MINUTES
TOWN COUNCIL
WEDNESDAY – AUGUST 19, 2026
HYBRID REGULAR MEETING – 6:00 P.M.

Item 1. Call to Order. Chairman Fellows called the regular meeting of the Scarborough Town Council to order at 6:01 p.m.

Item 2. Pledge of Allegiance.

Item 3. Roll Call. Roll was called by Yolande P. Justice, Clerk to 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

Item 4. EXECUTIVE SESSION:

Order No. 26-066. Act on the request for an executive session pursuant to Title 1, M.R.S.A. §405(6)(D), regarding a personnel matter relating to the Town Manager's Employment Agreement. ***[Town Council Chair]*** Motion by Councilor Donovan, seconded by Councilor Anderson, to move approval on the request for an executive session pursuant to Title 1, M.R.S.A. §405(6)(D), regarding a personnel matter relating to the Town Manager's Employment Agreement; to return to public session.

Vote: 7 Yeas. Motion Carried.

The meeting adjourned to executive session at 6:02 p.m. The meeting was reconvened at 7:00 p.m. Prior to General Public Comments, Chairman Fellows reminded everyone of the 3 minute time-limit for speaking and asked that everyone try adhere to it.

Item 5. General Public Comments.

- Tom Nolan of Waldron Drive, expressed his deep sadness and anger over Mr. Guerrero's murder by an ICE agent. He emphasize the community's intolerance of such abuses and demanded the removal of ICE from the town. He noted that he was committed to attend Council meetings to advocate for progress, stating that giving up is not an option.
- Sophia Warren, State Representative of Scarborough, addressed the Scarborough community, she expressed empathy after a Biddeford resident's death linked to ICE actions. She acknowledged the fear in immigrant communities and stressed local government's duty to address these issues. She cited over 400 residents who support limiting municipal resources for federal immigration enforcement and urged the Council to affirm their commitment to safety and dignity for all residents, advocating for constructive action in response to community concerns.
- Jennifer Jortbert of Scarborough, recounted the case of Jonas Serugo Manoa, an asylum seeker from the Democratic Republic of Congo, detained by ICE during a check-in. Manoa, a Certified Nursing Assistant, supported his family, has left them in need, raising concerns about ICE's impact on legally residing individuals. She felt that these detentions violate due process and harm the local economy and essential services.
- Molly LeCompte of Scarborough, voiced concerns over ICE's impact on hiring in the lobster processing sector. She pointed out that many immigrants, who are often legally present, play vital

roles in nursing and teaching, but face fear and discrimination. She called on the Town Council to acknowledge their significance and highlighted the need for diversity in the workforce. Additionally, she proposed a holiday toy drive to support immigrant families, promoting kindness and understanding towards them.

- Stephanie Anderson, former district attorney for 28 years, would be running for office again after an 8-year break. She emphasized the crucial impact of the DA on community safety, the livelihood of local businesses, and police morale. She highlighted the consequences when the justice system fails, arguing that it affects public trust and service costs. She was seeking to restore confidence in public safety and urged community engagement in the electoral process.
- Averly Hill of Maple Avenue, voiced her concerns over traffic safety on Maple Avenue and highlighted what she felt was the town's spending on temporary speed tables, which cost approximately $26,000, instead of a more cost-effective permanent solution at $2,900. While speed tables effectively reduce speeding, the policy required unanimous agreement from adjacent property owners. This has led to waste of taxpayer funds and ongoing public safety risks due to speeding. A request was made to include the Traffic Calming Policy in the next Council agenda for responsible resolution.
- Scott Doherty of Ferry Road, mentioned the upcoming elections and stressed the need for participation and supported candidates Denise Hamill and Sam Capone. They point out the difficulties faced by council members, where individual voices are often overlooked. He advocated for a more complete council to enhance governance and refine town operations, concluding with a call for the recommended candidates to better align spending and decision-making with community needs.
- Caitlyn Blodgett of Scarborough, expressed her deep concern about the presence of ICE in the community and shared her background as a descendant of patriots. She conveyed a sense of heartbreak as an American and urged everyone present to act against ICE, emphasizing the nightmare its existence brings. She implored the audience to help sever ties with ICE in order to protect American citizens.

Item 6. Minutes: July 15, 2026 – Regular Town Council Meeting and July 29, 2026 – Special Town Council Meeting. Motion by Councilor Hayes, seconded by Councilor Anderson, to move approval of the minutes from the July 15, 2026 – Regular Town Council Meeting and July 29, 2026 – Special Town Council Meeting, as written.

Vote: 7 Yeas. Motion Carried.

Item 7. Adjustment to the Agenda. None at this time.

Item 8. Items to be signed: a. Treasurer's Warrants. Treasurer's Warrants were signed prior to the meeting.

Item 9. Town Manager's Report. Thomas J. Hall, Town Manager, gave the following updates:

- **Eastern Trail Project - FINAL INSTALLMENT** -
  - Ribbon-Cutting Ceremony held on Aug. 6 - 300+ in attendance
  - Contract Dispute- Mediation held July 30, ongoing
  - Additional funding request submitted to MDOT, looking favorable
- **Scottow Hill Road Closure** -
  - Survey and preliminary design underway- Scottow and Payne crossings
  - MIAF Grant award announcement expected early September

    - Budget authority secured for all options
    - Town Council Decision in September/October

- **Data Center Litigation Update** -
    - Lawsuit challenges the moratorium and appealing "incomplete" application
    - Court denied Plaintiff's request to allow processing of applications
    - Town moved to dismiss the lawsuit; Court declined to do so
    - Engaged in Discovery, briefs to be filed

- **Pickleball Project** -
    - Pickleball
        - Completed in July- open for use
        - Wind screens added as needed
    - Skatepark
        - RFP issued

- **Short-term Rental Program** -
    - Week of July 13 - Registration Open/website updated
    - 250 letters sent to known/suspected STRs for awareness

- **Blue Star Memorial Marker on Route One** -
    - Sponsored by Scarborough Garden Club
    - Proposed at Maine Veterans Home - 290 US Route 1

- **Portland West** - MDOT evaluating four alternatives
    - Renovation Light and Renovation Heavy
    - New Road Light and New Road Heavy

- **Metro Pilot Project** -
    - Public Meeting held on July 28
    - Attendance at Summerfest
    - Project Launch - Early October

- **New Hires** -
    - Andy Saksa - Deputy Public Works Director
    - Christian Glendinning - Code Enforcement Officer
    - Gretchen Anderson - Stormwater Coordinator

- **GFOA- Certificate of Achievement for Excellence in Financial Reporting** -
    - 21 Consecutive years of recognition

- **MMA Insurance Pool Dividend** - $46,610

- **Nomination Papers for Local Elected Office** -
    - Available August 5, due by September 2
        - 3 Town Council seats
        - 3 Sanitary District Trustees
        - 1 Board of Education
    - **Candidates Night - September 22 at 6:00 PM**

- **Housing Assessment Grant** -
    - Initially considered RFP approach
    - GPCOG to apply for MOCA Service Provider Grant

- **Ocean Avenue Speed Table** -
    - Speed Study confirmed success

- Neighbors overwhelmingly approved
- Permanent Speed table to be installed Fall 2026

- **Alternative Meeting Location** -
  - Reserve Chamber A and B for Absentee Voting
  - Relocate meetings to PSB Classroom 10/1 thru Nov. 2
  - PSB A/V Capabilities enhanced

- **MTCMA Conference** -
  - Presented "Numbers to Narrative" - budget communications
  - Honored to have received "Distinguished Service Award"

- **Tax Commitment** -
  - Right on schedule
  - Information for next meeting

The Town Manager responded to questions from the Council.

Item 10. Standing and Special Committee Reports and Liaison Reports.

- Councilor Anderson noted that the Communication Committee would be meeting tomorrow evening to discuss plans for Summerfest. The council would have a booth in a new location behind the sponsors, facing the stage. A signup sheet would be available for Councilors, requesting just an hour of participation. This engagement would help the Council connect with the public, gather feedback, and promote the newsletter. Last year's election day table had significant foot traffic, attracting over a hundred interested newsletter sign-ups and inquiries.
- Chairman Fellows noted the Long-Range Planning Committee met on the 14th and discussed zoning classifications in Oak Hill, aiming to simplify the zoning process. They considered adding landscape contractor use to the V3 business zone, gaining support for future ordinance changes. He had attended the Maine Municipal Association Legislative Policy Committee meeting, which focused on diversifying school funding sources beyond property tax. A consensus developed on exploring a regional option tax, reflecting a collective interest in finding new funding methods across communities
- Councilor Shupe noted the Ordinance Committee finalized the timber harvesting amendments for the next Town Council meeting and reviewed the Shellfish Ordinance. The Conservation Commission contributed to the proposed amendments to timber harvesting and has been involved with new low impact development standards. The Planning Board recently met without major applications but approved a parking lot at the Beaver Brook Preserve using land bond money.
- Councilor Cain noted the School Building Committee and Community Services advisory board did not meet. The Finance Committee did meet and reviewed a presentation on a proposed automated parking system for beach lots. After discussion the Committee voted to reject the recommendation due to high costs and seasonal issues. Instead, a cashless payment system using debit and credit cards was suggested to improve efficiency and safety, though concerns about accessibility for those without cards were noted. It was also proposed to revisit parking fees, with the Advisory Board planning to collect data on alternative fee structures during the winter and include early morning or late afternoon options.

Item 11. RESOLUTION/PROCLAMATIONS:

Proclamation 26-005. Proclamation 26-005, Honoring Historic Beech Ridge Speedway. ***[Councilor Anderson]*** Councilor Anderson gave a brief overview on this Proclamation and introduced Denise Hamilton, who has brought this Proclamation forward.

Denise Hamilton of Two Rod Road thanked the Council for this honor and then introduced the video of when her husband's grandfather was inducted into the New England Racers Hall of Fame for all that he had contributed to the sport.

The following spoke on this Proclamation:

- Warren Hamilton of Two Rod Road, expressed gratitude at a gathering, reflecting on his deep connection to racing, influenced by his grandfather, Jim JB McConnell. He recounted his entry into graphics through sign painter Joe Tus, leading to the founding of ASM Graphics in 2005 with Andy Santerre to reduce high race car graphics costs. He highlighted the Scarborough racetrack's importance in his life, where he met his wife, and encouraged support for her future endeavors, while celebrating the racetrack's community and his grandfather's enduring legacy.
- Dickie Fowler of Highland Avenue, thanked the Town Council for recognizing the monument built on the Speedway property. Special thanks to Denise and Warren Hamilton for their dedication and hard work. The racetrack held significant meaning for many fans, competitors, and families, serving as a second home full of cherished memories.
- Bruce Elder reflected on his long association with Beech Ridge, noting its historical significance in NASCAR and the unique MSSC that sanctioned races from the 1950s to 1990. He mentions that several notable crew chiefs, including those for Jeff Gordon and Dale Earnhardt Jr., started their careers at Beech Ridge. He commented the track's impact on the racing community in Maine and expressed gratitude for the recognition of the Speedway and Jim McConnell's contributions.
- Paige Woods, Founder of Maine's Lost Speedways, honored Denise and Warren Hamilton for their contributions to a monument celebrating the legacy of Beech Ridge Speedway, a key Maine racing venue for 72 years. She highlighted the community connections formed at the track, shared personal stories, and recognized influential figures in racing. Woods emphasized that Beech Ridge was more than a location; it was a home of friendships and enduring memories, thanking JB McConnell for establishing the track and asserting that the true legacy lies in the memories created beyond the races.
- Steven Pellerin of Gorham, expresses his strong affinity for Beech Ridge Speedway, noting its significance in motorsports history. He underlined his efforts to promote its legacy, which led to his induction as the first historian in the Maine Motorsports Hall of Fame. He worked with the Department of the Interior on a preservation assessment for the Smithsonian. The stories and history of Beech Ridge Speedway would live on with family and friends.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of Proclamation 26-005, Honoring Historic Beech Ridge Speedway; as follows:

TOWN OF SCARBOROUGH, MAINE

PROCLAMATION 26-005
HONORING HISTORIC BEECH RIDGE SPEEDWAY

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

WHEREAS, James "J.B." McConnell had a dream. Logging was his trade but racing his passion. He traveled up and down the New England coast promoting races, but envisioned building a permanent track in Maine; and,

WHEREAS, Mr. McConnell purchased land on Holmes Road and Two Rod Road and, without outside investors, recruited his logging crew to clear the land and build what would become one of Maine's most iconic motorsports venues; and,

WHEREAS, construction on Beech Ridge Speedway began in 1948, and the 1/3-mile oval officially opened on May 20, 1949, launching more than seventy years of racing tradition in Scarborough; and,

WHEREAS, in 1949 J.B. McConnell formed the Maine State Stock Car Racing Association, an organization that lasted for 35 years. J.B. served as its president for four terms; and,

WHEREAS, Mr. McConnell was inducted into Maine Vintage Race Car Association Hall of Fame Class of 2004; and the New England Auto Racers Hall of Fame Class of 2009; and,

WHEREAS, the McConnell family supported every aspect of the Speedway's operations—from maintaining the track and buildings to running concessions and supporting race day activities, representing a multi-generational commitment that helped sustain the Speedway; and,

WHEREAS, Warren "Wardie" Hamilton, Mr. McConnell's son-in-law, demonstrated decades of dedication to the Speedway and the racing community, continuing his service until his passing in 2013; and,

WHEREAS, Beech Ridge Speedway became one of Maine's most recognized short tracks, hosting countless racing events, helping develop drivers, and bringing together racers, crews, officials, volunteers, sponsors, and fans from across New England; and,

WHEREAS, the Speedway contributed significantly to Scarborough's cultural, recreational, and economic vitality by attracting visitors, supporting local businesses, and creating lasting traditions and community connections across generations; and,

WHEREAS, Beech Ridge Speedway became a cherished landmark and an enduring part of Scarborough's identity, preserving the traditions of grassroots motorsports in Maine and leaving a lasting legacy; and,

WHEREAS, the Town recognizes the continued efforts of family, community members and supporters to preserve and commemorate the history and legacy of Beech Ridge Speedway; and,

NOW, THEREFORE, BE IT PROCLAIMED, that the Town Council of Scarborough, Maine, hereby honors the history, legacy, and impact of Beech Ridge Speedway and expresses deep appreciation to all individuals and families whose dedication made it a treasured institution in the community.

Signed and dated this the 19th day of August, 2026, on behalf of the Scarborough Town Council and Town Manager. Signed by the Council Chair and attested by the Clerk to the Council.

Vote: 7 Yeas. Motion Carried.

Item 12. PUBLIC HEARINGS:

Order No. 26-055. 6:00 p.m. Public hearing and second reading on the proposed amendments to Chapter 405 Zoning Ordinance; including the creation of a new use, mobile sauna; adding the use to Section VI Definitions; adding the use to allowed districts in Section XIII.A Zoning District Use Tables; and adding Section IX.GG Performance Standards Mobile Saunas. ***[Planning Director]*** Autumn Speer, Planning Director, gave a brief overview on this Order and spoke on a proposed amendment that the Planning Board recommended. Chairman Fellows opened the public hearing. The following individual spoke on this Order:

- Aschel Gregory, owner of Rose Sauna, presented to the council, ready to answer questions about mobile sauna operations. She appreciated the Ordinance Committee's efforts and emphasized community interest in the initiative. She thanked the Council for their involvement.

There being no further comments, the hearing was closed at 8:27 p.m.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the second reading on the proposed amendments to Chapter 405 Zoning Ordinance; including the creation of a new use, mobile sauna; adding the use to Section VI Definitions; adding the use to allowed districts in Section XIII.A Zoning District Use Tables; and adding Section IX.GG Performance Standards Mobile Saunas.

Motion by Councilor Shupe, seconded by Councilor Anderson, to move approval to amend the main motion as to add for the definitions that mobile sauna uses are subject to chapter 1015B Mobile Sauna Ordinance licensing requirements, as follows:

CHAPTER 405 ZONING ORDINANCE

SECTION VI DEFINITIONS

Mobile Sauna:
A portable, towable trailer or other mobile platform designed and constructed to provide the same heat and steam experience as a traditional sauna. Mobile saunas are designed to be temporarily placed on sites and not permanently installed. For the purpose of this definition the mobile sauna use shall be an accessory use to the primary use of the site. Mobile saunas are subject to Chapter 405 Zoning Ordinance use standards and applicable performance standards. Mobile sauna uses are subject to Chapter 1015.B. Mobile Sauna Ordinance licensing requirements.

Vote on amendment: 7 Yeas. Motion Carried.

Main Motion as amended:

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following amendments to Chapter 405 the Town of Scarborough Zoning Ordinance, be and hereby is amended, as follows as presented (additions are underlined and in red font):

CHAPTER 405 ZONING ORDINANCE
SECTION VI DEFINITIONS

Mobile Sauna:
A portable, towable trailer or other mobile platform designed and constructed to provide the same heat and steam experience as a traditional sauna. Mobile saunas are designed to be temporarily placed on sites and not permanently installed. For the purpose of this definition the mobile sauna use shall be an accessory use to the primary use of the site. Mobile saunas are subject to Chapter 405 Zoning Ordinance use standards and applicable performance standards. Mobile sauna uses are subject to Chapter 1015.B. Mobile Sauna Ordinance licensing requirements.

SECTION XIII.A ZONING DISTRICT USE TABLES

Land Use (See Section VI for Definitions)	Additional Standards Performance Standards Apply to All Districts	Rural Farming (RF)	Rural, Farming and Manufactured Housing (RFM)	Residential 2 (R2)	Residential 3 (R3)	Residential 4 (R4)	Residential 4A (R4A)	Vilage Residential 2 (VR-2)	Vilage Residential 4 (VR-4)	Residence and Professional Office (RPO)	Town and Village Centers (TVC)	Town and Village Centers Transition (TVC-2)	Town and Village Centers Fringe (TVC-3)	Town and Village Centers 4 (TVC-4)	Beach Mixed Use (B-1)	Running Hill Transition (RH-2)	Running Hill Mixed Use (RH)	Crossroads Planned Development (CPD)	Haigis Parkway (HP)	Business office Research (BOR)	Regional Business (B-2)	General Business (B-3)	Light Industrial Overlay (LI)	Industrial (I)
SHOP, SERVICE AND MEDICAL USES																								
Retail Sales and Service											C22	C14	C6	C21	C12	C7;C11	C15	PD	C20	C14	P	C23	C47; C58	C58
Outdoor Sales and Services																					SE; C57			
Personal Service											C22	C14	C14	C21	C12	C40	C40	PD	P	P	P	C23	P	P
Health Club											C22	C14	C14; C46	C21	C12	C14	P	PD	P	P	P	C23	P	P
Mobile Sauna											P	P	P	P	P			PD						
Business Services and Business Office										C12	C22	C14	C14	C21	C12	C14	P	PD	P	P	P	C23	P	P
Professional Office							C12			C12; C13	C22	C14	C14	C21	C12	C14	P	PD	P	P	P	C23	P	C9
Medical and Diagnostic Facility																		PD	P					
Addiction Treatment Facility	Section IX (L)																							C9
Financial, Insurance and Real Estate Office										C12	C22	C14	C14	C21	C12	C14	P	PD	P	P	P	C23		
Veterinary Clinic		SE	SE							C12; C13	C22	C14	C14	C21	C12	C14	P	PD	P	P	P	C23	P	C9
Pet Care Facility (Indoor)		SE	SE															PD						P
Kennel (Indoor and/or Outdoor)		SE	SE																					
Non-Residential Accessory Use (excludes outdoor storage)		P	CZ	P	P	P	P	P	P	P	C22	P	P	P	P	P	P	P	P	P	P	C23	P	P
Non-Residential Accessory Use (includes outdoor storage)																							P	P

SECTION IX.GG. MOBILE SAUNAS

The following standards shall apply to all mobile saunas:

1. The Town Clerk shall have the authority to issue a permit for a mobile sauna. The Town Clerk, or the Town Clerk's designee, shall review all applications for completeness and accuracy and in the order that they were received.
2. In the event that the Town Clerk determines that a submitted application is not complete, the Town Clerk shall notify the Applicant within ten (10) business days that the application is not complete and shall inform the Applicant of the additional information required to process the registration.
3. Upon submission to the Town Clerk, an application shall be distributed to the Director of Planning and Codes, the Police Chief, the Fire Chief, and the Assessor for their review and recommendation for approval or disapproval with reasons noted.
4. No more than one mobile sauna is allowed per lot.
5. A mobile sauna is permitted only as an accessory use to a permitted non-residential use in the zoning district in which it is located.
6. The mobile sauna operator shall have available, and under written agreement, a minimum of three off-street parking spaces. Additional parking and/or a shared parking agreement may be required at the discretion of the reviewing authority.
7. Minimum setbacks for the zoning district in which the mobile sauna is located shall apply.
8. Mobile saunas shall be parked on existing asphalt or concrete. No new material may be installed for the placement of a mobile sauna without Site Plan approval.
9. Mobile saunas are not permitted within any ADA accessible parking space.
10. Mobile saunas are not permitted within any designated sight triangle/vehicle clear-zone or within twenty (20) feet of fire lanes, fire hydrants or fire connections.
11. Mobile saunas are not permitted to be located in the public right-of-way, impede traffic, interfere with the general ingress and egress to and from any property, public or otherwise, or present an unsafe condition for patrons, pedestrians, or other vehicles.

Vote: 7 Yeas. Motion Carried.

Order No. 26-056. 6:00 p.m. Public hearing and second reading on the proposed new Chapter 1015.B. entitled Mobile Sauna Vendor License Ordinance. ***[Planning Director]*** Autumn Speer, Planning Director, gave a brief overview on this Order and spoke on a proposed amendment that had been recommended. Chairman Fellows opened the public hearing. There being no comments either for or against, the hearing was closed at 8:29 p.m.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the second reading on the proposed new Chapter 1015.B. entitled Mobile Sauna Vendor License Ordinance.

Motion by Councilor Shupe, seconded by Councilor Anderson, to move approval to amend the main motion to amend section 0.6. to change the valid dates from September1st to June 1st through May 31st so that they line up with our normal licensing.

Vote on amendment: 7 Yeas. Motion Carried.

Vote on main motion as amended:
BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following new Chapter 1015. B Mobile Sauna Ordinance be established, as follows as presented (additions are underlined and in red font), as amended:

CHAPTER 1015.B MOBILE SAUNA ORDINANCE

A. Applicability

No person shall carry on the business of operating from a Mobile Sauna within the limits of the Town of Scarborough without first having obtained a license from the Town of Scarborough. Mobile saunas may only occur on locations in Section B below.

B. Permitted Mobile Sauna Locations

Registered Mobile Sauna Site. Mobile Saunas may operate at approved Mobile Sauna Sites with permission of the property owner. See Section O. Mobile Sauna Site Registration Requirements.

One-time Events. Mobile Saunas may operate on private property for a private one-time event provided the unit has all other required licenses and permissions must be obtained (i.e. Special Event Permit, Mass Gathering Permit).

Town Sponsored Events. Mobile Saunas may operate at Town sponsored events. Site locations shall be approved by Public Safety Departments.

C. Definitions

Mobile Sauna.
A portable, towable trailer or other mobile platform designed and constructed to provide the same heat and steam experience as a traditional sauna. Mobile saunas are designed to be temporarily placed on sites and not permanently installed. For the purpose of this definition the mobile sauna use shall be an accessory use to the primary use of the site. Mobile saunas are subject to Chapter 405 Zoning Ordinance use standards and applicable performance standards.

D. Application Process

Every Mobile Sauna operator shall obtain a license issued by the Town Clerk to conduct business in the Town. Each Mobile Sauna unit requires a separate license.

A complete and signed application shall require the following information from the applicant to be considered:

1. Name of applicant, as well as physical street address, mailing address, telephone number(s), and e-mail address.
2. Legal name of business or entity.
3. Proof of a State of Maine Health Certificates at the time of application.
4. Signed permission form, or provide notarized affidavit from the private property owner granting permission for unit placement.
5. Phone number for the private property owner on which the Mobile Sauna unit will be placed.
6. Name, phone number and driver's license number of business owner and all employees or other persons authorized to operate the Mobile Sauna.
7. Valid and current vehicle/trailer registration of mobile sauna unit.

E. Public Hearing Required

The Town Council shall hold a public hearing on all new seasonal applications for Mobile Sauna licenses. Notice of the hearing shall be advertised in a local daily newspaper, at least seven (7) days prior to the hearing, at the expense of the applicant.

F. Approval Authority

Upon submission to the Town and prior to any public hearing, an application shall receive a recommendation for approval or disapproval with reasons noted by the Code Enforcement Officer, the Police Chief, the Fire Chief, and the Tax Collector, for the Town Council's consideration.

An initial application for a license to operate as a Mobile Sauna within Scarborough shall be approved by the Town Council following a public hearing as described in Section E of this ordinance upon a determination that the application complies with the provisions of this ordinance.

The Town Clerk, or their designee, may approve seasonal renewal licenses, 1 day or 2-7 consecutive day licenses, but may refer licenses to the Town Council. [Adopted 02/04/2026]

G. License Renewal

The Town Clerk shall renew a license issued under Section F above to operate a Mobile Sauna unit on or before May 1st of each year, provided the applicant must still meet all of the licensing standards set forth in this ordinance.

The applicant must submit the application and the renewal fee within 30 days before expiration of the license or must reapply as a new applicant.

H. License Revocation

Any license issued pursuant to this ordinance may, after notice and public hearing, be suspended or revoked by the Town Council for non-compliance with the ordinances, statutes, and regulations of the Town of Scarborough and the State of Maine, or upon a determination that any owner or operator has violated any condition of a license, made a material misstatement on the application for the license, or has kept or operated her/his mobile food vending unit in an unsafe, unclean or unsatisfactory condition.

License Posting Required

Every required license shall be displayed at all times in a conspicuous place where they can be read by the general public on the Mobile Sauna unit.

I. License Requirements. Any applicant for a license under this ordinance must demonstrate each of the following:

1. **General Standards**
   a. A license shall only be granted if the applicant demonstrates compliance with all applicable Federal, State and local requirements, the applicant demonstrates that the premises will be conducted in a healthful and sanitary manner so as not to jeopardize the public health, safety and welfare, and that the applicant is not delinquent in the payment of any personal taxes or fees owed to the Town of Scarborough.
   b. An applicant must additionally and specifically demonstrate that the applicant:
      i. Meets all State of Maine Health Department regulations;

2. Equipment Standards

a. Mobile Saunas shall be attended at all times during operating hours.
b. The allowable dimensions of a Mobile Sauna (including all attachments, except hinged canopies that open to reveal food serving areas) shall be no more than 30 feet long, 13 feet tall, and nine feet wide.

c. The trailer, or vehicle, being used shall be registered, in good upkeep, and provide a neat appearance.

3. Inspections Required

a. All heating and electrical equipment must comply with applicable safety regulations, including but not limited to applicable fire and electrical codes and any other safety requirements imposed by the Town.
b. Mobile Saunas shall obtain an annual fire inspection from the Fire Department prior to operating its business.
c. The Mobile Sauna will be subject to inspection upon submission of the license application through the Code Enforcement Department and the Fire Department, and may be subject to random inspection and upon reissuance of the permit. The inspection must be completed by April 15th.

4. Refuse and Waste

a. Mobile Saunas are responsible for the proper disposal of waste and trash associated with the operation and shall remove all generated waste and trash from their approved location at the end of each day or as needed to maintain the public health and safety.
b. A written waste management plan indicating plans for waste handling, sanitation, litter collection/prevention, recycling, and daily cleanup procedures shall be submitted with the license application.

5. Signage

a. Mobile Saunas shall not place signs/banners in or alongside the public right-of-way or across roadways.
b. Mobile Sauna signs must be permanently affixed to or painted on the vehicle; sandwich boards are acceptable if placed directly in front of the Mobile Sauna they are advertising for.

7. Noise, Lighting and Odors

a. Mobile Saunas shall not emit sounds, outcry, speaker, amplifier or announcements and amplified music or sounds may not at any time unreasonably disturb nearby businesses, pedestrians, or vehicles.

6. Hours of Operation

a. Mobile Saunas may operate beginning at 6:00 AM and ending at 10:00 PM, unless otherwise qualified or limited by the municipal review authority.

J. License Fee Required

The fees payable for a Mobile Sauna license shall be as specified in Chapter 311, the *Schedule of License, Permit and Application Fees* established by the Town Council.

K. Operating Without a License

If it is determined by Town staff that a Mobile Sauna is operating with a Town of Scarborough Mobile Sauna License, operation must cease immediately or the following steps can be taken:

b. Complete requirements in Section J; and
c. Pay license and after the fact fee outlined in Chapter 311 – Schedule of Fees.

L. Insurance Required

Mobile Saunas shall provide, at their expense, and keep in force during the term of their contract, with a responsible insurance company or companies authorized to do business in the state, commercial general liability insurance in the amount of at least $1,000,000. The Mobile Sauna shall deliver certificates of such insurance to the town at the time of application.

M. License Expiration

A new license, when granted, shall be valid until May 31st, immediately following said granting of said license, except that new licenses granted during April and May shall be valid until May 31st of the following calendar year. A license issued under this section is not transferable.

N. Mobile Sauna Sites. Mobile Sauna Sites must be registered with the Town Clerk.

A. Application. An application for a Mobile Sauna Site Property registration shall contain the following information**:**

1. Name of Applicant/Owner of Record of the Mobile Sauna Site Property.

    a. If the applicant is an individual**:** The individual shall state their legal name and any aliases.
    b. If the applicant is a partnership**:** The partnership shall state its complete name, and the names of all partners, whether the partnership is general or limited, submit a copy of the partnership agreement, if any.
    c. If the applicant is a corporation**:** The corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under State law, the names and capacity of all officers, directors and principal stockholders, the name of the registered corporate agent, the address of the registered office for service of process.
    d. If the applicant is a limited liability company (LLC)**:** The LLC shall state its complete name, the date of its establishment, evidence that the LLC is in good standing under State law, the names and capacity of all members, a copy of its operating agreement, if any, the address of its registered office for service of process.

2. The applicant's mailing address and residential address.

3. The location of the proposed Mobile Sauna Site, including a legal description of the property, street address, and telephone number. The applicant must also demonstrate that the property meets the zoning requirements for the proposed use.

4. Security Measures. The applicant agrees to be duly accountable and ensure all licensed Mobile Sauna within their property adhere to the standards outlined above.

B. Town Review. Upon submission to the Town Clerk, an application shall be distributed to the Director of Planning and Codes, the Police Chief, the Fire Chief, and the Assessor for their review and recommendation for approval or disapproval with reasons noted.

C. Fee. The Mobile Sauna Site Registration Fee shall be specified in Chapter 311, the *Schedule of License, Permit, and Application Fees* established by the Town Council. Applicants are also responsible for the Town's expenses associated with the review of an application, including the cost of any third-party review if necessary.

Duration of Registration. The registration will be valid from ~~September~~ June 1 through ~~August~~ May 31 and be subject to annual renewals.

D. The Town Clerk shall have the authority to issue Mobile Sauna Site Registrations. If the Clerk finds verified complaints against an applicant or premises, the Clerk shall refer the application to the Town Council for review to revoke or deny under this subsection.

Vote: 7 Yeas. Motion Carried.

Order No. 26-057. 6:00 p.m. Public hearing and second reading on the proposed amendments to Chapter 311, the Schedule of Fees, to include Mobile Saunas and Mobile Food Vendor Sites. ***[Planning Director]*** Autumn Speer, Planning Director, gave a brief overview on this Order. Chairman Fellows opened the public hearing. As there were no comments either for or against, the hearing was closed at 8:30 p.m.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the second reading on the proposed amendments to Chapter 311, the Schedule of Fees, to include Mobile Saunas and Mobile Food Vendor Sites; as follows:

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, the proposed amendment to Chapter 311 The Town of Scarborough Schedule of License, Permit and Applications Fee Ordinance and reflects only that portion of the Ordinance that will be changed. Chapter 311, hereby is amended, as follows (additions are underlined and in red; deletions are struck through)

CHAPTER 311

TOWN OF SCARBOROUGH
SCHEDULE OF LICENSE, PERMIT AND APPLICATION FEES

Chapter 1015A – Mobile Food Vendor License **(Adopted 01/08/2025 Amended 02/04/2026)**	
Class 1: Annual (New)	$250.00
Class 1: Annual (Renewal)	$150.00
Class 2: 2-7 consecutive days	$100.00
Class 3: 1 day	$50.00
After The Fact (in addition to the license fee)	½ license cost
Mobile Food Vendor Site	$250.00

Chapter 1015B – Mobile Sauna	
Class 1: Annual (New)	$250.00
Class 1: Annual (Renewal)	$150.00
Class 2: 2-7 consecutive days	$100.00
Class 3: 1 day	$50.00
After The Fact (in addition to the license fee)	½ license cost
Mobile Sauna Site	$250.00

Vote: 7 Yeas. Motion Carried.

OLD BUSINESS:

Order No. 26-054. Second reading on the proposed amendments to Chapter 413 Rate of Growth Ordinance, by adding rate of growth permit allocation for fiscal year 2027. Tabled from the July 15, 2026 Town Council meeting. ***[Planning Director]*** Autumn Speer, Planning Director, gave a brief overview on this Order spoke on a proposed amendment that had been recommended staff. The following spoke on this Order:

- Denise Hamilton of Two Rod Road addressed the proposed amendments to area 2 permits, emphasizing the reduction in permits and an increase to 150 downs. While she recognized the reasons for the reduction, she questioned the fairness of the process, arguing that a developer's preference should not dictate town ordinances. She expressed concerns about equal treatment and the lack of consultation with other developers, stressing the importance of consistency and trust in growth ordinances to avoid changes that cater to specific interests.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the second reading on the proposed amendments to Chapter 413 Rate of Growth Ordinance, by adding rate of growth permit allocation for fiscal year 2027. Tabled from the July 15, 2026 Town Council meeting.

Motion by Councilor Anderson, seconded by Chairman Fellows, to amend the main motion as follows; to switch five permits from area 2 to area 1, to accommodate the approved Elmwood subdivision in Area 1.

Area	Existing FY 2023-2026	APPROVED FIRST READING FY 2027	STAFF REQUEST FY 2027
REQUIRED	**662**	**244**	**217**
Area 1 (Rural & Residential Zones)	75	25	~~15~~ 20
Area 2 (TVC & Village Zones)	210	70	~~30~~ 25
Area 3 (The Downs)	400	125	**150**
Affordable (Town-wide)	100	24	**22**
TOTALS	**785**	**244**	**217**

Vote on amendment: 7 Yeas. Motion Carried.

Vote Main Motion as Amended:

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following amendments to Chapter 413 the Town of Scarborough Growth Management Ordinance, be and hereby is amended, as follows as presented (additions are underlined and in red font):

CHAPTER 413

TOWN OF SCARBOROUGH
GROWTH MANAGEMENT ORDINANCE
Repealed and Replaced May 5, 2021
Effective June 1, 2021 –
Amended June 21, 2023 – Effective July 1, 2023
Amended XX, 2026 – Effective July1, 2026

A. TITLE

This ordinance shall be known as the "Rate of Growth Ordinance of the Town of Scarborough, Maine" and shall be referred to herein as the "Ordinance."

B. LEGAL AUTHORITY

This Ordinance is adopted pursuant to the home rule powers as provided for in VIII-A of the Maine Constitution and 30-A M.R.S.A. §3001, 30-A M.R.S.A. § 4323, and 30-A M.R.S.A. §4360.

C. PURPOSE [Amended 06/21/2023]

The purpose of this Ordinance is to protect the health, safety and general welfare of the residents of Scarborough through placing reasonable and appropriate limitations on residential development in accordance with the Comprehensive Plan

D. EFFECTIVE DATE AND TRANSITION PROVISIONS. [Amended 06/21/2023; xx/xx/2026]

This Ordinance is effective as of July 1, 2026~~3~~. Any growth permits issued prior to July 1, 2026~~3~~, shall be governed by the Growth Management Ordinance provisions in effect prior to July 1, 2026~~3~~. Applications for growth permits that were accepted under the Growth Management Ordinance provisions in effect prior to July 1, 2026~~3~~ that are pending at the time of adoption of this Ordinance shall have access to the growth permits or building permits available prior to the adoption of this Ordinance.

E. DEFINITIONS [Amended 06/21/2023]

Terms not specifically defined in this Ordinance shall have the same meaning as in the Zoning Ordinance.

Affordable Housing:
The term "affordable housing" has the same meaning as in the Zoning Ordinance and deed restricted for a minimum period of 30 years.

Building Permit:
A permit issued by the Building Inspector pursuant to Section IV(D) of the Zoning Ordinance.

Code Enforcement Officer:
The Town of Scarborough Code Enforcement Officer, an assistant code enforcement officer or an authorized agent of either.

Dwelling Unit:
A dwelling unit as defined in the Scarborough Zoning Ordinance.

Family Gift Lot:
A lot which is not within a subdivision and which has been created by a gift from a parent to a child (including an adopted child or stepchild) or from a child to a parent (including an adoptive parent or stepparent).

Gift:
The conveyance of property for which the grantor receives no money, property or any other value as consideration for the conveyance.

Growth Permit:
A permit, issued in accordance with the provisions of this Ordinance, which allows the issuance of a building permit for the construction, creation or placement of one new dwelling unit within the Town of Scarborough.

Multifamily:
A building designed and/or used for residential occupancy by three (3) or more families living independently in three (3) or more dwelling units.

Subdivision:
A subdivision as defined in 30-A M.R.S.A. § 4401, as such may be amended from time to time, and approved by the Scarborough Planning Board pursuant to the Town of Scarborough Subdivision Ordinance.

Workforce Housing:
The term "workforce housing" has the same meaning as in the Zoning Ordinance and deed restricted for a minimum period of 30 years.

Zoning Ordinance:
The Zoning Ordinance of the Town of Scarborough, Maine, as such may be amended from time to time.

F. APPLICABILITY [Amended 06/21/2023]

This Ordinance shall apply to the construction, creation, or placement of any new dwelling unit within the Town of Scarborough unless exempt as follows in Section G.

G. EXEMPTIONS [Amended 10/05/2022]

The dwelling units described below are exempt from the requirements of this Ordinance and shall not require a growth permit:

1. Accessory dwelling units as defined in the Zoning Ordinance.
2. Repair, replacement, reconstruction or alteration of an existing dwelling unit.
3. A dwelling unit on a family gift lot, provided that no person may obtain more than one building permit pursuant to this exemption during the time this ordinance is in effect.
4. Dwelling unit(s) that are part of a contract zone in which the provisions of the contract zone agreement if the terms of the contract zone contain an exemption from the provisions of this Ordinance.
5. If there are no growth permits available from the Area allocations the Code Enforcement Officer may issue up to five (5) building permits each calendar year for detached single family dwellings located on lots that are not part of a subdivision.

The Code Enforcement Officer is responsible for determining if a dwelling unit qualifies as exempt.

H. GROWTH AREAS DEFINED [Adopted 06/21/2023]

The number of growth permits allocated shall be based on the location of the specific request as defined below. The creation of each new dwelling unit regardless of size or bedroom number shall require one (1) growth permit.

1. **Area 1**: Area 1 is defined as dwelling units located in the Rural Residence and Farming District (R-F), Rural Residence, Farming and Manufactured Housing District (R-F-M), Residential District R-2, Residential District R-3, Residential District R-4, Residential District R-4A, Running Hill-Gorham Road Mixed Use District (RH) and Running Hill-Gorham Road Transition District (RH2) zoning

districts in the areas designated as Rural Residential Limited Growth Area and Low to Moderate Density Residential Growth Area in the Comprehensive Plan.

2. **Area 2:** Area 2 is defined as dwelling units located in the Town and Village Centers District (TVC), Town and Village Centers Transition District (TVC2), Town and Village Centers Fringe District (TVC3), Town and Village Centers 4 District (TVC-4), Village Residential 2 (VR2), Village Residential 4 District (VR-4), General Business District (B3), Haigis Parkway District (HP), Residence and Professional Office District (RPO), and Traditional Neighborhood Design (TND) zoning districts in the areas designated as Corridor Transformation, Community Activity Center and Regional Activity Center Growth Areas in the Comprehensive Plan.
3. **Area 3:** Area 3 is defined as dwelling units located in the Crossroads Planned Development (CPD) zoning district in the area designated as Regional Activity Center Growth Area in the Comprehensive Plan.

I. GROWTH PERMITS ALLOCATED BY AREA [Adopted 06/21/2023]

1. Allocation of growth permits in Area 1.
    a. Commencing on July 1, 2026~~3~~, the maximum number of growth permits annually issued between July 1, 2026 and July 30, 2027 ~~st and June 30th~~ shall be ~~twenty-five~~ fifteen (1~~2~~5). Any growth permits not issued in the ~~calendar~~ one-year period shall expire and shall not be carried forward to the next year.
    b. During each one-year period, no more than fifty percent (50%) of the growth permits available from the Area 1 allocation shall be issued to a common scheme of development.
    c. Three months prior to the end of each one-year period, all remaining growth permits shall be made available regardless of common scheme limitations.
    ~~d. The allocation of 25 growth permits in Area 1 shall continue to renew every year on July 1st, until such time Town Council acts to adjust.~~
2. Allocation of growth permits in Area 2.
    a. Commencing on July 1, 20~~63~~, the maximum number of growth permits issued between July 1, 20~~63~~, and June 30, 202~~76~~, shall be thirty ~~two-hundred ten~~ (30 ~~210~~). Any growth permits not issued in the ~~three~~ one-year period shall expire and shall not be carried forward to the next year~~s~~.
    b. No more than thirty-five percent (35%) of the growth permits ~~available from the three-year allocation~~ shall be issued for units with three (3) or more bedrooms.
    c. ~~During each three-year period,~~ N~~n~~o more than fifty percent (50%) of the growth permits available from the Area 2 allocation shall be issued to a common scheme of development.
    d. Six months prior to the end of the one-year ~~each three~~-year period, all remaining growth permits shall be made available regardless of common scheme limitations.
    ~~e. The allocation of 210 growth permits in Area 2 shall continue to renew every three years on July 1st, until such time Town Council acts to adjust.~~
3. Allocation of growth permits in Area 3.
    a. Commencing on July 1, 202~~63~~, the maximum number of growth permits issued between July 1, 202~~63~~, and June 30, 202~~76~~, shall be one hundred fifty (150) ~~four-hundred (400)~~. Any growth permits not issued in the ~~three~~ one-year period shall expire and shall not be carried forward to the next year~~s~~.
    b. No more than thirty-five twenty percent (35%) of the growth permits ~~available from the three-year allocation~~ shall be issued for units with three (3) or more bedrooms.

~~c. The allocation of 400 growth permits in Area 3 shall continue to renew every three years on July 1st, until such time Town Council acts to adjust.~~

J. AFFORDABLE AND WORKFORCE HOUSING GROWTH PERMITS ALL AREAS
[Adopted 06/21/2023]

1. Allocation of Affordable and Workforce Housing growth permits Town wide.
    a. Growth permits issued under this section are required meet the definition of affordable and/or workforce housing as defined in this Ordinance and be deed restricted for a period of thirty (30) years.
    b. Commencing on July 1, 2026~~3~~, the maximum number of growth permits issued between July 1,2026~~3~~ and June 30, 2027~~6~~ shall be twenty-two ~~one hundred~~ (22~~100~~). Any growth permits that are not issued in the one ~~three~~-year period shall expire and shall not be carried forward to the next year~~s~~.
    c. No more than twenty percent (20%) of the growth permits ~~available from the three-year allocation~~ shall be issued for units with three (3) or more bedrooms.
    d. Any time permits allocated under this section fall below fifty percent (50%) of the total allocation, staff will advise Town Council to the number remaining.
    e. If at any time during the one ~~three~~-year period growth permits are expended, Town Council may act to replenish the number of Affordable and Workforce Housing growth permits available.
    ~~f. The allocation of 100 growth permits for Affordable and Workforce Housing in all areas shall continue to renew every three years on July 1st, until such time Town Council acts to adjust.~~

K. ADMINISTRATION [Amended 06/21/2023]

1. Application procedure for growth permits.
    a. All residential projects that are subject to Site Plan approval as required in Chapter 405B Site Plan Review ordinance shall apply for growth permits with the site plan application. Upon approval of the site plan, the growth permits shall be allocated to project. If growth permits are not available at the time of Site Plan submittal and subsequent approval, growth permits will not be issued with approval. The project will request growth permits with subsequent building permits and will be placed in order of request.
    b. All residential projects exempt from Site Plan approval shall apply for growth permits with a completed building permit application to the Code Enforcement Officer.
    c. The applications shall be reviewed in the order in which they were received. Only complete applications will be accepted.
    d. A growth permit application is required for each dwelling unit, although multiple growth permits may be requested on a single application.
2. Issuance procedure for growth permits from the annual allocation.
    a. Growth permits shall be issued on a first-come, first-served basis according to the dates and times the applications are approved through Site Plan approval or as accepted as complete building permit applications by the Code Enforcement Officer.
    b. If all available permits are issued during the specific Areas calendar period as defined in Section H and Section I above, no additional rate of growth permits may be issued and no building permit applications accepted until such time rate of growth as permits become available.

3. Transferability.
    a. Growth permits are issued only for the specific lot identified in the growth permit application.

    A growth permit may be transferred to a new owner of the lot, provided notice of the transfer of ownership is given in writing to the Code Enforcement Officer. Transfer of ownership does not change the date of issuance or the ranking of an issued growth permit. An application for a growth permit is not transferable.

4. Expiration
    a. A Growth Permit shall expire with the building permit or site plan approval expiration date, whichever occurs first.

L. REPORTING. [Amended 06/21/2023]

1. The Code Enforcement Officer will maintain a listing of all permits issued under this ordinance and any exemptions granted. The listing shall be made accessible to the public on file and through the Town Website and shall include the following:
    a) Growth Area classification as defined by Section I above
    b) Owner and/or applicant name
    c) Tax map, lot number, address and zoning
    d) Building type and number of units (if applicable) and number of bedrooms per unit
    e) Exemption type (if applicable)
    f) Site Plan approval date (if applicable)
    g) Building permit issued date (if applicable)
    h) Certified of occupancy date (when available)

2. The Director of Planning Codes ~~Planning and Codes Department~~ shall prepare an annual report to the Town Council as to the status of growth permits issued and remaining in the three areas as defined by Section I and Section J above. The annual reports shall also include performance metrics relating to impacts of growth as defined by Town Council.

~~**M. PERIODIC REVIEW OF ORDINANCE** [Amended 06/21/2023]~~

~~The Town Council shall conduct a biennial review of this Ordinance to determine if it remains consistent with the Town's ability to absorb growth, to achieve the priorities outlined within the Comprehensive Plan, and to determine if the number of growth permits available under this Ordinance should be adjusted by amendment. During its review the Town Council shall set the number of growth permits at 105% or more of the mean number of growth permits issued during the ten (10) years immediately prior to the year in which the number is calculated. The Town Council may seek assistance or advice from the Planning Board in connection with such review.~~

~~This section does not limit Town Council's authority to review and/or amend the Ordinance at any other time. All changes other than the required review during each three-year period shall require supermajority vote by the Town Council for amendments.~~

M~~N~~. VIOLATION, PENALTIES AND ENFORCEMENT [Amended 06/21/2023]

Any person who constructs, creates or places a dwelling unit within the Town of Scarborough without a growth permit required by this Ordinance or who owns or occupies a dwelling unit constructed, created or placed within the Town of Scarborough without a growth permit required by this Ordinance commits a civil violation and is subject to the fines, penalties and remedies provided in 30-A M.R.S.A. § 4452.

Each day a violation continues to exist after notice of the violation constitutes a separate violation. This Ordinance shall be enforced by the Town of Scarborough Code Enforcement Officer in the manner provided for enforcement of violations of the Zoning Ordinance under Section IV, subsections (A) and (B) of the Zoning Ordinance.

NO. APPEALS [Amended 06/21/2023]

Any decision under the provisions of this Ordinance may be appealed to Superior Court in accordance with the Maine Rules of Civil Procedure, Rule 80B. Any decisions under the provisions of this Ordinance are not appealable to the Scarborough Board of Appeals.

OP. SEVERABILITY. [Amended 06/21/2023]

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of this ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Vote: 7 Yeas. Motion Carried.

Order No. 26-63. Second reading on the request to expenditure, in an amount not to exceed, $750,000 from the Land Acquisition Reserve Fund to assist the Scarborough Land Trust in purchasing 46 acres located at 255 Payne Road [also known as Salamander Forest Preserve] identified by the Scarborough Tax Assessors Map R040/Lot 026, as recommended by the Parks and Conservation Land Board, and authorize the Town Manager to execute any and all documents as are necessary to protect the Town's interest. ***[Parks and Conservation Land Board]*** Jessica Sargent Beech Ridge Road and a member of the Parks and Conservation land Board. Scott Kunkler Director of Scarborough Land Trust, gave an update on the status of four previous projects with NAWCA. A federal program that reimburses the Trust on monies that have received from Scarborough and in turn the Trust reimburses the Town.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the second reading on the request to expenditure, in an amount not to exceed, $750,000 from the Land Acquisition Reserve Fund to assist the Scarborough Land Trust in purchasing 46 acres located at 255 Payne Road [also known as Salamander Forest Preserve] identified by the Scarborough Tax Assessors Map R040/Lot 026, as recommended by the Parks and Conservation Land Board, and authorize the Town Manager to execute any and all documents as are necessary to protect the Town's interest.

Vote: 7 Yeas. Motion Carried

Councilors Anderson and Donovan, added sand into the 30x30 display, which goes toward the goal for conserving land in Scarborough.

Chairman Fellows called for a brief recess at 8:40 p.m. The meeting was reconvened at 8:54 p.m.

NEW BUSINESS:

Order No. 26-067. First reading and schedule a public hearing and second reading on the order authorizing issuance of up to $6,000,000 in bonds of the town to fund the cost of a joint project with Old Orchard Beach to upgrade the municipal critical two-way communications systems for Police, Fire, EMS, Public Works, Community Services and School Department and to place the following question on the November 3, 2026, Municipal Ballot: Shall the order entitled "ORDER AUTHORIZING ISSUANCE OF UP TO $6,000,000 IN BONDS OF THE TOWN TO FUND THE

COST OF A "TOWN RADIO PROJECT" be approved? ***[Town Council]*** Liam Gallagher, Assistant Town Manager, gave a brief overview. He then introduced Joe Thornton, Communications Director, reviewed a presentation on the project and responded to questions from the Town Council. The following spoke on this Order.

- Denise Hamilton of Two Rod Road, supported reliable public safety communications but questioned the financial burden on Scarborough taxpayers. She called for transparency regarding the total cost of ownership, including ongoing maintenance, software, and replacement expenses, beyond the initial capital required. She also raised concerns about the impact of reduced project costs on coverage and reliability and felt taxpayers deserve a clear financial analysis, given their responsibility for the system's costs over its expected lifespan of 15 to 20 years.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the first reading on the order authorizing issuance of up to $6,000,000 in bonds of the town to fund the cost of a joint project with Old Orchard Beach to upgrade the municipal critical two-way communications systems for Police, Fire, EMS, Public Works, Community Services and School Department and to place the following question on the November 3, 2026, Municipal Ballot: Shall the order **entitled "ORDER AUTHORIZING ISSUANCE OF UP TO $6,000,000 IN BONDS OF THE TOWN TO FUND THE COST OF A "TOWN RADIO PROJECT"** be approved? and schedule a public *hearing* and second reading for Wednesday, September 2, 2025, as follows:

ORDER AUTHORIZING ISSUANCE OF UP TO $6,000,000 IN BONDS OF THE TOWN TO FUND THE COST OF "TOWN RADIO PROJECT".

BE IT ORDERED by the Town Council by the Town of Scarborough, Maine, in Town Council assembled, as follows:

(1) That under and pursuant to the provisions of Title 30-A, Sections 5722 and 5772, as amended and the Charter of the Town of Scarborough, Maine, that fund the cost of the Town Radio Project, as budgeted in the 2027 the Police Department Capital Equipment Budget by the Town Council (the "Project"), is hereby approved; and,

(2) That a sum not to exceed $6,000,000, plus any additional premium, is hereby appropriated to provide for the costs of this Project; and,

(3) That to fund said appropriation, the Treasurer and the Chairman of the Town Council are hereby authorized to issue, at one time or from time to time, general obligation securities of the Town of Scarborough, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed $6,000,000, plus any additional premium, and the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, premium(s), call(s) for redemption, form(s), refunding(s) and other details of said securities, including execution and delivery of said securities against payment therefore, and to provide for the sale thereof, is hereby delegated to the Treasurer and the Chairman of the Town Council.

BE IT FURTHER ORDERED, that the following referendum question shall be submitted to the voters of the Town of Scarborough, Maine at the regular municipal election to be held November 3, 2026:

Referendum Question No. 1:

Shall the entitled **"ORDER AUTHORIZING ISSUANCE OF UP TO $6,000,000 IN BONDS OF THE TOWN TO FUND THE COST OF "TOWN RADIO PROJECT"** be approved?

1. Total Indebtedness as of November 1, 2026:

A.	Bonds outstanding and unpaid:	$ 72,625,000
B.	Bond Anticipation Notes Outstanding:	$ 8,245,000
C.	Bonds authorized and unissued:	$
D.	Bonds to be issued if this Article is approved:	$ 6,000,000

2. Costs:

At an estimated maximum interest of **4.00%**
for a maximum **ten (10)** year maturity,
the estimated costs of this bond issue will be:

Principal:	$ 6,000,000
Interest:	$ 1,320,000
Total Debt Service	$ 7,320,000

3. Validity:

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/ _____
Town Treasurer

Vote: 7 Yeas. Motion Carried.

Order No. 26-068. First reading and schedule a public hearing and second reading on the proposed amendments to Chapter 1002, Section 4. Definitions and Section 5. Licensing and new Section 6. Suspension and Penalties. ***[Marine Resource Officer]*** Dayren Granata, Marine Resource Officer, gave a brief update on this Order.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the first reading on the proposed amendments to Chapter 1002, Section 4. Definitions and Section 5. Licensing and new Section 6. Suspension and Penalties and schedule a public hearing and second reading for Wednesday, September 2, 2026, as follows:

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 1002 the Shellfish Conservation Ordinance, of the Town of Scarborough, Maine, that will be changed, is hereby amended, as follows (additions are underlined; deletions are struck through):

CHAPTER 1002
TOWN OF SCARBOROUGH
SHELLFISH CONSERVATION ORDINANCE

Section 1. Authority:

This Ordinance is enacted in accordance with 12 M.R.S.A., Section 6671.

Section 2. Purpose:

To establish a shellfish conservation program for the Town of Scarborough which will insure the protection and optimum utilization of shellfish resources within its limits. These goals will be achieved by means which may include:

a. Licensing
b. Limiting the number of shellfish harvesters
c. Restricting the time and area where digging is permitted
d. Limiting the minimum size of clams taken
e. Limiting the amount of clams taken daily by a harvester
f. Engaging in activities intended to protect and enhance the resource such as transplanting or seeding of shellfish. [Adopted 06/03/15]

Section 3. Shellfish Conservation Commission:

The Shellfish Conservation Program for the Town of Scarborough will be administered by the Shellfish Conservation Commission consisting of 7 members to be appointed by the Town Council for terms of 3 years. The Commission's responsibilities include:

a. Establishing annually in conjunction with the Dept. of Marine Resources, the number of shellfish digging licenses to be issued.

b. Surveying the clam flats to maintain current information on shellfish resources.

c. Submitting to the Town Council, proposals for the expenditures of funds for the purpose of shellfish conservation.

d. Keeping this Ordinance under review and making recommendations for its amendments.

e. Securing and maintaining records of shellfish harvest from the Town's managed shellfish areas and closed areas that are conditionally opened by the D.M.R.

f. Approving conservation closures and openings in conjunction with the Area Biologists of the D.M.R. [Amended 01/03/01].

g. Submitting an annual report to the Municipality and the D.M.R. covering the above topics and all other Commission activities.

Section 4. Definitions:

a. Resident

The term "resident" refers to a person who has physically resided at a fixed, permanent and principal home in the town for at least twelve months next prior to the date of application for a license under this Ordinance or, in the case of student, to a student living temporarily outside of Scarborough while enrolled in a college, university or post-secondary school, provided such student maintains his or her fixed permanent principal home in Scarborough. [Amended 07/17/02; 01/17/24]

b. Non-resident

The term "non-resident" means anyone not qualified as a resident under this Ordinance.

c. Shellfish, Clams
When used in the context of this Ordinance, the words "shellfish and clams" means Soft-Shell Clams (Mya~~YA~~ arenaria ~~ARENARIA~~), Northern Quahogs (Mercenaria mercenaris), Razor Clams, commonly known as Atlantic Jackknife (Ensis directus), Atlantic Surf Clam (Spisula solidissima), Eastern (aka American) Oysters (Crassostrea virginica), and European Oysters (Ostrea edulis). The term "Shellfish "shall include both shell stock and shucked shellfish.

d. Municipality
Refers to the Town of Scarborough, Maine.

e. Conservation Projects
Conservation Projects may include seeding projects, crab projects, school projects, surveys or any other project accepted by the Shellfish Conservation Commission and/or the Marine Resource Officer. [Adopted 06/03/15; Amended 02/05/2025]

Section 5. Licensing - Municipal Shellfish Digging is required:

It is unlawful for any person to dig or take shellfish from the shores and flats of this municipality without having a current license issued by this municipality as provided by this Ordinance.
A Commercial Digger must also have a valid **STATE OF MAINE COMMERCIAL SHELLFISH LICENSE** issued by the Department of Marine Resources, if state law makes possession of the state license a prerequisite to issuance of a municipal license.

A. Designation, Scope and Qualifications:

1. Resident Commercial Shellfish License:
The license is available to residents of the Town of Scarborough who are 18 years or older and entitles the holder to dig and take any amount of shellfish from the shores and flats of this municipality and reciprocating municipalities.[Amended 03/21/13]

2. Non-resident Non-reciprocating Commercial Shellfish License:
The license is available to non-residents of this municipality who are 18 years or older and entitles the holder to dig and take any amount of shellfish from the shores and flats of this municipality.[Amended 03/21/13]

3. Resident Student Commercial License:
The license is available to residents of the Town of Scarborough who are full time students between the minimum age of twelve (12) years old and the maximum age of twenty-two (22) years old on May 1 of the year in which the application is made. Applicants must show proof of age and proof of school attendance and students attending college must also show proof of a minimum of twelve (12) college credit hours per semester to be considered full-time students. Applicants under the age of 18 must also have the signature of a parent or guardian on the application for the license to be valid. This license entitles the holder to dig or take any amount of shellfish from the shores and flats of this municipality. [Amended 01/03/01; 07/17/02; 06/03/15]

4. Non-resident Student Commercial License:
The license is available to non-residents of the Town of Scarborough who are full time students between the minimum age of twelve (12) years old and the maximum age of twenty-two (22) years old on May 1 of the year in which the application is made. Applicants must show proof of age and proof of school attendance and students attending college must also show proof of a minimum of twelve (12) college credit hours per semester to be considered

full-time students. Applicants under the age of 18 must also have the signature of a parent or guardian on the application for the license to be valid. This license entitles the holder to dig or take any amount of shellfish from the shores and flats of this municipality. [Amended 01/03/01; 07/17/02]

5. Over 60 Resident Commercial Bushel License:
The license is available to residents of the Town of Scarborough who are 60 years old and over. Applicants must show proof of age and residence. This license entitles the holder to dig or take one (1) bushel of shellfish from the shores and flats of this municipality at each tide. [Amended 02/18/98; 01/20/99; 02/04/2026]

6. Residential Recreational Shellfish License:
The license is available to residents and real estate taxpayers who are 16 years old and over of this municipality and entitles the holder to dig and take no more than one peck of shellfish in any one day for personal use. It is a violation of this ordinance for any person to sell, or otherwise receive remuneration for, any shellfish harvested pursuant to a residential recreational shellfish license. Any holder of a recreational license who is cited by the Shellfish Conservation Officer for selling or otherwise receiving remuneration for any shellfish harvested pursuant to that license, in addition to being subject to the other penalties provided in this ordinance, shall be ineligible for a recreational license in the next licensing year following that violation. The Shellfish Conservation Officer's determination of violation may be appealed in the same manner as a license suspension under Section ~~5(H)~~ 6(A)(3). [Amended 06/03/2015; 02/05/2025]

6-a. Non-resident Recreational Shellfish License:
The license is available to non-residents who are 16 years old and over of the Town of Scarborough and entitles the holder to dig and take no more than one peck of shellfish in any one day for personal use. It is a violation of this ordinance for any person to sell, or otherwise receive remuneration for, any shellfish harvested pursuant to a non-resident recreational shellfish license. Any holder of a non-resident recreational shellfish license who is cited by the Shellfish Conservation Officer for selling or otherwise receiving remuneration for any shellfish harvested pursuant to that license, in addition to being subject to the other penalties provided in this ordinance, shall be ineligible for a recreational license in the next licensing year following that violation. The Shellfish Conservation Officer's determination of violation may be appealed in the same manner as a license suspension under Section ~~5(H)~~ 6(A). [Amended 03/19/2003; 06/03/2015; 02/05/2025]

7. 65 and Over Resident Shellfish License:
The license is available to residents and real estate taxpayers of this municipality and entitles the holder to dig and take no more than one peck of shellfish in any one day for personal use. It is a violation of this ordinance for any person to sell, or otherwise receive remuneration for, any shellfish harvested pursuant to a 65 and over residential recreational shellfish license. Any holder of a 65 and over resident recreational shellfish license who is cited by the Shellfish Conservation Officer for selling or otherwise receiving remuneration for any shellfish harvested pursuant to that license, in addition to being subject to the other penalties provided in this ordinance, shall be ineligible for a recreational license in the next licensing year following that violation. The Shellfish Conservation Officer's determination of violation may be appealed in the same manner as a license suspension under Section ~~5(J)~~ 6(A). [Adopted 01/17/2024; Amended 02/05/2025; 02/04/2026]

7.a. 65 and Over Non-Resident ~~Complimentary~~ Shellfish License:
The license is available to non-residents of the Town of Scarborough and entitles the holder to dig and take no more than one peck of shellfish in any one day for personal use. It is a violation of this ordinance for any person to sell, or otherwise receive remuneration for, any shellfish harvested pursuant to a 65 and over non-resident recreational shellfish license. Any holder of a 65 and older non-resident recreational shellfish license who is cited by the Shellfish Conservation Officer for selling or otherwise receiving remuneration for any shellfish harvested pursuant to that license, in addition to being subject to the other penalties provided in this ordinance, shall be ineligible for a recreational license in the next licensing year following that violation. The Shellfish Conservation Officer's determination of violation may be appealed in the same manner as a license suspension under Section ~~5(J)~~ 6(A). [Adopted 01/17/2024; Amended 02/05/2025; 02/04/2026]

8. Resident Recreational Day Licenses.
This license entitles residents and real estate taxpayers who are 16 years old and over of the Town of Scarborough to dig or take up to one peck of shellfish for personal use, from the shores and flats or this municipality during a single calendar day specified in the license. The duration of this license is one calendar day only. [Adopted 02/18/1998; Amended 02/05/2025]

9. Non-resident Recreational Day Licenses.
This license entitles non-residents who are 16 years old and over of the Town of Scarborough to dig or take up to one peck of shellfish for personal use, from the shores and flats or this municipality during a single calendar day specified in the license. The duration of this license is one calendar day only. [Adopted 02/18/1998; Amended 02/05/2025]

10. License must be signed.
The licensee must sign the license to make it valid.

11. Commercial and Recreational License Applicant.
A commercial and recreational license applicant may apply for those licenses that they quality for; however, an applicant can hold no more than one license. [Amended 01/17/24; 02/04/2026]

B. Contents of Application:
Any person may apply to the Town Clerk for the license required by this ordinance on forms provided by the municipality.

1. Contents of the Application:
The application must be in the form of an affidavit and must contain the applicant's name, current address, birth date, height, weight, signature and whatever other information the Town Clerk may require.

2. False Statements.
Any person who provides information in support of an application under this ordinance must do so in the form of an affidavit. If the applicant provides false information, the applicant forfeits the right to a license and a license previously issued to that applicant shall become void. Any other person who gives false information in support of an application under this ordinance commits a violation of this ordinance punishable under Section ~~5(K)~~ 6(A). [Adopted 02/18/98].

C. Fees:

The fees for the licenses are as specified in the *Schedule of License, Permit and Application Fees* established by the Town Council, and must accompany in full the application for the respective license. License fees for residents and non-residents will be established in accordance to M.R.S.A. Title 12, Section 6671.3-A.(b). The Town Clerk shall pay all fees received to the Town Treasurer. Fees received for shellfish licenses shall be used by the Town for shellfish management, conservation and enforcement. Fees are non-refundable, except that the holder of a student commercial license who surrenders the license within seventy-five (75) days after the date of issuance shall receive a refund of one-half the license fee. [Amended 01/05/00; 01/17/24; 01/17/24]

D. Conservation Activities: **[Adopted 06-03-15]**

The Town encourages all shellfish diggers to protect and enhance the resource by participating in conservation activities such as seeding clam beds, participating in shellfish surveys, and participating in other approved resource management activities. All Commercial License holders 18 years of age or older are required to participate in shellfish conservation projects as deemed necessary by the Shellfish Conservation Commission and/or the Marine Resource Officer. Seeding or other approved conservation activities also may be undertaken. Commercial License Holders who complete the specified number of hours of conservation activities which may include required shellfish seeding hours and volunteer hours for a total of twelve (12), will be eligible for license renewal pursuant to Section 5.E.4.(a) of this Ordinance. An additional .5 hours for each our of survey conducted. [Amended 01/07/2024; 02/05/2025; 02/04/2026]

The Shellfish Conservation Commission will approve all accepted conservation activities by a majority vote. The names and number of hours completed on an accepted conservation activity will be recorded in writing by the Marine Resource Officer and submitted to the Shellfish Commission or the Town Clerk on a monthly basis for their records. All conservation time must be submitted by January 15th by close of business, unless the 15th falls on a weekend, then must be submitted the following Monday. [Amended 01/07/2024; 02/05/2025]

It shall be the sole responsibility of the Commercial License holder to contact the Shellfish Commission Members or the Marine Resource Officer to determine the conservation available to participate in. The Shellfish Commission Chair, with consent of the majority membership of the Commission, may designate special conservation work during any period of State closure of the Town of Scarborough shellfish beds. The Chair may poll the Commission by telephone, email, fax or in person for the purposes of this section. Each Commercial License holder is encouraged to contribute at least half of their voluntary conservation activity in the form of low tide work. All crab trapping is considered low tide work. The conservation year will run from April 1st to November 30th. Surveys of the shellfish resource shall be conducted annually as a conservation activity, with the date and location to be determined by the Shellfish Commission or the Marine Resource Officer. [Amended 01/07/2024; 02/05/2025]

The Shellfish Conservation Commission may waive all or part of the requirement for shellfish seeding for an applicant who provides the Commission with a written statement from a physician indicating that the applicant was not able to participate in any regularly scheduled shellfish seeding due to incapacitation by illness or injury. The Commission may also allow the following alternative conservation work, on an hour for hour basis, upon the request of an applicant made at a regular monthly meeting of the Commission. Such alternative work may be used to meet the

shellfish seeding requirement or may be used to qualify as additional volunteer conservation activity:

i. Another time to complete conservation time for an applicant who demonstrates to the Commission that the illness or incapacitation of a parent, spouse or child prevented that person from participating in regularly scheduled conservation time; or,

ii. Alternate, less strenuous work for an applicant who provides the Commission with a written statement from a physician indicating that the applicant is not physically able to participate in regular conservation work.

iii. At the discretion of the Project Leader, any scheduled conservation project may be canceled and/or terminated due to severe weather or safety concerns for those involved. Any participate present or arriving within ten minutes at the designated meeting area and start time must still sign in and sign out. These participants will receive the allotted hours of conservation time for that particular project regardless of performing the activity.

E. Issuance of Shellfish Licenses: [Amended 06/03/15]

Clam resources vary in density and size distribution from year to year and over the limited soft clam producing area of the Town. It is essential that the town carefully husband its shellfish resources. Following the annual review of the town's clam resources, its size distribution, abundance and the warden's reports, as required by Section 3, the Shellfish Conservation Commission, in consultation with the D.M.R. area biologist, will determine whether limiting commercial or recreational shellfish licenses is an appropriate shellfish management option for the following year.

1) Prior to February 1 of 1998 and each succeeding year, the Commission shall report its findings and document recommendations for the allocation of commercial and recreational licenses to be made available for the following license-year to the Commissioner of Marine Resources for concurrence.

2) After receiving approval of proposed license allocations from the Commissioner of Marine Resources and prior to February 1 of 1998 and each succeeding year, the Shellfish Conservation Commission shall notify the Town Clerk in writing of the number and allocation of shellfish licenses to be issued.

3) Notice of the number of licenses and the procedure for application shall be published in a trade or industry publication, or in a with general circulation, as well as the town's social media sites or online postings, which the municipal officers consider effective in reaching persons affected, not less than 10 days prior to the period of issuance and shall be posted in the municipal offices until the period concludes. [Amended 02/04/2026]

4) The Town Clerk shall accept applications for shellfish licenses annually commencing on the first day of March through to the first Monday and Tuesday in April. [Amended 03/19/03; 01/17/24]

(a) Commercial Renewal Licenses.

(i): The Clerk shall issue licenses only to holders of resident and non-resident commercial shellfish licenses who seek renewal and who have completed at least 12 hours of approved conservation activities which may include mandatory shellfish seeding as well as voluntary conservation work approved under this Ordinance during the term of their current licenses or at least 4 hours of such work if the holder is 70 years of age or older. Such applicants may apply by mail or must appear in person at the office of the Town Clerk during that two day period and pay the application fee

at the time of issuance of the license. The Clerk shall issue commercial licenses to such qualified applicants on a first come, first served basis during those two business days. Any holder of a commercial license whose status as a resident or non-resident has changed at the time of application or who did not complete the requisite hours of approve conservation activities shall not be entitled to apply for renewal under this subsection (a) but may apply for a new license under subparagraph (b) below. [Amended 03/16/2005; 06/03/2015; 01/17/2024; 02/05/2025]

(ii): Effective March 1, 1998 in lieu of applying in person pursuant to subparagraph (I) above, Applicants for a renewal resident or non-resident commercial license may apply by mail. Applications by mail must be received at the Town Clerk's office on a day that office is open for business no earlier than March 1 and no later than the Tuesday following the first Monday in April. The application must be accompanied by the required license fee, a copy of the applicant's driver's license, a copy of the applicant's motor vehicle registration certificate, and any other information upon which the applicant relies to document residency. The Clerk shall mark all applications with the date and time of receipt. If more than one application is received at the same time, the Clerk shall determine their order or receipt of random drawing and mark them accordingly. The Clerk's marks concerning order of receipt shall be conclusive for purposes of applying the first-come first-served provisions of paragraph (i) above. [Amended 01/17/24]

(b) Non-Renewal Resident Commercial and Non-Resident Non-Reciprocating Commercial Licenses.

(i) On the third and fourth subsequent business days following the renewal process as noted in paragraphs 4.a (i)(ii) above, the Clerk shall accept applications for any remaining resident commercial shellfish licenses and non-resident non-reciprocating commercial shellfish licenses. Applicants must apply in person and be 18 years of age at the time of application, at the office of the Town Clerk. The Clerk shall not issue any licenses during the third and fourth business days, but shall inform each applicant that licenses will be awarded on the basis of a lottery and advise each applicant of the time and place where the lottery will be held. On the fifth subsequent business day, the Clerk shall conduct a lottery for the issuance of the remaining resident commercial shellfish licenses and a lottery for the issuance of non-resident non-reciprocating commercial shellfish licenses. In order to be entered into the lottery, an applicant must be present and must tender the application fee at the time of the lottery drawing. The Clerk shall award the remaining resident commercial shellfish licenses by drawing the names of qualified applicants at random and then shall award the non-resident non-reciprocating commercial shellfish licenses by drawing the names of qualified applicants at random. [Amended 01/17/24]

(ii) If, after June 1 annually, any allocated licenses remain unissued, on the first *consecutive* Monday, Tuesday and Wednesday in June applications shall be taken and placed in a lottery pool. Applicants must apply in person and be 18 years of age at the time of application. On the following Monday, applicants' names shall be drawn at random by the Town Clerk. Physical presence and full payment are required at the time of drawing, and all applicants must meet eligibility requirements for the license category that they apply for. The lottery shall be conducted in the same fashion as the lottery under Section 5(E)(4)(b)(i). [Amended 02/05/2025]

(iii)Lottery Bonus Points shall be awarded to applicants who have successfully applied in previous years, as follows:

Applicants who apply to multiple lotteries in a row without winning a permit can earn bonus points (extra chances in drawing). Points are non-transferrable and are accumulated, as follows:

0-5 Lotteries: 1 Points/Lottery
6-10 Lotteries: 2 Points/Lottery
11-15 Lotteries: 3 Points/Lottery
16+ Lotteries: 10 Points/Lottery

Bonus points are tracked by the Town Clerk using your name and date of birth. To receive bonus points, an applicant must enter the correct name and date of birth on the application. The applicant will also need to indicate that they applied for the lottery the last year that it was held. The Town Clerk upon receiving an application will review the applicant's record and provide applicants with a number of bonus points which will be entered in the lottery.

An applicant will forfeit bonus points if the applicant:

- Fails to apply for bonus point in any one (1) Lottery; or,
- Obtains a Municipal Residential and/or non-residential Commercial Shellfish License through the Lottery; or,
- Is selected for a Municipal Residential and/or non-residential Commercial Shellfish License, but declines it, and/or fails to meet the criteria for legally possessing it; or,
- Is found to have not legally applied in the current year; or,
- Enters the incorrect name or date of birth on the application or fails to indicate that the applicant applied for a permit in the previous year. [Adopted 01/17/24]

(c) Resident Student Commercial Renewal Licenses, Non-Resident Student Commercial Renewal Licenses and Over 60 Resident Commercial Bushel Renewal Licenses.

Shall be renewable in the same manner as Resident and Non-Resident Commercial Licenses under Section 5.E.4(a), except that required shellfish seeding hours and additional voluntary conservation hours shall be:

Resident & Non-Resident Student Commercial Licenses under the age of 18. [Amended 06/03/15]	No conservation time required. [Voluntary participation is encouraged.] [Amended 06/03/15]
Resident & Non-Resident Student Commercial Licenses 18 years of age or older at time the license is issued. [adopted 06-03-15]	Twelve (12) hours of approved conservation activities. [Adopted 06-03-15]
Over 60 Resident Commercial Bushel Licenses	Eight (8) Hours of approved conservation activities. [Amended 03/16/05; 11/02/05; 06/03/15]

All Commercial License Holders 70 or Older	Four (4) hours of approved conservation activities. [Amended 03/16/05; 11/02/2005; 06/03/15]

Any holder of a student commercial license or over 60 license whose status as a resident or non-resident has changed at the time of application or who did not complete the requisite hours of approved conservation activities shall not be entitled to apply for renewal under this subsection (a) but may apply for a new license under subparagraph (d) below.

(d) Non-Renewal Resident Student Commercial Licenses, Non-Resident Student Commercial Licenses and Over 60 Resident Commercial Bushel Licenses. Applications for new (non-renewal) Resident Student Commercial Licenses, Non-Resident Student Commercial Licenses and Over 60 Resident Commercial Bushel License shall be processed in the same manner as applications for non-renewal Resident Commercial and Non-Resident Non-Reciprocating Commercial Licenses under Section 5.E.4(b), except that for Resident Student Commercial Licenses and Non-Resident Student Commercial Licenses the clerk shall continue drawing names after all licenses have been awarded and until all applicants have been placed on a list in the order their names have been drawn. Any Student Commercial License which is surrendered after issuance shall be made available to the remaining applicants on that list in the order their names were drawn, and then to other applicants on a first-come, first-served basis.

(e) Resident Recreational Licenses.

Commencing on the second Monday in April annually the Town Clerk shall accept applications for resident recreational shellfish licenses. Applicants must appear in person at the office of the Town Clerk. Licenses shall be awarded on a first come, first served basis.

(f) 65 and Over Complimentary Resident Recreation Licenses.

Commencing on the second Monday in April annually, the Town Clerk shall accept application for 65 and over resident recreational shellfish licenses. Applicants must appear in person at the office of the Town Clerk. Licenses shall be awarded on a first come, first served basis. [Adopted 01/17/24]

(g) Non-resident Recreational Licenses.

Commencing on the second Monday in April annually, the Town Clerk shall accept applications for non-resident recreational licenses. Applicants must appear in person at the office of the Town Clerk. Licenses shall be awarded on a first come, first serve basis. [Amended 01/17/24]

(h) 65 and Over Complimentary Non-resident Recreational Licenses.

Commencing on the second Monday in April annually, the Town Clerk shall accept application for the 65 and over non-resident recreational shellfish licenses. Applicants must appear in person at the office of the Town Clerk. Licenses shall be awarded on a first come, first served basis. [Amended 01/17/24]

(i) Remaining Licenses.

If, after August 1 annually, any allocated licenses remain unissued, the clerk shall issue such licenses on a first-come, first served basis, without regard to the residency

of the applicant or the allocation between resident and non-resident licenses. [Amended 03/16/05; 11/02/05]

(j) Day Licenses.

After all available resident and non-resident recreational licenses have been issued under Section 5(E)(4)(d) and 5(E)(4)(e) above, the clerk may receive applications for and issue resident recreational day licenses and non-resident recreational day licenses, on a first-come, first-served basis. Applicants must appear in person at the office of the Town Clerk no earlier than five (5) calendar days before the day for which the license is requested. The five (5) calendar days starts the day the initial visit to obtain the permit is made. An applicant may obtain only a day license for up to three (3) days [within the five (5) calendar days noted above] and must appear in person for each license requested. Each license issued under this Section shall specify the calendar day for which it is issued and shall be valid for that day only. If multiple licenses are requested, a license for each day shall be issued. [Amended 03/16/2005; 11/02/2005; 01/17/2024]

(i) One – Peck Day License must be used on the date listed on the license. In the event of flat closures, per the State, please contact the Town Clerk's Office at 207-730-4020 the day of the closure to inform staff your license was not used. If the office is closed, you must leave a voicemail stating your name, contact information and date of the closure. In some cases, a credit for the unused licenses may be issued at the discretion of the Town Clerk. All credits must be used within 30 days of the original license date or the credit will be forfeited. [Adopted 01/17/24]

F. License expiration date:

Each license issued under authority of this Ordinance expires at midnight the 30th of April next following the date of issue. Day licenses shall expire at midnight on the day they are issued for. [Amended 01/17/24]

G. Reciprocal Harvesting Privilege:

Licensees from any other municipality co-operating with this municipality on a joint shellfish management program may harvest shellfish according to the terms of their management program, may harvest shellfish according to the terms of their licenses.

H. Children 16 years or younger may accompany a recreational license holder:

The recreational license holder and accompanying children are entitled to dig no more than the previously stated amount, "one peck of shellfish in any one day for personal use." [Amended 07/17/2002; 06/03/2015; 02/05/2025]

~~I. Suspension:~~

~~**1.** Any shellfish licensee having one conviction for a violation of this Ordinance or for a violation occurring within the Town of Scarborough of any state statute regulating the digging or taking of shellfish shall have his or her shellfish license automatically suspended for a period of 14 days. Subsequent convictions during the same license year (May 1 - April 30) shall result in an automatic suspension of sixty (60) days. A licensee shall have his or her record cleared if there are no convictions within one year from the time of a conviction. As used in this paragraph, the term "digging" means using a shovel, spade, rake, tool or hands to uncover shellfish from the ground and the term "taking"~~

~~means removing a marine organism from its natural habitat. [Amended 04/18/01; 06/03/15]~~

~~**2.** Any shellfish licensee having one conviction for a violation occurring within the Town of Scarborough of 12 M.R.S.A. § 6625 (governing identification and tagging of shellfish) shall have his or her shellfish license automatically suspended for a period of seven (7) days. Subsequent convictions during the same license year (May 1 - April 30) shall result in an automatic suspension of fourteen (14) days. A licensee shall have his or her record cleared if there are no convictions within one year from the time of a conviction. [Amended 04/18/01; 06/03/15]~~

~~**3.** A licensee whose shellfish license has been suspended pursuant to this section shall automatically have his or her license reinstated after the period of suspension has been served. [amended 04/18/01; 06/03/15]~~

~~**4.** The suspension shall be effective from the third business day after the date of mailing of a Notice of Suspension by the Town Clerk to the Licensee or upon presentation of a Notice of Suspension by the Town Marine Resource Officer, whichever is earlier. [amended 02/18/98].~~

~~**5.** Any licensee whose shellfish license has automatically been suspended pursuant to this section shall be entitled to a hearing before the Shellfish Conservation Commission upon filing of a written Request for Hearing with the Town Clerk within 30 days following the effective date of suspension. Filing of the request for hearing with the Town Clerk stays the suspension until the end of the seventh day following the decision of the Shellfish Conservation Commission. The licensee may appeal the decision of the Shellfish Commission before the Town Council by filing a written Request for Appeal with the Town Clerk within 7 days of the decision of the Shellfish Conservation Commission. Filing of the Request for Appeal with the Town Clerk stays the suspension until the Town Council has rendered its decision. [Amended 04/18/01; 03/01/06;`]~~

~~**6.** No holder of a commercial license under this Ordinance shall dig or take shellfish during any time that holder's State of Maine Shellfish License is suspended. During any such period of suspension, the holder's license under this Ordinance is automatically suspended. [Amended 02/18/09]~~

I ~~J~~. Opening and Closing of Flats:

The Shellfish Conservation Commission, with the approval of the Commissioner of Marine Resources, may open and close the areas for shellfish harvest (the "Conservation Areas"). Except in the case of emergencies, the Shellfish Conservation Commission shall follow the following procedure prior to opening or closing a Conservation Area:

1. Upon determination by the Shellfish Conservation Commission or by the Chair of the Commission that the opening or closing of a Conservation Area should be considered, the Chair shall place the proposed opening or closing on an agenda for a public hearing.

2. No less than 7 days prior to the hearing, a notice of the hearing describing the location of the Conservation Area proposed to be opened or closed shall be: (a) posted at the Town Office; (b) published in a newspaper of general circulation in the Town of Scarborough; and, (c) communicated to the Department of Marine Resources. The notice may also be placed on the Scarborough Shellfish Conservation Officer's telephone recording.

3. At the public hearing, the Shellfish Conservation Commission shall present and entertain evidence obtained from shellfish surveys and other sources. Members of the

public may then comment on such evidence and may present additional evidence relevant to the proposed opening or closing.

4. At the conclusion of the evidence, the Shellfish Conservation Commission shall make findings of fact based on the evidence presented, shall reach conclusions based on those findings of fact, shall order whether the Conservation Area in question shall be opened or closed, and may set such time limitations and other harvesting conditions as are consistent with good conservation practices.

5. The order of the Shellfish Conservation Commission shall be forwarded to the Commissioner of Marine Resources and shall not take effect until approved by the Department of Marine Resources and notification by the Municipality to the public for five (5) days prior to the initial opening and closing of flats.

In the event the Shellfish Conservation Commission determines that an emergency closing of a Conservation Area is necessary, the Commission may take action without following the procedures described above, provided that the Commission makes a reasonable effort to give adequate public notice and allow for public participation. [Amended 01/03/2001; 02/05/2025]

J ~~K~~. Hours Prohibited:

It shall be unlawful to dig any shellfish anywhere in the Town of Scarborough between the hours of one half hour after sundown and one half hour before sunrise. [Amended 10/17/07; 03/21/13]

~~L. Penalty: Any person who violates any provision of this ordinance will be held accountable, as provided in 12 M.R.S.A. §6671(10) and (10-A). Any person holding a commercial license under this Ordinance who aids or abets the harvest of shellfish in violation of this Ordinance also commits a violation of this Ordinance and shall be subject to the same fines as the person he or she assisted. [Amended 04/04/07; 02/04/2026]~~

K ~~P~~. Method of Taking Soft Shell Clams.

Pursuant to Title 12 Section 6623, it hall be unlawful to fish for or take soft shell clams. [Amended 03/01/06; 02/04/2026]

L. Method of Taking all Other Shellfish Not Listed in Section Above.

All shellfish harvesting in the Town of Scarborough is conducted by Clam Hoe or handpicking.

M. Atlantic Surf Clam (Surf Clams) Harvesting License Exception Area.

The harvesting of Atlantic Surf Clams (Spisula solidissima), also known as Surf Clams [1] on Pine Point Beach defined as from the Scarborough River Jetty to the Scarborough, Old Orchard Beach Town line, shall be exempt from any license requirement through the Town of Scarborough.

N. Methods of Harvesting Shellfish Prohibited in the Town of Scarborough.

The regulated area includes the entire salt marsh and intertidal zone within the Scarborough River estuary, bounded seaward by Ferry Rock to the east and the Pine Point Jetty to the west. This area includes all mudflats, salt marshes, or other land below the high-water mark and above subtidal lands landward of the line connecting Ferry Rock and the Pine Point Jetty.
Within this regulated area, it is unlawful to harvest or attempt to harvest shellfish by any of the following methods:

- Towing any dredge, drag, or other harvesting implement by watercraft.

- Diving, including the use of SCUBA equipment, snorkeling equipment, or any other artificial breathing device that allows a person to breathe underwater.
- Using any pump, suction, or other mechanical suction device.
- Bull raking.
- Harvesting shellfish by cutting through or breaking the ice. Harvesting is permitted only through open water.

Permitted methods of harvest are limited to hand digging with a traditional clam hoe or by picking shellfish directly from the mud by hand.

O. Shellfish Size and Tolerance of Harvest

1. Minimum sizes for shellfish regulated under this ordinance are pursuant to 12 M.R.S.A., 12 M.R.S.A. §§6671 and 6681 and Maine Department of Marine Resources regulations as amended from time to time.

a) Softshell Clams: It is unlawful for any person to take, possess, ship, transport, buy or sell softshell clams within the Municipality, which are less than two (2) inches in the longest diameter.
b) Quahogs: It shall be unlawful to take, possess, ship, transport, buy or sell quahogs within the Municipality that are less than one (1) inch in thickness as measured across the hinge.
c) Razor Clams: It shall be unlawful to take, possess, ship, transport, buy or sell razor clams that are less than four (4) inches within the Municipality.
d) American Oysters: It shall be unlawful to take, possess, ship, transport, buy or sell American oysters with the Municipality whose shells are less than 2.5 inches in the longest diameter.
e) European Oysters: It shall be unlawful to take, possess, ship, transport, buy or sell European oysters within the Municipality whose shells are less than three (3) inches in the longest diameter.

2, The possession of more than one peck of clams by not possessing both a valid State Commercial Shellfish Harvesting license and Town of Scarborough Commercial Shellfish license shall constitute a violation of this Ordinance.

P. METHOD OF DETERMINING TOLERANCE

1. The methods of determining tolerance shall be in accordance with 12 M.R.S.A. §§ 6671 and 6681 and Maine Department of Marine Resources regulations as amended from time to time.

a) Softshell Clams: Any licensed person may possess softshell clams that are less than two (2) inches if they comprise less than 10% of any lot. The tolerance shall be determined by numerical count of not less than one (1) peck, but no more than four (4) pecks taken at random from various parts of the lot or by a count of the entire lot if it contains less than one (1) peck.
b) Quahogs: Any person may possess quahogs that are less than one inch if they comprise less than 5% of any bulk pile. The tolerance is determined by numerical count of not less than one peck nor more than 4 pecks taken at random from various parts of the bulk pile or by a count of the entire pile if it contains less than one peck.
c) Razor Clams: Notwithstanding any other provision of this ordinance, no minimum tolerance is established at this time for razor clams.
d) American Oysters: Any person may possess American oysters that are less than 2.5 inches if they comprise less than 10% of any bulk pile. The tolerance is determined by numerical count of not less than one peck nor more than 4 pecks taken at random from

various parts of the bulk pile or by a count of the entire pile if it contains less than one peck.

e) European Oysters: Any person may possess European oysters that are less than 3 inches if they comprise less than 10% of any bulk pile. The tolerance is determined by numerical count of not less than one peck nor more than 4 pecks taken at random from various parts of the bulk pile or by a count of the entire pile if it contains less than one peck.

Section 6. Suspension and Penalty

A. Suspension:

1. Any shellfish licensee having one conviction for a violation of this Ordinance or for a violation occurring within the Town of Scarborough of any state statute regulating the digging or taking of shellfish shall have his or her shellfish license automatically suspended for a period of 14 days. Subsequent convictions during the same license year (May 1 - April 30) shall result in an automatic suspension of sixty (60) days. A licensee shall have his or her record cleared if there are no convictions within one year from the time of a conviction. As used in this paragraph, the term "digging" means using a shovel, spade, rake, tool or hands to uncover shellfish from the ground and the term "taking" means removing a marine organism from its natural habitat. [Amended 04/18/01; 06/03/15]

2. Any shellfish licensee having one conviction for a violation occurring within the Town of Scarborough of 12 M.R.S.A. § 6625 (governing identification and tagging of shellfish) shall have his or her shellfish license automatically suspended for a period of seven (7) days. Subsequent convictions during the same license year (May 1 - April 30) shall result in an automatic suspension of fourteen (14) days. A licensee shall have his or her record cleared if there are no convictions within one year from the time of a conviction. [Amended 04/18/01; 06/03/15]

3. A licensee whose shellfish license has been suspended pursuant to this Section shall automatically have his or her license reinstated after the period of suspension has been served. [amended 04/18/01; 06/03/15]

4. The suspension shall be effective from the third business day after the date of mailing of a Notice of Suspension by the Town Clerk to the Licensee or upon presentation of a Notice of Suspension by the Town Marine Resource Officer, whichever is earlier. [amended 02/18/98].

5. Any licensee whose shellfish license has automatically been suspended pursuant to this 5ection shall be entitled to a hearing before the Shellfish Conservation Commission upon filing of a written Request for Hearing with the Town Clerk within 30 days following the effective date of suspension. Filing of the request for hearing with the Town Clerk stays the suspension until the end of the seventh day following the decision of the Shellfish Conservation Commission. The licensee may appeal the decision of the Shellfish Commission before the Town Council by filing a written Request for Appeal with the Town Clerk within 7 days of the decision of the Shellfish Conservation Commission. Filing of the Request for Appeal with the Town Clerk stays the suspension until the Town Council has rendered its decision. [Amended 04/18/01; 03/01/06]

6. No holder of a commercial license under this Ordinance shall dig or take shellfish during any time that holder's State of Maine Shellfish License is suspended. During any such period of suspension, the holder's license under this Ordinance is automatically suspended. [Amended 02/18/09]

B ~~M~~. Administrative Suspension of Recreational License:
If the Shellfish Conservation Officer determines that the holder of a recreational license has sold or otherwise received remuneration for shellfish harvested pursuant to the recreational license, or that the holder of a license has violated Section 5(~~N~~ P) of this ordinance the Shellfish Conservation Officer may impose an administrative suspension of the License and of eligibility for a license in the next licensing year. The Shellfish Conservation Officer shall give written notice to the license holder of the administrative suspension, which shall be effective from the third business day after mailing of the Notice of Suspension or upon presentation of the Notice of Suspension by the Shellfish Conservation Officer, whichever is earlier. The license holder may appeal the administrative suspension in the same manner as an automatic suspension under Section ~~5(H)~~ 6(A)(3). The Shellfish Conservation Officer may, at their discretion, employ the administrative suspension in addition to or as an alternative to the penalties provided in Section ~~5.K~~ 6.D. The administrative suspension process and determinations resulting from that process are separate from and shall not be affected by the pendency or outcome of any court proceeding for the imposition of penalties under Section ~~5.K~~ 6.D. [Amended 02/18/98; 06/03/15]

~~N. Clam Size and Tolerance of Harvest:~~

~~1) Clam size and tolerance of harvest. A person shall not harvest or possess softshell clams which are less than two (2) inches in the longest diameter to the amount of more than ten (10) percent of any lot.~~

~~2) The method of determining tolerance. The tolerance of ten (10) percent must be determined by a numerical count of not less than one (1) nor more than four (4) pecks taken at random from various parts of the lot. If the lot contains less than one (1) peck, the tolerance must be determined by numerical count of the entire lot.~~

C ~~O~~. Unlawful Sale of Shellfish.
It is a violation of this Ordinance for any holder of a license under this Ordinance to sell or otherwise receive remuneration for any shellfish dug or taken within the Town of Scarborough by any person who does not hold a valid shellfish license issued by the Commissioner of Marine Resources pursuant to 12 M.R.S.A. §6601. [Amended 02/18/98]

D ~~L~~. Penalty:
Any person who violates any provision of this ordinance will be held accountable, as provided in 12 M.R.S.A. §6671(10) and (10-A). Any person holding a commercial license under this Ordinance who aids or abets the harvest of shellfish in violation of this Ordinance also commits a violation of this Ordinance and shall be subject to the same fines as the person he or she assisted. [Amended 04/04/07; 02/04/2026]

Vote: 7 Yeas. Motion Carried.

Order No. 26-069. Act on the request to formally accept the Complete Streets & Traffic Calming Guidance Manual as presented to Town Council on July 15, 2026. [Town Engineer and *Planning Director]* Angela Blanchette, Town Engineer, gave a brief overview on this Order.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval on the request to approve the Complete Streets Manual, on file with the Town Engineer.

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

Order No. 26-070. Act on the request to authorize the Town Manager to execute the Memorandum of Agreement with the Scarborough Wood Bank. ***[Town Council]*** Thomas J. Hall, Town Manager, gave a brief overview. The following spoke on this Order:

- Steven Hammond of Tall Pines Road and a member of the Steering Committee for the Wood Bank Project, expressed gratitude for the council's support and optimism about the initiative. He shared insights from successful programs in Freeport and Cumberland, mentioning that Freeport has 75 cords of wood ready for delivery this winter. He looked forward to starting the project to provide warmth for the community.
- Jerome Grondin of Holmes Road, expressed his gratitude for the opportunity to address the matter at hand. He highlighted his participation on the Steering Committee alongside the previous speaker. He on the Committees collective efforts in garnering community support within a limited timeframe and noted the urgency of establishing a facility as winter approaches, aiming to provide warmth to those in need.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval to authorize the Town Manager to execute the Memorandum of Agreement with the Scarborough Wood Bank.

Vote: 7 Yeas. Motion Carried

Item 15. Non-Action Item. None at this time.

Item 16. Council Member Comments.

- Councilor Anderson noted that while driving down Gorham Road and turning onto Maple Avenue, he observed cars going around each other, a change that he credited to Councilor Doherty's efforts in bringing the issue up. This improvement allows for safer navigation at that location, demonstrating that even a single councilor's advocacy can result in positive changes.
- Councilor Doherty acknowledged the importance of local politics, encouraging votes for two candidates that he support. He expressed a desire to pay tribute to a community member, particularly Gene Courier, a deceased friend and former volunteer fireman known for his contributions to the town.
- Councilor Cain noted that he had attended the Shadow Hearing in Biddeford, hosted by U.S. Senator Shelley Pingree and Governor Mills, was a moving experience. Discussions focused on local government's role in recent tragic events. Mayor Liam LaFountain gave an impactful presentation, while Mr. Guerrero's parents spoke as well. The event, with 150-200 attendees, fostered community engagement and highlighted the need for changes in enforcement protocols. A strong call to action urged citizens to exercise their voting power, contributing to a positive atmosphere despite serious themes.
- Chairman Fellows noted that at recent meeting, a council member addressed public concerns about the council's deliberative process and the urgency of community issues. We are committed to exploring an ordinance that aligns local actions with other Maine communities to support police initiatives, emphasizing oversight and collaboration. Chairman Fellows congratulation the Town Manager, on receiving the Distinguished Leadership Award from his peers. We are certainly fortunate to have him as our Town Manger. He went to the he would be participating in the upcoming Summerfest event.
- Councilor Hayes recommended that everyone should walk the new Eastern Trail, which I've walked twice. However, traffic from e-bikes can be concerning in narrower sections, suggesting the need for traffic lights. Overall, the trail is beautiful, and a field trip there would be great.

Item 17. Adjournment. Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 7 Yeas. Motion Carried.

Meeting adjourned at 10:01 p.m.

Respectfully submitted,

Yolande P. Justice
Clerk to the Council