

**MINUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – MARCH 4, 2026
HYBRID REGULAR MEETING – 7:00 P.M.**

Item 1. Call to Order. Chairman Fellows called the regular meeting of the Scarborough Town Council to order at 7:00 p.m.

Item 2. Pledge of Allegiance.

Item 3. Roll Call. Item 2. Pledge of Allegiance.

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

Councilor Scott W. Doherty	Councilor Jonathan E. Anderson
Councilor Lawrence W. Cain	Councilor William J. Donovan
Councilor Karin B. Shupe	Councilor Michelle T. Hayes
Chairman Cory R. Fellows	

Proclamation 26-001. Act on the request to approve Proclamation 26-001 – recognizing Scarborough’s Got Talent. [Councilor Anderson] Councilor Anderson gave a brief overview on this Proclamation. He then introduced Nathaniel Bliss.

- Nathaniel, took a moment and honor Dr. Justin Stebbins, a beloved community member whose loss is deeply felt. He dedicated the performance to Stebbins and acknowledged the music educators' role in fostering student growth. Nathaniel performed "Rolling in the Deep" by Adele.

Motion by Chairman Fellows, seconded by Councilor Anderson, to move approval of Proclamation 26-001 – recognizing Scarborough’s Got Talent, as follows:

PROCLAMATION 26-001

SCARBOROUGH’S GOT TALENT

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

WHEREAS, Scarborough’s Got Talent is an annual performance event for students in grades 6 through 12 and serves as the largest fundraiser supporting the Scarborough Music Boosters; and,

WHEREAS, the event provides a valuable opportunity for young performers to showcase their talents before a distinguished panel of four judges and an audience of approximately 500 to 600 community members, competing for first, second, and third place honors; and,

WHEREAS, since its inception in 2019, Scarborough’s Got Talent has become a celebrated tradition within the Scarborough school community, highlighting student creativity, confidence, and dedication to the performing arts; and,

WHEREAS, the event is made possible through the leadership and commitment of the Scarborough Music Boosters, in partnership with Scarborough’s grades 6–12 music educators and the dedicated auditorium staff led by auditorium manager Eric Lehmann, under the presidency of Herosiane Estivalletti; and,

WHEREAS, through exceptional talent, preparation, and performance, 8th grader Nathaniel Bliss distinguished himself among many outstanding participants and earned First Place at this year’s Scarborough’s Got Talent competition;

NOW, THEREFORE, BE IT PROCLAIMED, that Nathaniel Bliss is hereby recognized and congratulated for his remarkable achievement, and the community extends its appreciation for his contribution to the arts and for exemplifying the creativity and excellence of Scarborough's students.

Signed and dated this the 4th day of March, 2026, on behalf of the Scarborough Town Council and Town Manager. Signed by Cory Fellows, Chairman and attested by Yolande P. Justice, Clerk to the Council.

Vote: 7 Yes. Motion Carried.

Item 4. General Public Comments. None at this time.

Item 5. Minutes: February 18, 2026 - Town Council Meeting. Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval on minutes from the February 18, 2026, regular Town Council meeting as written.

Vote: 6 Yeas. 1 Abstain [Councilor Doherty Absent at meeting]. Motion Carried.

Item 6. Adjustment to the Agenda. None at this time.

Item 7. Items to be signed: a. Treasurer's Warrants. Treasurer's Warrants were signed prior to the meeting.

Item 8. Town Manager's Report. Thomas J. Hall, Town Manager, gave the following updates:

- **Scottow Hill Road Closure**
 - Town Council Workshop- 2/4/26
 - Councilor Corner Live - 2/12/26 (approx. 25 residents, councilors and staff)
 - Expected Town Council decision on direction at the 3/18/26 meeting
- **Legislative Matters-** LD 2173 (LD 1829 "fix it")
 - Public Hearing on 2/17/26 - Scarborough testimony/GPCOG
 - Committee Work session on 2/26/26
- **Final Bond Sale Results**
 - Town's Credit Ratings unchanged
 - Moody's Aa2, S&P AA+ - both are investment grade
 - \$4.7M General Obligation Bonds- Series B
 - Sale on 2/19/26 - 4 Bidders
 - TIC 3.71% (\$180k in bid premium)
- **IF&W Recommendations on Beach Restrictions**
 - Recommendations for ordinance changes expected any day
- **FY27 Budget**
 - Budget development well under way
 - Increasing challenges to meet Town Council goal
 - Presentation and First Reading will be 4/1/26
- **Active Regional Property Tax Policy and Relief**
 - Exploring a variation of the local option sales tax
 - More regional and county based
 - Will keep Council updated
- **Board of Education – Senior Citizen Dinner**

- Tuesday, April 7th starting at 4:00 p.m. at the Wentworth Cafeteria
- All Councilors are invited to attend
- **Ice Detention Facility**
 - Protest on Friday, March 6th from 3:30 to 5:00 p.m.
- **Eastern Trail Project**
 - October 26th, open the portion from Pleasant Hill Road to Wainwright Field
 - This a 1.6 mile stretch trail
- **Board of Education Nomination Papers**
 - Nomination Papers are currently available in the Clerk's Office
 - Papers need to be returned the first Wednesday in April
 - Two seats available

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

- Councilor Hayes reported a recent meeting with Councilor Cain and community members at the Public Safety Building, which included about a dozen engaged residents. Participants valued the town government's initiative to go beyond traditional speeches, discussing subjects such as growth, budget issues related to LD1829, and concerns about traffic, infrastructure, and short-term rentals. Despite initial surprise at the turnout, the intimate setting encouraged meaningful dialogue, leading to a commitment for quarterly meetings to improve community engagement.
- Councilor Anderson noted that Communications would be working on coordinating future budget-related roundtables with school participation, including the idea to focus on conversations with counselors. A pilot initiative was proposed to gather a diverse group of 12 to 18 individuals monthly, aiming to facilitate dialogue about town topics and enable the participants to share information within their networks. Additionally, an idea to engage high school students in council discussions was suggested, particularly in light of their interest in being more involved and having a voice in council matters.
- Councilor Donovan noted that the Sustainability Committee held a meeting featuring a presentation by David Cunhart on LD2112, focusing on electricity procurement methods for towns. The Housing Alliance also convened to address school impact fees for affordable housing and would be creating a housing assessment scope to be released as a Request for Qualifications (RFQ) to gather useful data for the Town Council and Housing Alliance.
- Councilor Shupe announced that the Ordinance Committee will meet on March 5th at 5:00 p.m. to finalize the short-term rental ordinance and update the traffic ordinance, alongside mobile food vendor truck regulations. Earlier in the week, the Planning Board discussed minor developments. Additionally, the Parks and Conservation Land Board will meet on March 12th at noon to review land bond applications and discuss creating a checklist for purchasing recreational land with bond funds, which are currently restricted to conservation purposes.
- Councilor Cain announced the cancellation of the March Finance Committee meeting to ease preparation workloads and concentrate on initial budgeting. New counselors expressed gratitude for community engagement efforts. The school renovation project is on track, with over 70 programming meetings completed, resulting in school mission statements and preparation for the design phase. Furthermore, a climate action plan initiative, led by Sustainability Coordinator Jamie Finch, is in progress, featuring productive community roundtable meetings addressing traffic and other issues.
- Councilor Doherty noted that the Harbor Committee would be meeting Tuesday, March 10th at 5:30 p.m. at Town Hall.
- Chairman Fellows noted that he and Councilor Hayes attended at GPCOG meeting Last week and this gathering provided an opportunity for members to meet, compare notes, and engage in discussions with GPCOG, which appeared to be productive based on the notes and materials observed.

- Councilor Hayes reported on a meeting with representatives from 12 or 13 towns, commending Allison Carrier for effective communication with Scarborough residents. Each town faced challenges in community outreach since the loss of local newspapers, with many experiencing similar difficulties. The Cape remains unique in producing print material, continuing its traditional grassroots efforts.

Order No. 26-018, 7:00 p.m. Public Hearing and second reading on the proposed amendments to Chapter 415 – Development Impact Fee Ordinance. [Finance Committee] Karen Martin, President of SEDCO, gave a brief overview on this Order. Chairman Fellows opened the public hearing. The following spoke on this Order:

- Allyssa Tibbets, Attorney for the Downs Project, *“Thank you for the opportunity to speak to the school impact fee this evening. As you know, developers were encouraged to reach out to the Council with feedback on this proposal, and we submitted a January 27th letter to that end, so I would just ask that that letter be reflected in the record tonight, in addition to the following comments.*

As you know, Maine law permits the town to impose impact fees in lieu of requiring the construction of infrastructure improvements that are necessitated by development. Notably, as Ms. Martin indicated, changes to the impact fee statute, a job adopted last July, in an effort to limit municipal impact fees on housing development, require the town to, quote, describe the manner by which it determines that a development necessitates an infrastructure improvement And how the developer's share of the cost of that improvement is determined.

In addition, to, quote, establish a reasonable schedule under which it will encumber fees collected within 360 days of receipt. The proposal before you this evening has been developed solely as a means to fund a portion of debt for school construction projects. Under this proposal, 100% of new student enrollment is assigned to this projected future development. And that development is paying for a portion of existing facilities, as well as the increased capacity within the Scarborough Schools, regardless of whether the development actually uses the infrastructure.

It is my opinion that this formula does not meet the statutory requirements of Maine law, and would not withstand a legal challenge. Assessing a fee because the town needs to revenue to pay debt service is not the same as apportioning the cost of infrastructure improvements made necessary by development.

The fee has to be related to the actual impact of development. The proposal relies entirely on housing unit type, despite the technical memorandum guidance that says, quote, not all units generate the same number of children, and quote, the higher number of units per structure, the fewer the impact on the school. We couldn't agree more.

A one- or two-bedroom unit with no kids has no impact on schools. The Downs alone has a significant number of 1- and 2-bedroom units that have very few school-aged children. Of the 610 units within the Downs built since 2018, there were just 62 school-aged children as of June 2025. Further, Scarborough School enrollment has actually declined since June 2019 by a net total of 116 students. As you can see, the data does not support the conclusion that all new residential units equal more students.

Lastly, the proposal does not take into consideration the Town's comprehensive plan. The statewide policy objective to make housing more affordable, and recent changes in Maine law related to housing density, all of which the Downs is actively working to address. We respectfully request that the Council table this proposal tonight and review additional, readily available data regarding unit size, bedroom count, and student enrollment to more clearly demonstrate how the impact fee is proportionally related to the development's use of the infrastructure to be funded. Thank you for your time.”

- January 27th Reference above:

Via Zoom:

- Stanis Moody- Roberts of County Road, supported the Council's work on impact fees to mitigate property tax increases due to new schools. However, he was concerned about the inequitable breakdown of fees, particularly for studio or one-bedroom ADUs, which are often misclassified under single-family dwellings. The proposed fee of \$11,391 seems excessive given the low likelihood of such units generating school-aged children, negatively affecting housing affordability. He suggested considering an amendment to create a separate fee structure for ADUs under 1,000 square feet, which would better reflect their impact. Thank you.

As there were no further comments either for or against, the hearing was closed at 7:48 p.m.

Motion by Councilor Anderson, seconded by Councilor Donovan, to move approval of the second reading on the proposed amendments to Chapter 415 – Development Impact Fee Ordinance.

Motion by Councilor Anderson, seconded by Councilor Cain, to move approval to amend the main motion and add 50% discount to affordable and workforce housing units as follows:

Owner-occupied Affordable and
Workforce dwelling units
as defined in Chapter 405,
Town of Scarborough
Zoning Ordinance:

Single Family \$5,696 per dwelling unit

Single Family Attached,
Townhouse \$2,848 per dwelling unit

Vote on Amendment: 6 Yeas. 1 Nay [Councilor Doherty] Motion Carried.

Main motion as Amended:

**CHAPTER 415
TOWN OF SCARBOROUGH
DEVELOPMENT IMPACT FEE ORDINANCE**

BE IT HEREBY ORDAINED, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following changes reflects only that portion to Chapter 415 the Development Impact Fee Ordinance, of the Town of Scarborough, Maine, that will be changed, is hereby amended, as follows (additions are underlined; deletions are struck through):

SECTION 1. IMPACT FEE GENERAL PROVISIONS

I. Inflation Adjustment.

The ~~School and~~ Recreation impact fees established by the Town Council in this ordinance shall be adjusted annually by the Town Treasurer to account for inflation. Commencing on February 1, 2003 and on each February 1st thereafter, the Treasurer shall increase each impact fee by the dollar amount (rounded to the nearest ten dollar increment) obtained by multiplying the amount of the fee then-in-effect by the inflation rate. As used in this paragraph, the term “inflation rate” means the percentage increase, if any, during the previous calendar year in the Consumer Price Index – All Urban Consumers, Northeast Urban Area, All Items, base period 1982-84 = 100 (not seasonally adjusted) published by the United States Department of Labor Bureau of Labor Statistics. If there has been no such increase, there shall be no adjustment under this paragraph. Each

year on February 1st, the Treasurer shall publish a schedule of impact fees adjusted pursuant to this paragraph (the “adjusted impact fees”) and provide a copy of such schedule to the Code Enforcement Officer. The adjusted impact fees shall apply to all building permits issued on or after March 5 in the calendar year 2003 and on or after February 1st of each calendar year thereafter, whether or not the applications for building permits were filed prior to such dates.

SECTION II. SCHOOL IMPACT FEES

Use of School Impact Fees.

The fees collected under this section of this ordinance shall be used to fund one or more of ~~those~~ projects

- 1) identified in the major capital improvement applications submitted to the Maine Department of Education, dated July 26, 2001, for the Scarborough Middle School, the Scarborough High School, the Wentworth Intermediate School and the primary schools, the Town Council having determined that a portion of the costs of such school projects is made necessary by the projected increases in enrollment due to anticipated new residential housing construction. ~~Those improvements are scheduled to be completed by January 3, 2012, unless the completion dates are extended by order of the Town Council.~~
- 2) identified in the November 2025 School Improvement Program approved by Scarborough voters on November 4, 2025.

Calculation and Collection of School Impact Fees. [Updated 02/26/2020; 02/01/2025]

Prior to the issuance of a building permit for any new dwelling unit, the Code Enforcement Officer shall collect a school impact fee according to the following schedule:

Type of Dwelling	Amount
Single family dwelling	~~\$5,570–\$11,391~~
~~Two-family dwelling~~	~~\$2,130 per unit~~
~~Multiplex~~	~~\$1,410 per unit~~
~~Mobile home in a mobile home park~~	~~\$1,410~~
~~Affordable housing unit~~	~~\$2,800~~
<u>Single Family Attached, Townhouse, 2 to 4 units in a structure</u>	<u>\$5,696 per unit</u>
<u>5 to 9 Units in a structure</u>	<u>\$3,987 per unit</u>
<u>10 or More Units in a structure,</u>	<u>\$1,139 per unit</u>
<u>Owner-occupied Affordable and Workforce dwelling units as defined in Chapter 405, Town of Scarborough Zoning Ordinance:</u>	
<u>Single Family</u>	<u>\$5,696 per dwelling unit</u>

Single Family Attached,
Townhouse \$2,848 per dwelling unit

Exemptions.

A school impact fee is not required for a dwelling unit within a development consisting of three or more dwelling units all of which are permanently restricted by recorded deed restriction or covenant and/or regulatory restriction to occupancy by elderly households only. For this purpose, “elderly household” means a household which includes at least one person aged 55 or older and no occupant less than 55 years of age other than a full-time caregiver to or a spouse or companion of the elderly person(s).

Impact Fees to Terminate Upon Completion of Projects.

When the school projects identified in Chapter 415, Section II have been completed and all debt incurred in connection therewith has been repaid, the Town Council shall amend this ordinance either by repeal of this chapter, or by amendment of this chapter if circumstances at the time warrant the continuation of school impact fees.

School Impact Fee Reviews

Since the school impact fee is based on projections of future development, the above fees are subject to a review and update on a three-year cycle starting in 2027. The Council may revisit the fee structure at any time should conditions warrant a change in the projections upon which the fees are based. A technical memorandum is available, which documents the methodology used to derive the fee schedule. Any changes to the fee schedule should include an update to the technical documentation.

Vote on Amendment: 6 Yeas. 1 Nay [Councilor Doherty] Motion Carried.

Order No. 26-020, 7:00 p.m. Public Hearing and second reading on the proposed amendments to Chapter 1018 – Cannabis Establishment Licensing Ordinance. *[Assistant Town Manager]* Liam Gallagher, Assistant Town Manager, gave a brief overview on this Order. Chairman Fellows opened the public hearing. The following comments were made:

- Chris McNeil, owner of Coastal Remedies, discussed his experience as a medical marijuana caregiver, highlighting issues with communication regarding a smell ordinance that he was unaware of when he took over in 2022. Despite neighbor concerns, he is committed to accountability and has invested significantly in the business, working to address odor complaints. He noted that verified complaints are minimal compared to operational days since the ordinance was enacted, and he criticized the town and neighbors for poor communication, feeling targeted as a result.
- Cyrus Cheslak, an attorney representing ZG Botanicals and Coastal Remedies, expressed opposition to a proposed amendment that allowed for suspension or revocation of licenses after just two verified complaints. He advocated for a threshold of three complaints, emphasizing the importance of communication between property owners and complainants. He highlighted the challenge of identifying which cannabis facility is violating odor ordinances when both are in proximity and noted that many complaints go uncommunicated. He argued that lowering the complaint threshold to two is unfair and could endanger local businesses and their employees. Instead, he proposed timely notification of any complaints to allow for proper rectification.
- Paula Corbeau-O’Brien of Pond View Drive, expressed her frustration over a persistent odor problem that began in the summer of 2023, affecting their home over nearly three years. She referenced previous public insults from a council member regarding their complaints and voiced disappointment in the council's inaction. She emphasized that a cannabis business opened in August 2022 and that the odor issue followed soon after, disputing the council's blame placed on another business. They suggested that instead of incurring attorney fees, the business owner should invest in proper filtration systems to address the issue. Overall, the speaker's dissatisfaction with the council's response and the ongoing odor problems was evident.
- Letter from Attorney Cyrus Cheslak:

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ADMITTED IN ME & MA
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One Portland Square
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March 3, 2026

Scarborough Town Council
Town of Scarborough
259 U.S. Route 1
Scarborough, ME 04070

Re: Opposition to Proposed Order 26-019

Dear Members of the Town Council:

I represent Coastal Remedies at 3 Commercial Road and ZGE Botanicals at 4 Commercial Road in Scarborough. We oppose the proposed amendment to the Town's current odor nuisance ordinance to lower the threshold for verified complaints concerning cannabis cultivation facilities from five (5) to two (2) before a licensee is brought before the Council for a possible license revocation. We understand that the Ordinance Committee has recommended the reduction to two (2) verified complaints. However, we believe that a reduction to two (2) verified complaints is unreasonable, and would instead, recommend that if the Council is inclined to amend the ordinance that the amendment be to a minimum of three (3) verified complaints. We believe this is a more fair approach to give business owners an opportunity to address issues before facing the extreme remedy of a potential license revocation. We also believe that any change to the ordinance should include the requirement that the Code Enforcement Office notify a licensee in a timely manner of both verified and unverified complaints.

The Inherent and Acknowledged Challenge in Identifying Violators

The Ordinance Committee has acknowledged the heart of the issue: there are two facilities located in close proximity, making it extraordinarily difficult, if not impossible, for Scarborough Police Department to reliably identify which facility is the source of any particular odor complaint. If a Burger King and a McDonald's were across the street from each other, it would be impossible to determine whose French fry odor caused me to cheat on my diet, regardless of how many times I have been warned not to hit the drive-through. Lowering the verified complaint threshold does not address the core odor source verification problem.

Lowering the Threshold Does Not Address the Underlying Odor Problem

A lower complaint threshold does not address the underlying odor or identification problem, short of license revocation. Moreover, raising the specter of nearly immediate punitive action undermines the collaborative spirit that has defined Scarborough's odor mitigation enforcement for years. Rather than increasing the likelihood of a license revocation, the Council should continue to encourage the stakeholders to work together with each other and with town officials. The licensees at 3 and 4 Commercial Road are already working cooperatively to manage and mitigate odor. In the past, when complaints arose, the Code Officer would contact owners via telephone or text message in real time so that any issues would be addressed immediately. The Town showcased that commitment to working collaboratively with licensees at the Snow Canning facility by hiring an odor expert to investigate and advise on how to mitigate odor and to bring licensees into compliance. That collaborative approach has seemingly evaporated like the fleeting odor we seek to mitigate and has instead turned to an appetite for nearly immediate punitive action. The owners of Coastal Remedies and ZGE Botanicals (and all Scarborough cannabis licensees) remain committed to working with the Town in a collaborative manner

to ensure compliance so every citizen of Scarborough can fully use and enjoy their property or business.

Landowners Must be Informed of Unverified Complaints

The licensees are committed to being good neighbors, but it is impossible for them address an odor complaint if they are not told of that complaint. Here, the licensees are only told of verified complaints, not unverified ones. This limits their ability to more quickly mitigate potential problems. For example, there were 12 unverified complaints between September 2024-December 2025, including *three consecutive days* in September 2025, yet the licensees were never notified. These are local business owners who have made considerable investments in this community, and they have long supported Scarborough's commitment to robust odor mitigation. But they cannot correct a problem if they are not told about it until months or a year later. Collaboration and mutual engagement on odor mitigation remains the lynch pin in resolving the complaints and preventing new ones but as currently drafted, the proposed amendment will not further either of these goals.

No Other Industry in Scarborough Faces a Comparable Situation

The proposed amendment would apply a standard to cannabis cultivation facilities that has no analog anywhere else in Scarborough's business community. No other industry, commercial activity, or other permitted land use in this community is subject to such stringent standards that threaten to shutter their business after two occurrences of a violation out of a 365 day year.

Conclusion

We thank the Council for its consideration of our recommendation to not amend the ordinance at all, but if you see fit to do so, to amend it to three (3) verified complaints before a hearing may occur and that (B) a licensee be notified of all unverified odor complaints within two business days or as soon as is practicable.

Respectfully submitted,

/s/ Cyrus E. Cheslak

Cyrus E. Cheslak
CEC/

cc: Jill G. Cohen, Esq. (via email only)
Chris McNeil, Coastal Remedies LLC (via email only)
Patrick Robinson, ZGE Botanicals LLC (via email only)

Via Zoom:

- Denise Hamilton of Two Rod Road Denise Hamilton, shared her observations from living near a grower. She recalled the passing of an ordinance before COVID and criticized the five-strike measure as excessive. She emphasized that there should be no odor from growers, referencing existing odor regulations. She noted that other local growers do not seem to cause issues, suggesting that if the source of the problem can't be identified, both parties should be held accountable. Ultimately, she proposed that a two-strike limit would be more appropriate if odor issues persist.

There being no further comments either for or against, the hearing was closed at 8:24 p.m.

Motion by Councilor Anderson, seconded by Councilor Donovan, to move approval of the second reading on the proposed amendments to Chapter 1018 – Cannabis Establishment Licensing Ordinance, as follows:

**CHAPTER 1018
TOWN OF SCARBOROUGH
CANNABIS ESTABLISHMENT
LICENSING ORDINANCE**

BE IT HEREBY ORDAINED, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following changes reflects only that portion to Chapter 1018 – Cannabis Establishment Ordinance, of the Town of Scarborough, Maine, that will be changed, is hereby amended, as follows (additions are underlined; deletions are struck through):

Section 11. Odor Observation and Enforcement [Adopted 08/16/2023; Amended 07/17/2024]

Per Section 10(7), odor of cannabis by a Licensee shall not be detectable beyond the property boundary. Cannabis odor observation shall be undertaken to arrive at a determination that a cannabis odor exists beyond the property line. All cannabis odor observations made by the Town shall be made in writing. This Section applies to Licensed Cannabis Establishments and Registered Cannabis Properties. [Amended 07/17/2024]

- A. This section of the Ordinance may be enforced by any Code Enforcement Officer, Law Enforcement officer, or their Municipal designee. [Adopted 07/17/2024]
- B. No person shall interfere with, oppose, or resist any authorized person charged with the enforcement of this ordinance while such person is engaged in the performance of her/his duty. [Adopted 07/17/2024]
- C. Violations of this Ordinance shall be enforced under the provisions in Section 12 of this Ordinance; provided, however, that for an initial violation of this Ordinance, a written notice of violation may be given to the alleged violating owner of the Licensed Cannabis Establishment which specifies the time by which the condition shall be corrected. No verified complaint or further action shall be taken on the initial violation if the cause of the violation has been removed or the condition abated or fully corrected within the time period specified in the written notice of violation. If the cause of the violation is not abated or fully corrected within the time period specified in the written notice of violation, or if the licensee commits a subsequent violation of the same provision or provisions of this ordinance specified in the written notice, then no further action is required prior to prosecution of the civil violation. If, due to a multi-tenant situation or other reasons, the alleged violating licensee cannot be identified in order to serve the notice of intention to prosecute, the notice as required shall be deemed to be given upon mailing such notice by registered or certified mail to the alleged violating licensee at her/his last known address or to the owner of the Registered Cannabis Property where the violation occurred, and shall be posted in a conspicuous location at that premises, in which event the specified time period for abating or appealing the violation shall commence at the date of the day following the mailing of such notice. All verified complaints provided to the Town regarding the same premises by individual residents within a twenty-

four-hour period, if a violation has been verified within that period, will count as one violation. [Adopted 07/17/2024]

After the ~~fifth (5th)~~ second (2nd) violation within the license or registration period, the licensee(s) or registrations shall have their approval referred to the Town Council for a suspension or revocation hearing within thirty (30) days of the verified complaint being verified. All verified complaints and any related documentation associated with the investigation of the cannabis odor verified complaints shall be made available to the licensee or registrant within fourteen (14) days of the hearing. The Council may only suspend or revoke a license or registration with a vote of five members of the Council. In the event the Council determines to revoke the license or registration, the licensee or registrant will have sixty (60) days to cease operations supported by the license or registration. During this time period, the license holder or registrant will continue to be subject to civil violations for further verified violations. [Adopted 07/17/2024]

Vote: 7 Yeas. Motion Carried.

Order No. 26-023. 7:00 p.m. Public Hearing and action on the new requests for a Food Handlers License from Tractor Supply Company Northeast, LLC d/b/a Tractor Supply, located at 442 US Route One, Suite 2 and from Topset Meals, LLC located at 429 US Route One. [Town Clerk's Office] A brief overview was given on this Order. Chairman Fellows opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:34 p.m.

Motion by Councilor Doherty, seconded by Councilor Anderson, to move approval on the new requests for a Food Handlers License from Tractor Supply Company Northeast, LLC d/b/a Tractor Supply, located at 442 US Route One, Suite 2 and from Topset Meals, LLC located at 429 US Route One.

Vote: 7 Yeas. Motion Carried.

OLD BUSINESS:

Order No. 26-019. Second reading to amend Order No. 25-115, adopted by the Town Council on December 17, 2025 (the "Original Order") be and hereby is amended by replacing the Original School Project with the Replacement School Project as noted in the supporting documentation. [Finance Director] Norman Kildow, Finance Director, gave a brief overview on this Order.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of second reading to amend Order No. 25-115, adopted by the Town Council on December 17, 2025 (the "Original Order") be and hereby is amended by replacing the Original School Project with the Replacement School Project as noted in the supporting documentation, as follows:

TOWN OF SCARBOROUGH AMENDMENT TO ORDER 25-115

BE IT HEREBY ORDERED by the Scarborough Town Council as follows:

1. That Order No. 25-115 adopted by the Town Council on December 17, 2025 (the "Original Order") be and hereby is amended by replacing the Original School Project with the Replacement School Project, as set forth below

Original School Project:

2022-2023 School	
Interior Construction and Renovation	150,000

Replacement School Project:

2022-2023 School

District Wide Energy Improvements

150,000

2. That in all other respects, the Original Order is hereby incorporated by reference and ratified, confirmed and approved as if more fully set forth herein.

Vote: 7 Yeas. Motion Carried.

NEW BUSINESS:

Order No. 26-024. Act on the request from Scarborough Public Safety, to accept the Tyler Technology Excellence Award in the amount of \$3,610. [Chief of Police/Communications Manager] Thomas J. Hall, Town Manager, gave a brief overview was given on this Order.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval to accept the Tyler Technology Excellence Award in the amount of \$3,610.

Vote: 7 Yeas. Motion Carried.

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

Item 11. Council Member Comments.

- Councilor Anderson wished a Happy Birthday to Councilor Shupe. He acknowledged Councilor Hayes' contributions to the Council, recognizing her ability to balance various issues thoughtfully. The speaker expresses a desire for growth, discussing LD1829's significance while emphasizing the need for a plan for future initiatives, even with potential limitations posed by the ordinance set to expire. The goal is to maintain momentum without allowing LD1829 to hinder further progress.
- Chairman Fellows acknowledge Councilor Anderson's comments on growth, emphasizing that LD 1829-2173 had required significant attention from the Council and staff. He noted that he would on be in attendance at the March 18th meeting and that Councilor Cain would be in Chairing the meeting.

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

Vote: 7 Yeas. Motion Carried.

Meeting adjourned at 8:42 p.m.

Respectfully submitted,

Yolande P. Justice
Clerk to the Council