike Connector to Gorham Frequently Asked Questions

Why is a Gorham Connector being discussed?

Because a new, tolled limited-access highway connector from I-95 to Gorham appears to be the best way to find a sustainable, locally-supported, environmentally-responsible, and financially-viable solution to the chronic traffic congestion in the region.

Daily rush hour congestion on Route 114, Route 22, and Running Hill Road is certainly among the worst in Maine; commuter delays of 15 to 30 minutes or more are not uncommon. Simply put, these roads are unreliable and are becoming more unsafe.

This situation impacts more than commuters. Idling automobiles increase air pollution. Local businesses, local residents and the vitality of part of Maine's most prolific economic region are being held back. Municipal and regional planners are unable to chart a livable future for these areas until this regional mobility problem is solved.

History shows what will happen if we do nothing. Over years, perhaps decades, incremental and reactive road widening projects likely will transform these roads to 5-lane highways like Route 25 in Westbrook and Portland or Route 302 in Windham. Further, because road widening projects rarely limit access, mobility benefits will be temporary as abutting land – no longer desirable for residential or smaller-scale village businesses - is transformed by larger scale commercial development. That is, doing nothing is a choice that leads to undesirable results.

What has been done to address this regional congestion problem?

In December 2008, after more than a decade of planning, permitting, and fundraising (including a Congressional earmark), the Maine Department of Transportation (MaineDOT) opened the Bernard P. Rines Bypass, being the 3.3-mile limited-access portion of Route 112 that runs from Route 25 to Route 114 in Gorham.

The Rines Bypass achieved its goal of alleviating congestion in Gorham center. However, the lack of a limited access connection from the Bypass to the Interstate has shifted the problem to the south, and traffic growth has made it worse.

In response to community requests, the 123rd Maine Legislature directed the Maine Turnpike Authority (MTA) and the Maine Department of Transportation (MaineDOT) to conduct a study "of existing highway infrastructure and future capacity needs . . . in York and Cumberland counties including the Greater Gorham . . . area." See Resolve, 2007, Chapter 95 (LD 1720).

The Maine Turnpike Authority (MTA) was the lead agency for what became known as the "Gorham East West Corridor Feasibility Study". During this 4-year, \$ 1.1 million study, the MTA worked closely with MaineDOT, regional planning agencies, and impacted municipalities using an open and comprehensive approach. The Study concluded in September 2012 with the

publication of a 181 page report. which is available through the “Projects and Planning” tab at the MTA website, www.mainturnpike.com.

What were the basic findings of the latest feasibility study?

The Study found that the problem is real and that it can be solved with a three-pronged solution.

1. Land-use. The study recommended that the participating municipalities (Gorham, Westbrook, South Portland and Scarborough) explore land use strategies which “support a more efficient way for residents to travel to jobs and services”. The regional traffic problem has hampered local efforts to implement this important component.
2. Transit. The study suggested that state and regional entities work to assist municipalities in implementing two tiers of transit recommendations: enhancing existing services and then providing additional service to outlying areas currently without service. To be effective, the study found that there was a need for dramatic increases in capital and operational transit funding, and that transit strategies alone would solve only a relatively small portion of the problem.
3. Roadway Capacity. Finally, after consideration even the most aggressive land-use or transit strategies, the study identified the need for additional roadway capacity to improve mobility by either by widening existing roadways (Rt. 114, Rt. 22, Running Hill Road) or by building a new highway connector.

Where would a Gorham Connector be located?

That question cannot be answered until after conducting much more data gathering and analysis of alternatives as required by environmental laws. Accordingly, there is no single or preferred alignment. However, preliminary analysis to date indicates that a new connector would function best if it connected the Turnpike (I-95) at or near Exit 45 in South Portland to the southeasterly end of the Rines Bypass at the intersection of Routes 112 and 114 in Gorham, a distance of about 5 miles. Obviously, any alignment would be located to minimize abutter, environmental, community and other impacts.

How much would it cost?

Again, without any alignment or design, that question is very premature. However, any Gorham connector would cost a substantial sum – perhaps \$100 million or more. By way of comparison, that is more than MaineDOT usually spends in a year on highway reconstruction on its 8,800 miles of highways statewide.

Why is the MTA best positioned to solve this problem?

MaineDOT would be the entity to widen existing state highways. However, as noted above, local municipalities do not want their communities transformed by widening existing roads.

Instead, they are looking the sustainable mobility and village livability that is provided by new limited access highways as has been experienced in Damariscotta and Topsham.

Further, MaineDOT simply cannot afford a new connector. Traditional MaineDOT funding sources are insufficient to even maintain what they have, much less build new highways. Federal funding is relatively flat and earmarks are gone. Fuel tax increases or other significant revenue sources remain very unlikely.

Simply put, new highways require new funding. And it makes policy sense for a new connector to be paid for by the people who need it and use it. With its planning, tolling and bonding expertise, the MTA is in the best position to work with all stakeholders to get this done.

Will the MTA be able to build a connector?

With the support of state and local policymakers, the MTA is poised to prudently analyze the development of a Gorham connector. Based upon some very preliminary financial analysis, it appears that a toll-supported limited access highway may be financially viable and that no federal, state or local funding would be required.

But funding alone is not the answer. The biggest risk regarding any new highway in Maine may be the scope, cost and time required for environmental analysis and permitting. Like the feasibility study, any such process appropriately requires thoughtful consideration of input from many different stakeholders. However, experience shows that opposition can sometimes have an outsized influence, and cause the analysis to take many more years and dollars than expected. To manage this risk and to be fair to all stakeholders, the MTA has asked the federal Army Corps of Engineers to concur that based upon the previous study, the project purpose is “to address demonstrated safety and mobility deficiencies by having the MTA implement practicable and available solution(s) that provide additional regional highway capacity linking Gorham and other communities west of Portland to I-95 at or near Exit 45 in a manner that maximizes public safety, sustainably enhances the mobility of people and goods, and minimizes adverse community impacts in accordance with local and regional comprehensive planning.” Further, the MTA is seeking confirmation of continuing local and state policymaker support.

What are the next steps?

The municipalities that are most impacted (Gorham, Scarborough, South Portland and Westbrook) and regional and state transportation planning agencies will be considering whether to reaffirm their support through an updated Memorandum of Understanding as envisioned in the feasibility study.

Further, the 128th Maine Legislature will have the opportunity to weigh in on legislation regarding a Gorham connector and giving the MTA the explicit authority to develop it.

With this support, the MTA will thoughtfully engage stakeholders and regulators and prudently seek a viable and sustainable solution to this chronic regional mobility challenge.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 1, 2017
REGULAR MEETING – 6:00 P.M.

Order No. 17-014. Move approval of the second reading on the proposed amendments to Chapter 601- the Town of Scarborough Traffic Ordinance, Section 25. Parking Restrictions, subsection A.IV-1. Pine Point. *[Ordinance Committee]*

Ordinance Committee

Sponsor

02/15/2017 5 Yeas [Two Councilors Absent]

First Reading/Vote

Ought to Pass

Recommendation

Second Reading/Final Approval/Vote

**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, as shown below:

Section 25. Parking Restrictions.

A. PARKING RESTRICTIONS

I. NO PARKING AT ANY TIME.

IV-1. PINE POINT (from May 1 to September 15 of each year).

- (1) On Pine Point Road (formerly Depot Street) from East Grand Avenue to the Ocean.
- (2) On Pine Point Road, both sides, within twenty (20) feet of either side of the driveway opening of the Audubon Nature Center.
- (3) No parking shall be allowed on Pine Point Road from east Grand Avenue to Snow Canning Road, except for within the delineated on-street parking spaces on the southwesterly side of the road.

Town of Scarborough, Maine

Planning and Code Enforcement

MEMORANDUM

TO: Ordinance Committee

FROM: Angela Blanchette, P.E. - Town Engineer

DATE: January 27, 2017

RE: Amendment to Chapter 601, Traffic Ordinance
Associated with Proposed Pine Point Road Improvements

On behalf of the Transportation Committee, the Planning Department staff requests your consideration of an amendment to the Chapter 601, Traffic Ordinance, that will safely allow on-street parking on Pine Point Road between the intersection of East Grand Avenue and the intersection of Snow Canning Road, only in designated on-street parking areas. Please see attached draft of Ordinance amendment.

Over the past year the Transportation Committee has been working with staff on proposed improvements along the Pine Point Road corridor, from the newly constructed railroad bridge to the intersection of East Grand Avenue. Discussions and design work began in January 2016 with the Transportation Committee as they worked to find a balance between on-street parking and safety along this corridor. Many factors prompted the discussion starting with the reconstruction of the railroad bridge on Pine Point Road by Maine Department of Transportation (MDOT). As a continuation of that project, MDOT, PACTS, and the Town have secured funds to repave the section of Pine Point Road from the bridge to the East Grand Avenue intersection during the 2017 construction season. As with all transportation projects in Town, staff and committee members are tasked with finding opportunities to efficiently implement Town Council initiatives, which in this case is incorporating a Complete Streets approach along this section of roadway.

The Complete Streets Policy was adopted by the Town Council in January 2016 and has been successfully implemented throughout town at varying levels, suitable for each context and situation. With the paving project on Pine Point Road scheduled, the Transportation Committee took the opportunity to investigate the issues along this stretch of roadway and incorporate facilities for bikes, pedestrians, traffic calming measures, and designated on-street parking. These were issues that were brought up at the public meeting held at the Pine Point Fire Station on March 22, 2016. It was very clear from public feedback that parking along both sides of Pine Point Road within a narrow paved shoulder was not a safe condition and modifications to the overall footprint of the corridor were necessary. Staff and the Committee took the

feedback from the residents and worked on proposed cross-sections that provided a safe and balanced approach to resolve many of the issues along this corridor.

The Transportation Committee voted unanimously to endorse the attached design plans for the Pine Point Road corridor during their September 26, 2016 meeting. The key elements incorporated into the proposed design are:

➤ Traffic Calming

- ❖ Narrowing traffic lanes from typical 12-foot wide to 11-foot wide
- ❖ "Bump-outs" at the intersection of Snow Canning Road to provide a defined change in the corridor where more pedestrians, on-street parking and slower speed limits are present
- ❖ Street trees added to provide more visual changes to the corridor and reinforce a tighter, slower section of roadway

➤ Bike and Pedestrian Accommodations

- ❖ "Bump-outs" installed at the crosswalk location to provide a shorter distance, and therefore safer crossing for residents
- ❖ Provide designated bike lanes on both sides of the roadway
- ❖ Reconstruct the existing sidewalk
- ❖ Reconstruct existing curb line to provide vertical separation of pedestrians and on-street parking stalls

➤ Designated On-street Parking

- ❖ Replace narrow shoulders on both sides of the road with purposely designed parking stalls that provide adequate room for motorist to maneuver while limiting conflicts with other users of the corridor.

➤ Existing Road Condition

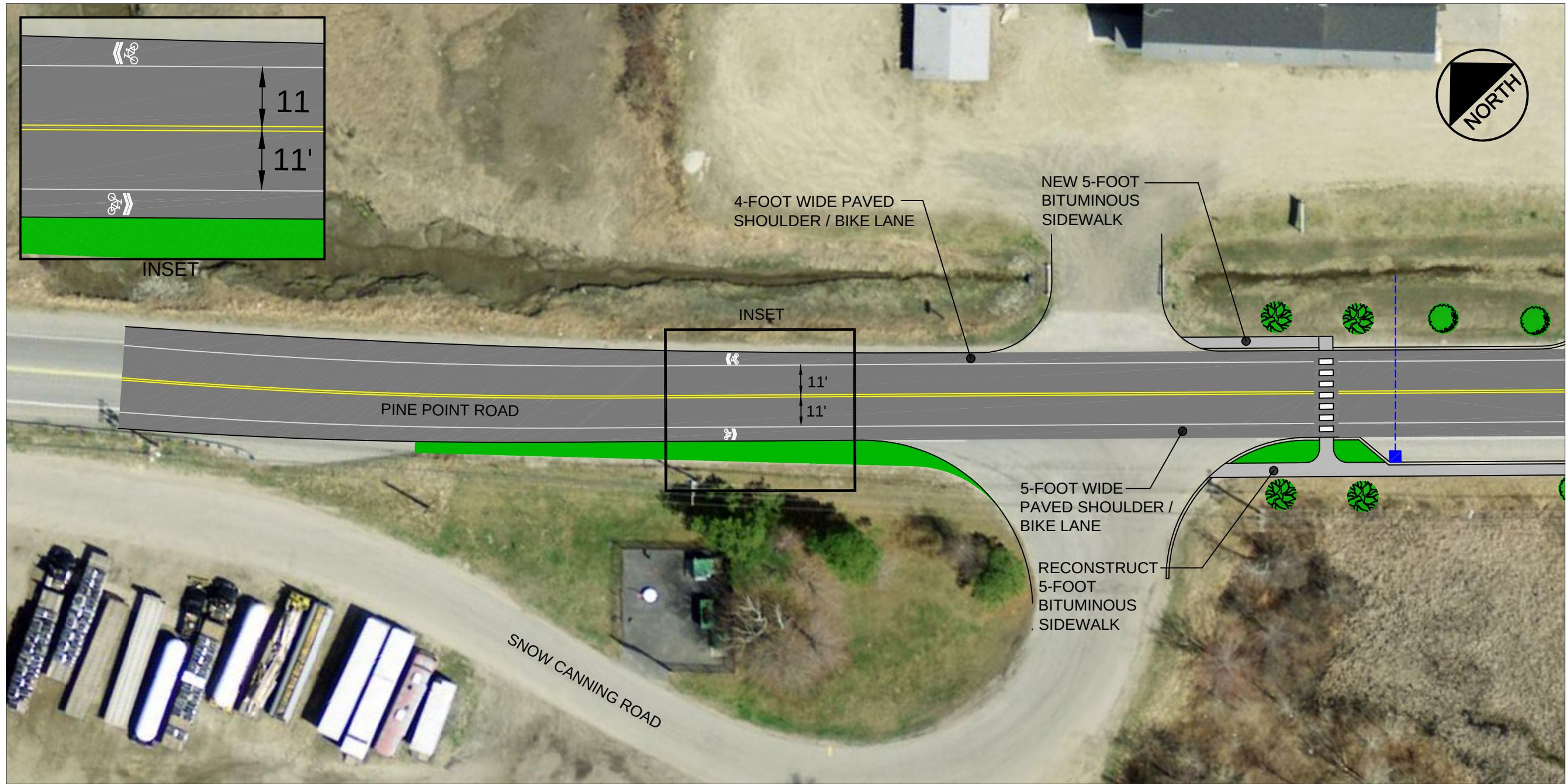
- ❖ Upgrade existing substandard sidewalk to eliminate trip hazards and poor drainage
- ❖ Include closed stormdrain structures and piping to improve roadway drainage

January 27, 2017

Draft Amendment to Chapter 601 the Traffic Ordinance to allow on-street parking on Pine Point Rd between the intersection with East Grand Avenue and the intersection with Snow Canning Road only in the area with designated on-street parking:

IV-1. PINE POINT (from May 1 to September 15 of each year).

- (1) On Pine Point Road (formerly Depot Street) from East Grand Avenue to the Ocean.
- (2) On Pine Point Road, both sides, within twenty (20) feet of either side of the driveway opening of the Audubon Nature Center.
- (3) ***No parking shall be allowed on Pine Point Road from East Grand Avenue to Snow Canning Road, except for within the delineated on-street parking spaces on the southwesterly side of the road.***



TOWN OF SCARBOROUGH

P.O. BOX 360
259 US ROUTE ONE
SCARBOROUGH, MAINE 04070-0360
WWW.SCARBOROUGHMAINE.ORG

PROJECT NAME

PINE POINT ROAD

LOCATION

CONCEPTUAL LAYOUT

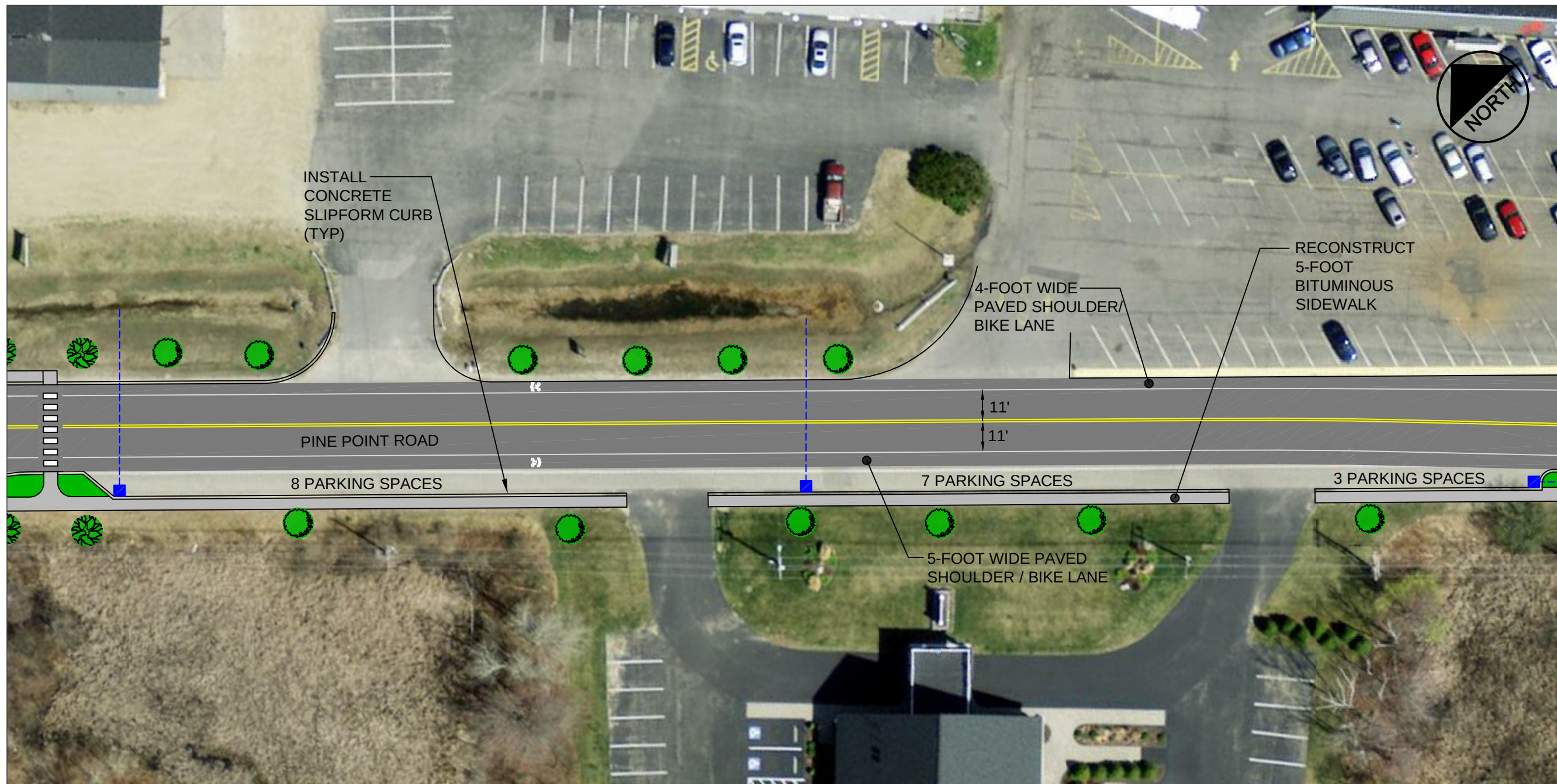
DESIGNED BY: AJB
DRAWN BY: AJB
DATE: February 18, 2016
FILE NAME: Concept Layout.dwg
SCALE: 1" = 40'

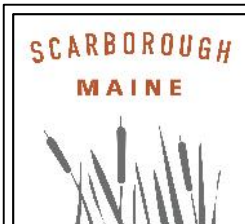
SHEET TITLE

LAYOUT - 1

FIGURE

1





TOWN OF SCARBOROUGH

P.O. BOX 360
259 US ROUTE ONE
SCARBOROUGH, MAINE 04070-0360
WWW.SCARBOROUGHMAINE.ORG

PROJECT NAME

PINE POINT ROAD

LOCATION

CONCEPTUAL LAYOUT

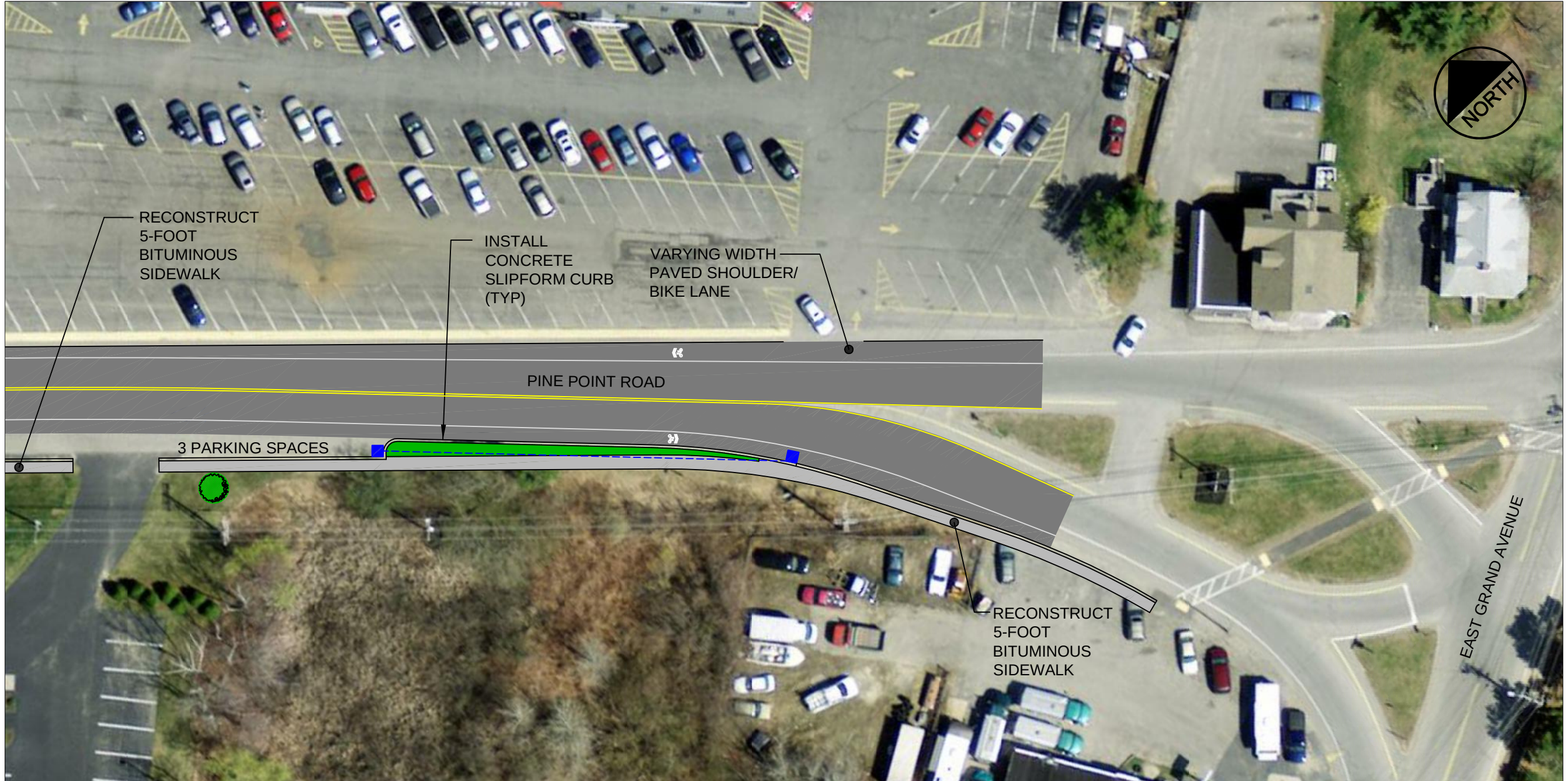
DESIGNED BY: AJB
DRAWN BY: AJB
DATE: February 18, 2016
FILE NAME: Concept Layout.dwg
SCALE: 1" = 40'

SHEET TITLE

LAYOUT - 2

FIGURE

2



TOWN OF SCARBOROUGH

P.O. BOX 360
259 US ROUTE ONE
SCARBOROUGH, MAINE 04070-0360
WWW.SCARBOROUGHMAINE.ORG

PROJECT NAME

PINE POINT ROAD

LOCATION

CONCEPTUAL LAYOUT

DESIGNED BY: AJB
DRAWN BY: AJB
DATE: February 18, 2016
FILE NAME: Concept Layout.dwg
SCALE: 1" = 40'

SHEET TITLE

LAYOUT - 3

FIGURE

3

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 1, 2017
REGULAR MEETING – 6:00 P.M.

Order No. 17-019. Move approval of the names posted to the various committees/boards, as recommended by the Appointments Committee on February 15, 2017. *[Town Clerk]*

Parks and Conservation Land Board:

Appoint Rebel Douglas as a full voting member, with a term to expire in 2018

Senior Advisory Board:

Appoint Jean-Marie Caterina, as a full voting member with a term to expire in 2018

Shellfish Conservation Commission:

Re-appoint Terry Twomey and Robert Willette as full voting members, with a terms to expire in 2019.

Town Clerk

Sponsor

03/01/2017

First Reading/Vote

Ought to Pass

Recommendation

N/A

Second Reading/Final Approval/Vote

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 1, 2017
REGULAR MEETING – 6:00 P.M.

Order No. 17-020. Move approval on the request to authorize the Town Manger to sign a Memorandum of Understanding with Manomet for a grant for commercial scale soft shell clam farming. *[Shellfish Conservation Commission]*

Shellfish Conservation Commission

Sponsor

03/01/2017

First Reading/Vote

Ought to Pass

Recommendation

N/A

Second Reading/Final Approval/Vote

TO: SCARBOROUGH TOWN COUNCIL
FROM: MARINE RESOURCE OFFICER IAN ANDERSON
SUBJECT: INTERTIDAL CLAM FARMING
DATE: FEBRUARY 24, 2017

Good afternoon,

On the January 4th, 2017 Town Council meeting, during the hearing about shellfish license numbers in our town, it was brought up that the Shellfish Advisory Committee should start working towards acquiring better data, working together, and developing stronger backing for the decisions being made in licensing issues. An opportunity has been presented to us by a group called Manomet, and their project Coordinator, Chris Warner. They are willing to provide all grant money necessary to start an intertidal clam farm in the town of Scarborough, providing us with the protective netting, seed clams, and all other materials needed for the project. All they are asking for in return, is the data collected from the project pertaining to clam population, growth rates, and predator protection.

The organization stresses the idea of wild harvest working in conjunction with farmed clams, and the ability for these sites to protect the harvesters in a time when fishing industries are changing in extreme ways. The farms are placed in unproductive harvest areas, and use seed clams that have been hatchery raised.

The benefits for the committee from a project like this go beyond the harvest and increased clam populations- Mr. Warner has a long history working with Dr. Beal of the downeast institute, a leader in soft-shell clam research. This project would allow members of our shellfish harvesting community in town to really get hands on with professional biologists, learn and practice the scientific method, and how it applies to the data that we are trying to interpret for protecting our clam stocks, all while providing us data that isn't just a suggestion as to what is happening in other towns and may be happening here, but is happening in our very river.

This is a project I fully support, and hope to see strong support of from our local community.

Best Regards,

MRO Ian Anderson



14 Maine St., Suite 410
Brunswick, Maine 04011
Phone: 207-721-9040, ext 103
www.manomet.org
www.maineclamfarm.org

MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING (MOU) describes an agreed-upon working relationship between Manomet Inc. (Manomet) and the soft-shell clam harvester(s)

to install and managed an experimental, commercial-scale clam farm in Maine.

DISCLAIMER: This MOU serves as an expression of the good faith of Manomet and the Harvester, and is **not legally binding**. Either Party is free to terminate this MOU at will and without penalty or recourse. If one Party chooses to terminate the MOU, the other Party or Parties should be notified in writing within 14 days, and state the cause of termination.

I. BACKGROUND

The soft-shell clam industry has declined in many towns in Maine, at least in part due to predation by the invasive green crab. This MOU establishes the joint commitment of Manomet and the Harvester to work together to install and monitor an experimental, commercial-scale, 25-net soft-shell clam farm in the town in which the Harvester is licensed. The purpose of this collaboration is to demonstrate that the soft-shell clam industry can be rebuilt with this farming technique.

In August, 2015 Manomet received a 2-year grant from the National Oceanic and Atmospheric Administration (NOAA) to conduct outreach to harvesters in Maine about soft-shell clam farming.

As a part of this grant, Manomet can assist in the installation of five soft-shell clam farms in Maine. Farms will consist of twenty-five (25) 14x20' nets covering areas of the intertidal zone that have been seeded with hatchery-raised softshell clams. Approximately 6000 clams are "planted" under each net. The number can vary depending on the size of seed clams provided by the hatchery (Downeast Institute).

Manomet provides all seed clams and nets. The labor involved in installing the farm will be shared by Manomet staff and the harvesters. Generally, it takes about four hours to assemble the nets and two low-tides (about eight hours) for a small team of three or four people to install a 25-net farm. It will likely take three growing seasons for the clams to reach legal size for harvesting, depending on the site.

The Harvesters agree to monitor the nets at least monthly during the three growing seasons, until the clams reach harvestable size. Monthly monitoring can take as little as 15 minutes, or as much as two hours, if the nets need maintenance.

After clams reach commercial size, 100% of the revenue from any commercial product belongs to the Harvester. The Harvester is responsible for harvesting the farm. Harvesting must be conducted in a way that allows Manomet to scientifically document the success of the farm.

This MOU provides no guarantees about the outcome of the farming effort or amount of eventual revenue to the harvesters. The vagaries of different sites, nature, vandalism, or poaching cannot be predicted by either Party, and both Parties acknowledge some unknown level of risk. However, the technique has had very good success to date.

II. RESPECTIVE RESPONSIBILITIES

Manomet and the Harvester agree to work together to install and monitor an experimental, commercial-scaled, 25-net soft-shell clam farm in the town in which the Harvester is licensed.

Responsibilities of Manomet:

1. Sign this MOU to document participation in the experimental clam farm project.
2. Purchase nets and seed clams.
3. Make presentation to appropriate town committee.
4. Help harvester select appropriate farm site.
5. Assist harvester in getting Army Corps of Engineers approval.
6. Supervise farm installation and site layout.
7. Provide ongoing advice and technical support to the Harvester.

Responsibilities of Harvester:

1. Sign this MOU to document participation in the experimental clam farm project.
2. Recommend at least a one-acre, subproductive site for the farm in Harvester's town.
3. Obtain town permission for the farm (from Shellfish Committee and/or Selectboard/Town Council) and provide letter from Shellfish Committee confirming support
4. Submit and receive an Army Corps of Engineers permit (Manomet will help prepare application)
5. Help layout farm (~1 tide cycle)
6. Help build nets (~4 hrs)
7. Help install farm (~2 tide cycles)
8. Monitor and maintain nets monthly as needed, until commercially harvestable (15 min to 2 hrs/mo, for 2-3 years)
9. Retain and submit net monitoring data to Project Coordinator
10. Harvest clams when commercial size; follow harvest protocol; submit results to Project Coordinator; keep the revenue from any commercial sales.
11. If more than one Harvester is a part of this MOU, Harvesters must submit a written description to Manomet of how the labor and revenue will be shared.

III.. SIGNATURES

The MOU will be managed by Ethel Wilkerson of Manomet, and

licensed soft-shell clam harvester(s) in the town of _____.

This MOU shall remain in effect until the commercial product is harvested, or until the MOU is terminated by either Party.

John M. Hagan, President
Manomet

Signed: _____

Date: _____

Licensed Harvester 1

Signed: _____

Date: _____

Licensed Harvester 2
(if more than one Harvester)

Signed: _____

Date: _____

Licensed Harvester 3

Signed: _____

Date: _____

Attach additional signatures if needed

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 1, 2017
REGULAR MEETING – 6:00 P.M.

Order No. 17-021. Move approval on the request from the SEDCO Board to move approval on the appointments of Allen Paul and James Hartley with terms to expire in 2020 and the reappointments of Dr. Gayle Brazeau and Jon Crasnick with terms to expire in 2020 and Rick Shinay with a term to expire in 2019. [*SEDCO*]

SEDCO

Sponsor

03/01/2017

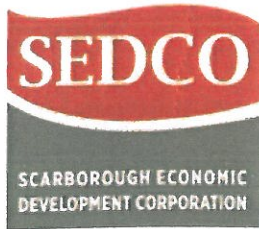
First Reading/Vote

Ought to Pass

Recommendation

N/A

Second Reading/Final Approval/Vote



TO: Scarborough Town Council Finance Committee
FROM: Karen Martin, SEDCO Executive Director
DATE: February 10, 2017
SUBJECT: Request for appointments to SEDCO Board

On behalf of the Scarborough Economic Development Corporation's Board of Directors, I am requesting the Council's review and consideration of two new members to the SEDCO Board of Directors. I am also requesting the reappointment of one member for a second term, which expired in December 2016, and the reappointment of two members for terms which expire in 2017.

We are pleased to submit Allen Paul and James (Jim) Hartley to the Council for approval as new members of the SEDCO Board of Directors. Mr. Paul served the community as a member of the Planning Board for nine years. He is a long-time resident of Scarborough and currently serves on the Long Range Planning Committee (LRPC).

The SEDCO Board reviewed his application (attached) and unanimously voted to endorse his application to send to the Council. His experience on the Planning Board, working with the development ordinances, will make him an incredible asset to the board. This experience is critical as the SEDCO Board looks to the future. His tenure on the LRPC provides great coordination between the SEDCO Board and the development of the new Comprehensive Plan.

Mr. Hartley brings to the board his experience as an entrepreneur and business owner. While the board has representation from many critical areas such as the building industry, finance, legal, senior care, real estate development, higher education and bioscience, none of our members are business owners. The Board identified this point of view as missing from the board and sought to find a person who could speak with that voice. As the owner of Pine Tree Seafood and Produce Co., located in Dunstan, Mr. Hartley will bring his experience of starting up and running a new business in Scarborough. He exemplifies the entrepreneurial spirit and passion that the Board feels is vital to SEDCO and the community. His application is attached.

In addition to the two new members, Board Member Rick Shinay's first term expired in December of 2016. The Board requests the appointment of Mr. Shinay for a second term. Mr. Shinay clearly brings his legal and real estate experience to the Board of Directors as well as his long-time dedication to serving the Town of Scarborough. He is a resident of the community, a member of the Long Range Planning Committee and the Chair of the Scarborough Land Trust. His other board commitments help SEDCO coordinate and communicate on substantive issues to economic development.

Dr. Gayle Brazeau and Jon Crasnick have terms which expire this year (2017). We would like to request reappointment to their second terms which would expire in 2020. Dr. Brazeau is a resident of Scarborough and serves the Dean of the School of Pharmacy at the University of New England. She brings to the board her experience in higher education and her experience in the world of life sciences, a major industry in Scarborough.

Mr. Crasnick is a specialist in commercial real estate finance with an MBA from the University of Southern Maine. Having worked in the field of commercial development for the last decade, he recently accepted a position at People's United Bank. Jonathan and his wife moved to Scarborough with their two young children a few years ago. As a newer resident, he understands the attraction of Scarborough to both residents and businesses in the Greater Portland region.

For your convenience, I am attaching bios of all current board members.

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 1, 2017
REGULAR MEETING – 6:00 P.M.

Order No. 17-022. Move approval to certify the election results of the Special Municipal Election held on Tuesday, February 28, 2017. *[Town Clerk]*

Town Clerk

Sponsor

03/01/2017

First Reading/Vote

Ought to Pass

Recommendation

N/A

Second Reading/Final Approval/Vote

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 1, 2017
REGULAR MEETING – 6:00 P.M.

Order No. 17-023. Move approval on the annual "Seasonal Road Posting" for weight restrictions, if necessary, from February 27th to May 15th. [*Director of Public Works*]

Director of Public Works

Sponsor

03/01/2017

First Reading/Vote

Ought to Pass

Recommendation

N/A

Second Reading/Final Approval/Vote



MEMO

TO: Tom Hall, Town Manager
FROM: Mike Shaw, Director of Public Works
DATE: February 23, 2017

A handwritten signature in black ink, appearing to read "Mike Shaw".

RE: 2017 ROAD POSTING

To prevent heavy vehicle damage to the town's road network it is in Scarborough's best interest to post roads each year during the annual spring thaw,

Therefore, I am requesting permission to post the roads on the attached list as well as additional roads, as necessary due to weather conditions.

The posting period will be from **February 27 – May 15, 2017.**

/jpb

Town of Scarborough

POSTED ROADS

2017

The following roads will be posted through
Friday, May 15, 2017 or until posting is lifted by the
Scarborough Public Works Department

Access to posted roads may be granted as weather permits.
Road conditions are evaluated on a daily basis
during this time.

To check on a road's status: Call 730-4400 and *Press 2*
Any Day of the week after 6:00 a.m.

February 27 - May 15

Ash Swamp Road	
Dresser Road	
Highland Avenue	Chamberlain Rd to So. Portland Line
Holmes Road	Beechridge Speedway to Saco Line
Jasper Street	
Ross Road	
Sawyer Road	
Two Rod Road	Payne Rd to Holmes Rd
Woodfield Drive	

AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 1, 2017
REGULAR MEETING – 6:00 P.M.

Order No. 17-024. Move approval on the request to adopt the 2017 Town Council Goals. *[Town Council]*

Town Council

Sponsor

03/01/2017

First Reading/Vote

Ought to Pass

Recommendation

N/A

Second Reading/Final Approval/Vote

2017 Town Council Goals

Communications/Relationships

OUTCOME:

- Continue to improve internal and external communications.
- Develop a Town Council Communications Plan that provides direction, policy oversight and business decision support for all communications efforts of the Town Council.

ACTION

- To approve a Scarborough Town Council Communication Plan (STCCP)

Budget/Finance/Fiscal Policy

OUTCOMES:

- Enhance financial management practices.
- Increase communications on the budget process.
- Manage the annual budget to a reasonable and sustainable level.
- Improve data availability used to inform decision making.

ACTIONS:

- Develop and execute a Communications Plan and standardize the practices.
- Approve a Town wide budget that keeps the tax rate increase to less than or around 3%.
- Approval standardized metrics, dashboards and benchmarks and have a final working model by December 31st.

Governance/Policy/Programs

OUTCOME:

- Focus efforts to improve the governance of the Town Council.
- Evaluate Council Boards and Committee structures that support relevant changes for today's environment.
- Provide focus and attention on the next Comprehensive Plan.

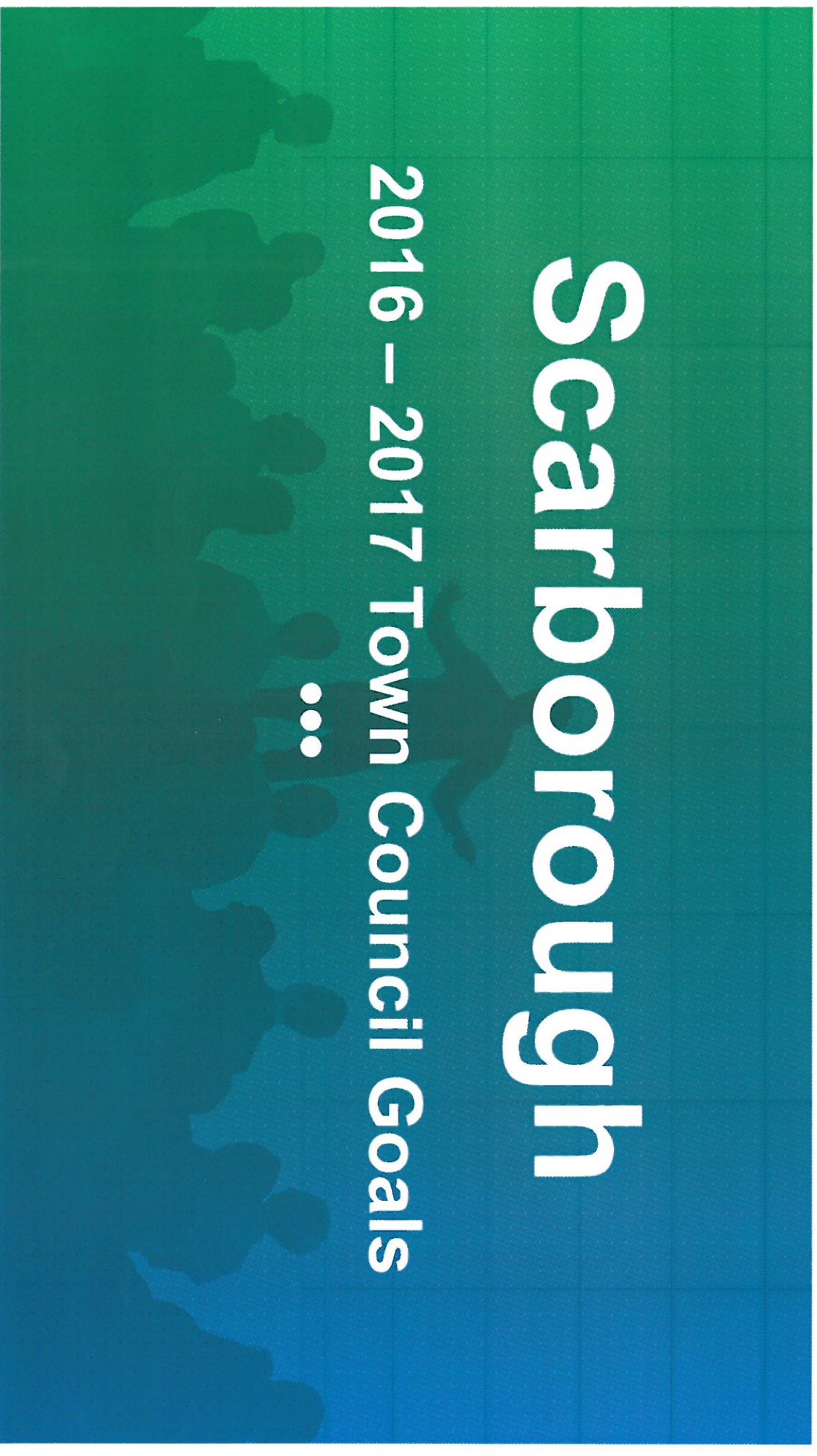
ACTIONS:

- Update and align Town boards and committees.
- Form and direct a new Town Council Standing Committee for Communication.
- Form and direct committee on Intercultural and Diversity.
- Review/amend R & P Manual; process for managing Town Managers Performance Review; HR Policies for Compensation/Benefits and strategic direction for Municipal Collective Bargaining and other Employment Contracts
- Formal plan to manage information with work to be completed and have final passage by December 2017.

Scarborough

2016 – 2017 Town Council Goals

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Goal Statements for Core Concepts

Words have power. Words will not fail when the matter is considered.

Goal Statement for Communications

Continue to improve communications

01 Communications and Relationships

Goal Statement for Budgets & Finance

Further enhance financial management practices

02 Budgeting / Finance / Fiscal

Goal Statement for Governance & Policy

Focus efforts to improve the governance of the Town Council

03 Governance / Policy / Programs

Core Concept #1

Continue to improve internal and external communications

Core	Outcome/ Actions	Success Measure / Metrics
Communications / Relationships	Develop a Town Council Communication Plan that provides direction, policy oversight and business decision support for all communications efforts of the Town Council.	Approve a Scarborough Town Council Communication Plan (STCCP). <u>The STCCP should include guidelines, recommendations, and protocols that:</u> 1. Detail the roles and responsibilities of a new Council Standing committee for Communications (e.g. governance). 2. Identify new strategies and resources, while codifying current relationships that foster positive and productive results with all stakeholders (e.g. civil discourse, Town Council – School Board policies of similar interests, etc) 3. Explore opportunities for expanded community engagement by increasing (e.g. transparency, listening, understanding) 4. Facilitate improvements to existing and new communication mediums (e.g. social media, website, agendas/etc.) 5. Guide Council leadership and Council members in managing inter-council relationships (e.g. 1-on-1, Chair duties, etc.)

Core Concept #2

Enhance financial management practices

Core	Outcome / Action	Success Measure / Metrics
Budget / Finance / Fiscal Policy	Increase communications on the budget process.	Develop and execute a Communication Plan and standardize the practices; that includes: - The message that we manage "One Budget One Town" - Use outside expertise for workshop "How to Understand Municipal Budgets"
	Manage the annual budget to a reasonable and sustainable level.	Approve a Town wide budget that keep the tax rate increase to less than or around 3%, using metrics that have approved by the Council; while including the following: - Review of needs for expanded funding for the Senior Tax Credit - Review short/long term needs to improve cable television.
	Improve data availability used to inform decision making.	Approve standardized metrics, dashboards, and benchmarks. Have a final working model by December 31, 2017 that include - Distribution of quarterly trend reports - Contract to update Growth-in-Services study

Core Concept #3

Focus efforts to improve the governance of the Town Council

Core	Outcome / Action	Success Measure / Metrics
Governance / Policy / Programs	Evaluate Council Boards and Committee Structures that support relevant changes for today's environment.	1. Update and align Town boards and committees while disseminating 2. Successfully form and direct a new Town Council Standing Committee for Communication 3. Successfully form and direct a new Town Council committee on Intercultural and Diversity 4. Review and amend R&P on the direction for the Appointments - That focuses on the Council Rules for managing the Town Managers Performance Review Process. - That focuses on Municipal HR Policies for Compensation and Benefits Planning - That focuses on the strategic direction for Municipal Collective Bargaining and other Employment Contracts.
	Provide focus and attention on the next Comprehensive Plan.	Develop formal plan for TC to manage information, and work to be completed and have final passage by December 2017.