**MINUTES**
**TOWN COUNCIL**
**WEDNESDAY – OCTOBER 21, 2026**
**HYBRID REGULAR MEETING - 7:00 P.M.**

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

**Item 2. Pledge of Allegiance.**

**Item 3. Roll Call.** Roll was called by Yolande P. Justice, Clerk to the Council. Liam Gallagher, Assistant Town Manager, was present. Those Councilors present:

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|---|---|
| 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

Chairman Fellows stated that the acoustics may be challenging in this venue and attendees to notify the speakers if they have trouble hearing. He went on to state that due to the presence of special guests, he asked that Item 10 be addressed before the general public comment period and asked for a motion.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval to move Item 10. Prior to General Public Comments.

Vote: 7 Yeas. Motion Carried.

**Item 10. RESOLUTION/PROCLAMATIONS.**

**Resolution 26-003. Recognizing the 11U Boys All Star Little League Baseball Team.** ***[Councilor Anderson]*** Councilor Anderson read the Resolution into the record. The following spoke on this Resolve:

- Matt McManus, Head Coach of the 11U team and board member of Scarborough Little League, expressed gratitude for the community's support, particularly for the lighting project that enriched the kids' summer experiences. He noted the successful hosting of a district tournament, acknowledging the numerous volunteers and the positive parent involvement across 45 events and emphasized the exemplary sportsmanship and representation of the kids, concluding with a heartfelt thanks to all who contributed to the season's success.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of Resolution 26-003, recognizing the 11U Boys All Star Little League Baseball Team:

## *RESOLUTION 26-003*

### *11U BOYS ALL STAR LITTLE LEAGUE BASEBALL TEAM*

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

**WHEREAS,** Little League Baseball is a program of service to the youth of our community, dedicated to teaching sportsmanship and the competitive will to win, as well as furthering physical fitness and well-being through healthful community activity to provide valuable training for the participants and entertainment for the spectators; and,

**WHEREAS,** the Town of Scarborough has one of the largest Little League programs in the State of Maine and competes in District 6, which includes some of the best Little League Baseball and Softball teams in the State of Maine; and,

**WHEREAS,** the 2026 Scarborough 11U Boys All Star Baseball Team excelled with tremendous community support and the assistance of many dedicated parents and volunteers. The team demonstrated great commitment, a positive attitude, and a strong sense of teamwork on their championship run; and,

**WHEREAS**, the Scarborough 11U Boys All Star Baseball Team went undefeated in the District 6 tournament to secure the District 6 Championship, including a walk-off victory in an elimination game and a thrilling come from behind victory in the District Championship final; and,

**WHEREAS**, the Scarborough 11U Boys All Star Baseball Team advanced to the 11U State Championship in Biddeford, Maine, competing against the other District Champions in the State. The boys displayed their depth and teamwork as all 12 players contributed to the team's success. The team went 4-0, outscoring their opponents 54-11 on their way to being named 11U Boys All Star State Champions; and,

**WHEREAS**, the Scarborough 11U Boys All Star Baseball Team earned their spot in a Regional Little League Tournament in Beverly, MA. The boys beat New Hampshire and Vermont and fell to the eventual tournament champions, Massachusetts, in an exciting one run extra inning game. While the boys narrowly missed advancing to the Regional Final Four, they represented Scarborough and the State of Maine tremendously, demonstrating great effort, respect, and sportsmanship throughout the tournament.

**NOW, THEREFORE, BE IT RESOLVED**, by the Scarborough Town Council, in Town Council assembled, that the following members of the 11U Boys All Star Baseball Team and their coaches are hereby recognized for the great honor they have brought to their team, their families and the Town of Scarborough:

**Athletes**: Benny Capponi, JJ Conley, Wyatt Harmon, Blake Lerman, Braedon McManus, Dante Mims, Owen O'Donnell, Owen Paul, Connor Pettit, Trevor Pettit, Lucian Phillips, Jude Smetana

**Manager**: Matt McManus

**Assistants**: Ryan Capponi and Brandon Lerman

Signed and sealed this 21st day of October, 2026, on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine. Signed by the Council Chair and attested by the Clerk to the Council.

Vote: 7 Yeas. Motion Carried.

**Proclamation 26-006. Declaring the month of October as Dysautonomia Awareness Month.** ***[Chairman Fellows]*** Chairman Fellows introduced Colleen Amann who had approached him to sponsor this Proclamation.

- Colleen Amann of Scarborough, shared her experience with her daughter's struggle with POTS (Postural Orthostatic Tachycardia Syndrome), diagnosed after a viral illness. POTS causes significant heart rate increases upon standing, leading to dizziness and blackouts. As Chair of Dysautonomia International, she emphasized the organization's role in supporting those with autonomic disorders and its fundraising efforts, which has raised over $4 million for research

and awareness. She advocated for October as Dysautonomia Awareness Month to enhance diagnosis and research funding, highlighting the scarcity of specialists in Maine. A fundraiser for Dysautonomia International is in the works.

- Molly Amann, shared why this Proclamation was important to her and shared her personal experience with dysautonomia, an invisible illness she has battled for 13 years following a debilitating viral infection. Diagnosed with POTS (Postural Orthostatic Tachycardia Syndrome) and autoimmune dysautonomia, she endures daily symptoms like fatigue, GI issues, and chronic pain. Despite numerous hospitalizations and treatments, including IVIG therapy, awareness remains low, and treatment options are scarce. Molly emphasizes the importance of raising awareness to help others receive timely diagnoses, aiming to lessen the feelings of isolation she has experienced.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of Proclamation 26-006. Declaring the month of October as Dysautonomia Awareness Month, as follows:

## Proclamation 26-006

***A PROCLAMATION FOR DYSAUTONOMIA AWARENESS***

***FOR THE MONTH OF OCTOBER***

**WHEREAS,** dysautonomia is a group of medical conditions that result in a malfunction of the autonomic nervous system, which is responsible for "automatic" bodily functions such as respiration, heart rate, blood pressure, digestion, temperature control and more; and,

**WHEREAS,** dysautonomia impacts over 70 million people around the world, and includes conditions such as Diabetic Autonomic Neuropathy, Neurogenic Orthostatic Hypotension, and Postural Orthostatic Tachycardia Syndrome; and,

**WHEREAS,** dysautonomia impacts people of any age, gender, race or background, including many individuals living in Scarborough; and,

**WHEREAS,** some forms of dysautonomia can be very disabling and this disability can result in social isolation, stress on the families of those impacted, and financial hardship; and**,**

**WHEREAS,** some forms of dysautonomia can result in death, causing tremendous pain and suffering for those impacted and their loved ones; and,

**WHEREAS,** increased awareness about dysautonomia will help patients get diagnosed and treated earlier, save lives, and foster support for individuals and families coping with dysautonomia in our community; and,

**WHEREAS,** Dysautonomia International, a 501(c)(3) non-profit organization that advocates on behalf of patients living with dysautonomia, encourages communities to celebrate Dysautonomia Awareness Month each October around the world; and,

**WHEREAS,** we seek to recognize the contributions of the professional medical community, patients and family members who are working to educate our citizenry about dysautonomia in Maine.

**NOW, THEREFORE, BE IT RESOLVED,** that the Scarborough Town Council does hereby proclaim the month of October as:

***DYSAUTONOMIA AWARENESS MONTH***

Signed and dated this 21st day of October, 2026, on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine. Signed by the Council Chair and attested by the Clerk to the Council.

Vote: 7 Yeas. Motion Carried.

Chairman Fellows reminded speakers to keep their remarks to three minutes or less, stating their name and address. The Assistant Town Manager would serve as the timekeeper, providing signals if speakers exceed their allotted time.

**Item 4. General Public Comments.**

- Averyl Hill of Maple Avenue, spoke on a dog report on dog violations at the beach for the 2026 season, 181 incidents were noted, including off-leash dogs and sanitation issues related to dog waste. Non-local violators have become a community concern. She emphasized the importance of transparency from town officials concerning safety and budget data, advocating for public access to reports for accountability. She also called for stricter enforcement of existing ordinances, highlighting that Plover Monitors lack enforcement authority, and requested annual report summaries to enhance transparency and community cooperation be posted on the website.
- Denise Hamilton of Two Rod Road, raised concern about Scarborough's land use determination process, highlighting concerns about unaddressed proposed uses in the ordinance. She challenged the reliance on administrative decisions and vague classifications such as "high technology facility," which could permit unintended developments. She called for formal public reviews involving the Ordinance Committee and Town Council, to enhance oversight and mitigate potential legal disputes.
- Via Zoom - Sophie Warren, Represents Scarborough in Augusta, raised concerns about the possible installation of a flock camera by Market Basket in Scarborough. Although she could not verify the report, she urged the Council to consider actions regarding flock cameras to protect residents' privacy. She emphasized the dual nature of such surveillance technology: while useful for public safety, it risks infringing on individual privacy by tracking residents' movements and revealing their daily patterns.

**Item 5. Minutes: September 30, 2026 - Town Council Meeting.** Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the meeting minutes of the September 30, 2026, Town Council meeting.

Vote: 6 Yeas. [Councilor Doherty Abstained due to being absent.]

**Item 6. Adjustment to the Agenda.** Not at this time.

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

**Item 8. Assistant Town Manager's Report.** Liam Gallagher, Assistant Town Manager, gave the following updates:

- **<u>Flock Cameras</u>**
  - Not aware of any in Scarborough
  - Would follow-up on this and report back
- **<u>Data Center Moratorium</u>**

- Ordinance Committee considered and approved - September 9
- Town Council Adoption Timeline:
  - First Reading - Sept. 16
  - Planning Board - Oct. 19
  - Public Hearing- Oct. 21
  - Second Reading - Nov. 4
- 180-day Moratorium ends on November 20, 2026

- **IF&W Update** Proposal sent September 29, 2026
  - Additional language in Beach Management Agreement
  - Focus on enhanced efforts, zero-tolerance from April 1 to May 15
  - Meeting request for October 30, 2026

- **Portland West**
  - MDOT evaluating four alternative approaches
  - Concepts proposed for discussion and feedback
  - Well attended (150+) meeting on September 22

- **Election Update**
  - Absentee Voting starts October 5 in Council Chambers
  - Relocate meetings to PSB Classroom 10/1 thru 11/2
  - Absentee Voting extremely busy
  - Absentee Voting Saturday, October 24th from 8:00 a.m. to Noon.

- **Paving Update**
  - Pine Point Neighborhood done last week
  - Old Neck Neighborhood this week
  - Requested estimate for a portion of Holmes Road- TBD

- **METRO Update**
  - Ribbon cutting on October 2
  - Service up in running - will seek periodic ridership updates
  - FREE to ride on election day and throughout the month of October

- **Low Impact Development Ordinance**
  - Requirement of MS4 permit
  - Maine DEP Sets Standards
  - Public Meeting Held on October 13
  - Required changes and contemplated enhancements to move through Ordinance Committee in early 2027

- **Pesticide Application to Willey Field - October 23**
  - Waiver required and approved by Conservation Commission
  - Stay off field for 48 hours

- **Upcoming Town Council Events**
  - November 4 - Send off for Councilor's Donovan and Anderson
  - November 18 - Welcome reception for new Council members

- **Fire Department/Public Safety Open House - October 15**

- **Project GRACE Food Drive - October 17 and November 7 at the Enclave**
- **National Drug RxTakeback Day - October 24 - 10am - 2pm - Scarborough PSB**
- **5th Annual Jr. Firefighter Muster - October 25**
- **Scottow Hill Road – Grant in Hand by October 30th**
- **October 26 Radio Project Information session at 6:00p.m. at Public Safety**
- **Councilor Corner October 24at 10:30 a.m. at Public Safety**

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

- Councilor Cain Larry noted that Finance did not meet this month. He reminded everyone about the first forum for the School Building Project on November 17th, with details to be confirmed but likely held at the current location. This forum will provide updates on construction design, development, and budgeting. He also thanked the Chamber of Commerce and SEDCO for organizing candidate forums, which were beneficial for comparing candidates' responses.
- Councilor Shupe noted the Planning Board had recently convened to review several issues, including the sign ordinance, data center ordinance, and a moratorium on certain activities. Public support was notably expressed for the Breakers, a restaurant transitioning under new ownership. Additionally, the Conservation Commission is developing a Community Stewardship Guide to promote sustainable practices among residents.
- Councilor Anderson noted that the Transportation meeting had been held this past Monday to review traffic calming plans for the intersections at Payne Road and Two Rod Road, and Two Rod Road and Scottow Hill Road. He highlighted the community's growing focus on traffic safety rather than congestion and emphasized the importance of updating the Traffic Calming Policy in the coming year. He went on to mention SEDCO's upcoming 41st Annual Celebration of Business, scheduled for Tuesday at 5:30 PM, and encouraged attendance
- Councilor Hayes mentioned the upcoming Conversation with Councilors would occur at the public safety building on Saturday, focusing on traffic and road safety issues, especially e-bikes, and the need for better sidewalks. A structured approach with specific topics for each session was suggested. The Long-Range Planning Committee highlighted the difference between traffic flow and congestion, particularly regarding local and turnpike traffic, emphasizing the importance of strategic planning for traffic safety and congestion solutions.
- Chairman Fellows noted that he was sorry to have missed the last Long-Range Planning Committee meeting, but was pleased that productive discussions are ongoing. He attended a remote meeting of the Maine Municipal Association Legislative Policy Committee, which identified key issues such as enhancing revenue sharing, reducing reliance on property taxes, and advocating for home rule. Although a regional option sales tax is under discussion, it is not officially sponsored. These topics will be formally adopted by the executive committee, allowing collaboration with the legislature in the new year. Concerns regarding reduced housing mandates in relation to LD 2173 were expressed, recognizing the need for communities to have time to adapt before new mandates are implemented due to existing challenges. Scarborough's planning staff is capable, but careful management of growth policies will be crucial

**Item 11. PUBLIC HEARINGS:**

**Order No. 26-073. 7:00 p.m. Public hearing on the proposed amendments to Chapter 405 - Zoning Ordinance, Section VI Definitions, to add and amend definitions pertaining to Timber Harvesting; and updating Commercial Zoning Districts to increase streetscape buffer minimum requirements to 20' for all streets.** ***[Planning Director]*** Autumn Speer, Planning Director, gave a brief overview on this Order. Chairman Fellows opened the public hearing. There being no comments either for or against, the hearing was closed at 7:57 p.m. The second reading on this Order, would be scheduled for Wednesday, November 4, 2026.

**Order No. 26-074. 7:00 p.m. Public hearing on the proposed amendments to Chapter 405B - Site Plan Review Ordinance, Section II Applicability, Section III Application and Review Procedures and Section IV. Performance and Design Standards, Section B. Landscape and Screening Standards.** ***[Planning Director]*** Autumn Speer, Planning Director, gave a brief overview on this Order. Chairman Fellows opened the public hearing. There being no comments either for or against, the hearing was closed at 7:59 p.m. The second reading on this Order would be scheduled for Wednesday, November 4, 2026.

**Order No. 26-080. 7:00 p.m. Public hearing and second reading, on the proposed changes to Chapter 405 - Town of Scarborough Zoning Ordinance, Section XII.J. Temporary Signs.** ***[Town Manager]*** Liam Gallagher, Assistant Town Manager, gave a brief overview on this Order. Chairman Fellows opened the public hearing. There being no comments either for or against, the hearing was closed at 8:00 p.m.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the second reading, on the proposed changes to Chapter 405 - Town of Scarborough Zoning Ordinance, Section XII.J. Temporary Signs.

Motion by Councilor Anderson, seconded by Councilor Cain, to move approval to amend the main motion to include the following language at the end of the first paragraph of Section XII.J. Temporary Signs:

> *Temporary Signs that are not in compliance with the Ordinance, shall be removed by Code Enforcement or their designee.*

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 a portion of Chapter 405- the Town of Scarborough Zoning Ordinance, Section XII. Sign Regulations, J. Temporary Signs, is be and hereby is amended, as follows (additions are underlined; deletions are struck through):

J. TEMPORARY SIGNS

The following temporary signs are permitted and shall conform to standards within municipal, state or federal ordinances, statutes or regulations.

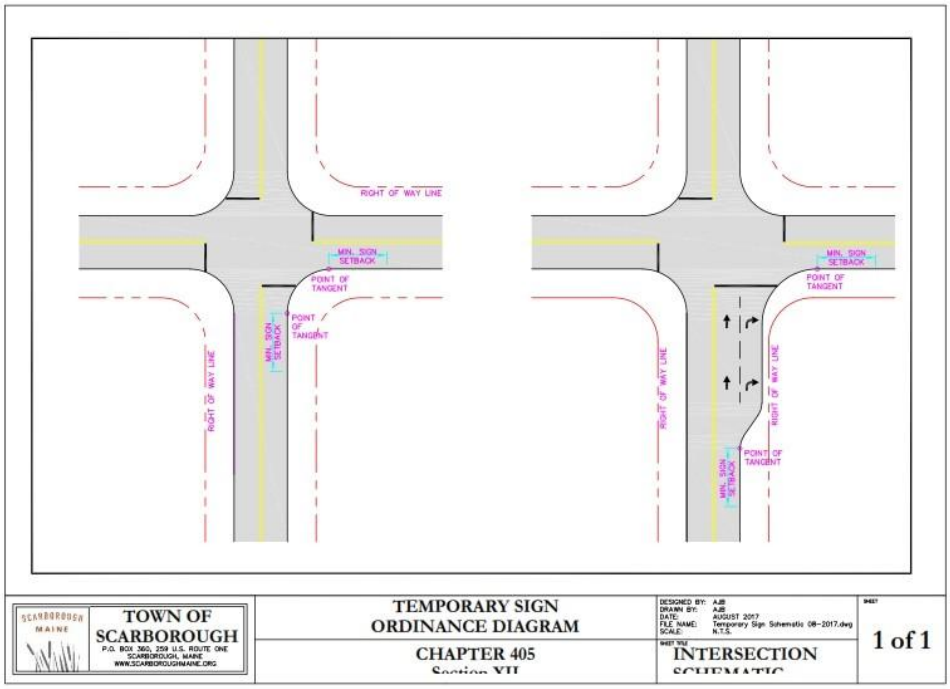
Temporary signs specified in this section shall not be attached to fences, trees, utility poles, fixtures, ~~light poles,~~ traffic control ~~devices~~ signs, ~~or the like~~ devices, a rotary traffic island, a control-of-access area, or a median less than 6 feet wide. No temporary signs can be located within the public right-of-way

limits of the interstate system or within 660 feet of the nearest edge of the interstate system and erected in such a fashion that the massage may be read from the interstate highway. Temporary Signs that are not in compliance with the Ordinance, shall be removed by Code Enforcement or their designee. [09/06/17]

To protect ecologically sensitive areas and scenic views no temporary signs shall be placed in the public right-of-way along:[09/06/17]

- Route One between Dolloff Way and Southgate Road
- Black Point Road between Old County Road and Tide Mill Lane
- Black Point Road between Seal Rock Drive and Sanctuary Lane
- Pine Point Road between 67 Pine Point Road and the Eastern Trail
- Pine Point Road between Holly Street and Snow Canning Road
- Pleasant Hill Road from Minuteman Drive to Hackmatack Drive (Pleasant Hill Preserve Area)
- Bayview Avenue between Houghton Street and Morning Street

To promote public safety in and around intersections with high traffic volumes no temporary signs shall be placed in the public right-of-way within 30 feet of the following intersections, as measure linearly from the point of tangent to the intersection, or the point of tangent where a dedicated turn lane is provided, whichever is furthest from the intersection:




- The Highland Avenue - Chamberlain Road intersection [Added 11/5/25]
- The Route One – Broadturn Road/Pine Point Road intersection
- The Route One – Payne Road intersection
- The Route One – Haigis Parkway intersection
- The Route One - Gorham Road/Black Point Road intersection
- The Route One - Pleasant Hill Road intersection
- The Route One – Scarborough Downs Road intersection [Added 11/5/25]
- The Payne Road - Haigis Parkway intersection

- The Payne Road - Gorham Road intersection
- The Payne Road - Gallery Boulevard intersection
- The Payne Road – Scarborough Downs Road intersection [Added 11/5/25]

The number of temporary signs permitted under this subsection is in addition to the maximum number of signs allowed on a lot or the maximum gross display area allowed on a wall:

**1. Temporary Signs in the public Right-of-Way [Adopted 09/06/17][Amended 11/28/18]**

Temporary signs ~~in~~ placed within the public right-of-way are permitted for ~~a period not to exceed~~ maximum of 12 weeks ~~in a~~ per calendar year, except that a temporary sign may not be placed within the public right-of-way for more than 6 weeks from January 1 and June 30 or for more than 6 weeks between July 1 and December 31. All signs shall be removed by the deadlines established herein. ~~All temporary signs in the right-of-way must include or be marked with name and address of the individual, entity or organization that placed the sign within the right-of-way and the date the sign was erected within the right-of-way. To control the proliferation of signs repeating the same or similar message,~~ A temporary sign~~s~~ may ~~in theright-of-way shall~~ not be placed with 30 feet of another temporary sign bearing the same or substantially the same message. This distance requirement applies to streets on a linear basis with a separate measurement done for every intersecting street. Temporary signs in the public right-of-way may not be placed in a position that will obstruct or impair vision or traffic or in any manner create a hazard or disturbance to the health and welfare of the general public. A temporary sign may not exceed 4 feet x 8 feet in size. A sign under this paragraph must include or be marked with the name and address of the individual, entity or organization that placed the sign within the public right-of-way and the date the sign was erected within the public right-of- way

**2. Temporary Signs on Private Property [Adopted 09/06/17]**

Temporary signs on private property are permitted for no more than 6 consecutive months with not less than 30 days between displays of a sign bearing the same message. Temporary signs on private property may not be placed in a position that will obstruct or impair vision or traffic or in any manner create a hazard or a disturbance to the health and welfare of the general public.

**3. Temporary Sandwich Board Sign. [Adopted 08/19/09][09/06/17]**

One (1) Sandwich Board Sign may be displayed on the premises of a commercial or similar public entity for general commercial uses. Sandwich Board Signs shall be limited to a maximum gross area of eight (8) sq. ft. and a maximum height of 48". The location of Sandwich Board Signs shall be limited to the sidewalk or walkway leading to the main entrance of the building in which the business is located and shall be located no greater than fifteen feet (15') from the building's main entrance. Sandwich Board Signs shall only be displayed during the hours the business or use is open for customers or visitors and shall not be counted toward calculating the maximum number of signs or the maximum gross display area of signs on the property. A Sandwich Board Sign shall require a sign permit, per subsection A.2., which will establish a business or uses ability to use such a sign and delineate the area in which it will be displayed. A Sandwich Board Sign shall be located on a sidewalk or walkway in a manner that it does not infringe on handicap accessibility or safe pedestrian movement and that safely secures the sign in one location.

Vote: 7 Yeas. Motion Carried.

**Order No. 26-081. 7:00 p.m. Public hearing, on the proposed changes to Chapter 405 - Town of**

**Scarborough Zoning Ordinance, Section VI. Definitions and add definitions pertaining to Data Centers.** ***[Planning Director]*** Autumn Speer, Planning Director, gave a brief overview on this Order. Chairman Fellows opened the public hearing. The following individuals spoke on this Order:

- Denise Hamilton of Two Rod Road, expressed her opposition to large-scale data centers in Scarborough, framing it as a land use concern. She criticized the proposed sites for their proximity to residential areas and natural resources, advocating for clearer ordinances to provide certainty for residents and developers and stressed the importance of balancing economic development with neighborhood and resource protection, supporting a ban on primary data centers while allowing secondary operations like server rooms. She urged the council to adopt the proposed ordinance for responsible land use planning.
- Via Zoom - Sophie Warren, Represents Scarborough in Augusta, expressed strong support for prohibiting large-scale data centers in Scarborough, citing community concerns over development pace, infrastructure strain, rising property taxes, and electricity costs. She emphasizes that these centers yield little benefit relative to their environmental and infrastructure demands, and warns of the potential long-term consequences of permitting such projects. Warren calls for responsible economic development that respects community needs and urges the council to act proactively against these developments until proper regulations are established.
- Stephen Zamierowski of Theresa Masse Lane, noted that at first reading council members emphasized the need for guidelines to regulate electricity, water, and pollutants across all businesses. He suggested state authorities' involvement in forming these standards and urged the council to prioritize comprehensive regulations on environmental concerns for the upcoming year.
- Nina McKee of Black Point Road expressed her appreciation for the town council's receptiveness to the public's strong opposition to data centers. She recalled a mandate for a moratorium on them, and hoped it lasts indefinitely. We do not want such developments in our town or state. Congratulations to the council for proactively implementing zoning changes to prevent their establishment. Thank you.
- Eric Nathanson of Scarborough, thanked Council for their work on the issue and asked for clarification regarding the zoning ordinance on data centers. He noted that while the discussions reference large data centers, he inquired if smaller data centers could still be allowed under the moratorium, emphasizing that the ordinance appears to be a ban desired by many residents.
- Via Zoom - Matthew Keith of Pleasant Avenue, expressed concerns regarding the suitability of Scarborough for a data center, highlighting ethical implications of AI development. He reflected on the historical context of the ICE facility in Scarborough, suggesting a preference for a different location if possible. He noted the dual nature of AI advancements, pointing out job instability and existential risk debates among AI leaders.
- Tammy Mann of Scarborough, expressed her support for the ongoing efforts regarding a specific issue and thanked the Council for their work
- Cathleen Miller of Scarborough and Chair of Conservation Commission emphasized the importance of thoughtful intervention regarding AI. She echoed the sentiment that AI's role is not predetermined and stresses the necessity for deliberate considerations rather than reactive measures. She appreciated the thoughtfulness of the ongoing work related to this topic.

There being no further comments either for or against, the hearing was closed at 8:19 p.m. The second reading on this Order would be scheduled for Wednesday, November 4, 2026.

**Order No. 26-085. 7:00 p.m. Public hearing to establish a new Ordinance entitled "*Municipal***

***Polices Regarding Federal Immigration Enforcement." [Town Council]*** Chairman Fellows, gave a brief overview on this Order. He then opened the public hearing. The following individuals spoke on this Order:

- Eric Nathanson of Scarborough, addressed the town council and highlighted recent news regarding ICE threats at polling places and raids on political opponents. He emphasized the need to utilize local and state government power to create a safe and just community. He wholehearted supported the Ordinance.
- Jennifer Jortberg of Scarborough, thanked the Council for considering the ordinance. I represent the Community Coalition for the Removal of ICE, advocating for its elimination in Maine and beyond. We oppose ICE's misuse against both citizens and immigrants and support this ordinance. We urge for municipal employee training on its implications and the establishment of a clear public complaint mechanism.
- Abigail Henry of Longmeadow Road, expressed her gratitude for continued efforts on immigration enforcement issues and shares a personal story about Oscar, a diabetic asylum seeker from Peru detained by ICE for ten days. This situation has caused distress for his family. While the ordinance wouldn't stop such detentions, it aims to clarify the town's opposition to aiding federal immigration enforcement, highlighting the importance of local awareness and action.
- Via Zoom - Sophie Warren, Represents Scarborough in Augusta, Commented on the high rate of ICE detentions in the community and advocated for a municipal policy that restricted local resources from assisting immigration enforcement. She emphasized the need for local government to serve all residents, regardless of immigration status, to foster trust and cooperation with law enforcement while ensuring community safety and rights for all neighbors.
- Chris Smick of Drake Lane, supported what was said at the meeting this evening and want to clarify that I mistakenly informed people about the second reading being tonight; it's actually on November 4th. I appreciate everyone's work and am proud of our community.
- Via Zoom - Mathew Keith of Scarborough, praised the Council for addressing a vital issue and urged ongoing pressure on the state government to benefit residents. He stressed the limited power of local government but highlighted the need for continuous efforts to tackle the challenges faced by Scarborough's community. He agreed with previous comments on local suffering and advocated for sustained action to effectively represent these concerns, calling for both symbolic and practical future initiatives.

There being no further comments either for or against, the hearing was closed at 8:32 p.m. The second reading on this Order would be scheduled for Wednesday, November 4, 2026.

**Order No. 26-088. 7:00 p.m. Public hearing and action on the new request for a Massage Therapist License from Cherie L. Ross, working at Oasis Wellness Center, located at 433 US Route One.** ***[Town Clerk's Office]*** A brief overview on this Order was given. Chairman Fellows opened the public hearing, as there were no comments either for or against, the hearing was closed at 8:33 p.m.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval on the new request for a Massage Therapist License from Cherie L. Ross, working at Oasis Wellness Center, located at 433 US Route One.

Vote: 7 Yeas. Motion Carried.

**Order No. 26-089. 7:00 p.m. Public hearing and action on the new request for a Food Handlers License from Demoulas Supermarkets Inc., d/b/a Market Basket, located at 70 Market Street.**

***[Town Clerk's Office]*** A brief overview on this Order was given. Chairman Fellows opened the public hearing, as there were no comments either for or against, the hearing was closed at 8:34 p.m.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval on the new request for a Food Handlers License from Demoulas Supermarkets Inc., d/b/a Market Basket, located at 70 Market Street.

Vote: 7 Yeas. Motion Carried.

Prior to moving on to Old Business, Chairman Fellows had the Finance Director, Norman Kildow, give a brief update on the Quarterly Financials.

A brief recess was called at 8:38 p.m. The meeting was reconvened at 8:45 p.m.

**Item 12. OLD BUSINESS:**

**Order No. 26-084. Second reading on the request to expenditure, in an amount not to exceed, $380,000 from the Land Bond Fund to assist the Scarborough Land Trust in purchasing 65 acres located at 8 Blueberry Lane [also known as Blueberry Preserve] identified by the Scarborough Tax Assessors Map R003/Lot 011, 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]*** Steve Zamierowski, Chair of the Parks and Conservation Land Board, gave a brief overview.

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, $380,000 from the Land Bond Fund to assist the Scarborough Land Trust in purchasing 65 acres located at 8 Blueberry Lane [also known as Blueberry Preserve] identified by the Scarborough Tax Assessors Map R003/Lot 011, 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.

**Item 13. NEW BUSINESS:**

**Order No. 26-090. First reading on the request to repeal the 180-day temporary moratorium entitled "Town of Scarborough Ordinance Establishing a Temporary Moratorium on Data Centers," that was approved by the Town Council on June 3, 2026.** ***[Town Manager]***Liam Gallagher, Assistant Town Manager, gave a brief overview on this Order.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the first reading to repeal the 180-day temporary moratorium entitled "Town of Scarborough Ordinance Establishing a Temporary Moratorium on Data Centers," that was approved by the Town Council on June 3, 2026.

Vote: 7 Yeas. Motion Carried.

**Order No. 26-091. First reading and refer to the Planning Board, the proposed amendments to Chapter 405 Zoning Ordinance, Section XIII.A Zoning District Use Tables and Conditions to add mobile sauna uses to the Residential 2, Residential 4 and Residential 4A zoning districts with conditions.** ***[Planning Director]*** Autumn Speer, Town Planner, gave a brief overview on this Order. The following spoke on this Order;

- Aschel Gregory, owner of Rogue Sauna, expressed excitement about community interest in

developing a beach area. She recently led sessions at Black Point Surf Shop and is eager to address any questions regarding this initiative.

- Nina McKee of Black Point Road, questioned the potential installation of saunas at Ferry Beach, which are considered valuable town property and voiced concern about liability in the event of a heart attack occurring while using the sauna, questioning whether the town would be held responsible and if there might be insurance issues related to this risk.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the first reading and refer to the Planning Board, the proposed amendments to Chapter 405 Zoning Ordinance, Section XIII.A Zoning District Use Tables and Conditions to add mobile sauna uses to the Residential 2, Residential 4 and Residential 4A zoning districts with conditions.

After a lengthy discussion a motion to table was made.

Motion by Councilor Anderson, seconded by Councilor Hayes, to table Order No 26-091 and send it to the Long-Range Planning Committee for review.

Vote: 5 Yeas. 2 Nays [Councilors Cain and Doherty]. Motion Carried.

**Order No. 26-092. First reading and schedule a public hearing to consider amendments to Chapter 1015.B. Mobile Sauna Ordinance addressing Town owned property.** ***[Planning Director]*** Autumn Speer, Town Planner, gave a brief overview on this Order. The following spoke on this Order:

- Aschel Gregory, owner of Rogue Sauna, thanked the Council for considering her situation as it impacts my livelihood, especially as I serve the Scarborough community, which primarily consists of local residents. The competition from other communities allowing operations on beachfront properties is making it increasingly difficult for her to sustain her business. Clients are mainly Scarborough residents who want a fair beach experience. She wished to cooperate with the town to manage liability and utilize off-season spaces that are otherwise unoccupied. This issue is crucial for me, and as a sole Indigenous woman business owner, having this opportunity would significantly support my mission.
- Nina McKee of Black Point Road, voiced strong opposition to the Council's proposal aimed at modifying ordinances to support a specific business. The change should not favor one business over others and questioned the practical need for such modifications, particularly regarding the impact on parking and local usage during summer. She support proper vetting process that included public notification and transparency, rather than rushing the proposal through.
- Denise Hamilton of Two Rod Road, stated that the process requires proper procedural handling. This recommendation should undergo Long-Range Planning and Ordinance review, with public notification and transparency. She felt that presenting it for a first reading in front of the Town Council at this stage was inappropriate.
- John and Kylie Hardies of South Portland, and owners of Village Sauna in South Portland, commended the Council's discussion on mobile saunas in local parks, stressing the value of public-private partnerships for enhancing recreational access. He referenced successful pilot programs in other towns that gathered community feedback and suggested similar initiatives to gauge public sentiment. He noted positive community responses from Portland and South Portland, especially at Fortunes Rock Beach, and thanked the Council for their efforts.

Motion by Councilor Anderson, seconded by Councilor Hayes, to move approval of the first reading to consider amendments to Chapter 1015.B. Mobile Sauna Ordinance addressing Town owned property.

Motion by Councilor Doherty, seconded Councilor Cain, to move approval to do a pilot program with this person just at Ferry Beach for this winter and give them one season and then we'll look at it again and go through Planning for any other people who want to do it or may want to do it.

Vote: 1 Yea [Councilor Doherty]. 6 Nays. Motion Failed.

Motion by Councilor Anderson, seconded by Councilor Shupe, to table Order No 26-092 and send it to the Long-Range Planning Committee for review.

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

**Order No. 26-093. Act on the request from the Fire Department to adopt the Municipal Resolution: Emergency Medical Services Transport Plan.** ***[Fire Department]*** Fire Chief Kindelan introduced Deputy Walker, who gave a brief overview on this

Motion by Councilor , seconded by Councilor , to move approval on the request from the Fire Department to adopt the Municipal Resolution: Emergency Medical Services Transport Plan as follows:

**MUNICIPAL RESOLUTION: EMERGENCY MEDICAL SERVICES TRANSPORT PLAN**
**TOWN OF SCARBOROUGH, MAINE**

WHEREAS, 30-A M.R.S. §3172 requires the municipal officers of each municipality to adopt a plan stipulating the method by which transporting emergency medical services will be delivered within the municipality; and,

WHEREAS, the Town of Scarborough is committed to ensuring clear, expedient and reliable emergency medical services and transport pathways for all residents and visitors in emergency situations; and,

NOW, THEREFORE, BE IT RESOLVED by the Municipal Officers of the Town of Scarborough, Maine, that the following Emergency Medical Services Transport Plan is hereby adopted:

1. PRIMARY PROVIDER: Transporting emergency medical services within the borders of the Town of Scarborough, Maine shall be primarily provided by the Scarborough Fire Department.
2. SERVICE MODEL: Directly Managed Municipal Service where the municipality directly funds, operates and staffs its own municipal ambulance service as part of the Scarborough Fire Department.
3. PUBLIC POSTING: This resolution shall be posted publicly at the Town Hall and on the town's website in the same manner as municipal ordinances.
4. AMENDMENTS: This plan may be amended by the Municipal Officers as necessary. Any amended plan shall be submitted to Maine EMS within thirty (30) days of adoption.

Adopted this 21st day of October, 2026, and signed and sealed on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine. Signed by the Council Chair and attested by the Clerk to the Council.

Vote: 7 Yeas. Motion Carried.

**Item 14. Non-Action Item.** None at this time.
**Item 15. Council Member Comments.**

- Councilor Hayes wished good luck to all election candidates, I acknowledge their hard work and commitment to our town. Additionally, I enjoyed a wonderful meal with college friends, featuring fresh lobsters delivered by Scott, which they praised as the best they've ever had. I appreciate the efforts of the waterfront workers and Scott for his longstanding service in providing these lobsters.
- Councilor Anderson expresses gratitude to Paula O'Brien for providing cupcakes and reminds everyone to take theirs. He addresses the Rove owner, apologizing for the night's events while asserting that their decision was in the community's best interest. He acknowledged the demand for their services and emphasized that the council acted quickly to facilitate their operations, though it may take another season for full success. In closing he reiterated the intent to support rather than hinder the owner's business.
- Councilor Doherty expressed his commitment to removing obstacles to assist individuals, believing that a process will be approved within a year. He emphasized the importance of fairness, stating that if one person is permitted to run a business in a specific area, then others should be as well, as it would be unjust to allow exceptions.
- Councilor Cain commented on information from the Town Manager regarding town's mil rate, noting that Scarborough had achieved the lowest mill rate among 12 surrounding communities this tax year, highlighting the staff's hard work despite a challenging process. This positive comparison reinforces the effectiveness of their efforts.
- Councilor Donovan acknowledged his long tenure as the town council representative for the Scarborough School Board, highlighting the excellent work done by Board Chair Shannon Lindstrom and appreciating her efforts in maintaining high standards within the school system.
- Chairman Fellows highlighted the need for a supportive mindset toward residents and the business community, advocating for discussions to avoid a zero-sum perspective. He emphasized the importance of a balanced tax base with a strong commercial component to maintain a low mill rate. The support for small businesses, particularly regarding relief requests, should be transparent and fair. He went on to comment on past experiences with local youth sports and thanked staff and AV support for organizing the meeting.
- Councilor Doherty further commented on availability of oceanfront property which sets our town apart from others, greatly benefiting their tax revenues. In contrast, nearby towns often lack such resources and do not see comparable property tax contributions, with some residents paying significantly higher taxes annually, contributing to the overall tax base.
- Councilor Hayes emphasized the need for caution in expenditures despite the income being beneficial.

**Item 16. Adjournment.** Motion by Councilor Hayes, seconded by Councilor Anderson, to move approval to adjourn the regular meeting of the Scarborough Town Council

Vote: 7 Yeas. Motion Carried.

Meeting Adjourned at 9:56 p.m.

Respectfully submitted,

Yolande P. Justice
Clerk to the Council