

MINUTES

**SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JANUARY 7, 2009
REGULAR MEETING – 7:30 P.M.**

Item 1. Call to Order. Vice Chair Rancourt called the regular meeting of the Scarborough Town Council to order at 7:30 p.m.

Item 2. Pledge of Allegiance.

Item 3. Roll Call. Rolled was called by Yolande P. Justice, Town Clerk. Thomas J. Hall, Town Manager was also present.

Ronald D. Ahlquist	Shawn A. Babine
Carol S. Rancourt, Vice Chair	Judith L. Roy
Richard J. Sullivan, Jr.	Karen A. D’Andrea
Michael J. Wood, Chairman [Absent]	

Item 4. Minutes: December 3, 2008. Motion by Councillor Roy, seconded by Councillor Babine, to move approval of the minutes of the regular meeting, as written.

Vote: 6 yeas.

Item 5. Items to be signed: a. Treasurer’s Warrants. Treasurer’s warrants were signed during the meeting.

Order No. 09-01, 7:30 p.m. Public Hearing on the following new requests for a Food Handlers License from Sharon Allard, located at 21 Ocean View Road; Springfield BBQ, LLC d/b/a Famous Dave’s, located at 3 Cabela Blvd and Sebago Brewing Company, located at 201 Southborough Drive. Vice Chair Rancourt opened the public hearing, as there were no comments either for or against the hearing was closed at 7:32 p.m.

Motion by Councillor Roy, seconded by Councillor Babine, to move approval on the following new requests for a Food Handlers License from Sharon Allard, located at 21 Ocean View Road; Springfield BBQ, LLC d/b/a Famous Dave’s, located at 3 Cabela Blvd and Sebago Brewing Company, located at 201 Southborough Drive.

Vote: 6 yeas.

Order No. 09-02, 7:30 p.m. Public Hearing on the following new requests for a liquor license from Scarborough BBQ, LLC d/b/a Famous Dave’s BBQ located at 3 Cabela Blvd and Sebago Brewing Company, located at 201 Southborough Drive. Vice Chair Rancourt opened the public hearing, as there were no comments either for or against the hearing was closed at 7:32 p.m.

Motion by Councillor Roy, seconded by Councillor Babine, to move approval on the following new requests for a liquor license from Scarborough BBQ, LLC d/b/a Famous Dave’s BBQ located at 3 Cabela Blvd and Sebago Brewing Company, located at 201 Southborough Drive.

Vote: 6 yeas.

Order No. 09-03, 7:30 p.m. Public Hearing on the following renewal requests for a Manufactured Housing Community Permit:

<u>Name</u>	<u>Address</u>
1. Crystal Springs Manufactured Housing Community Donna Alexander	U.S. Route 22
2. Pinecrest Manufactured Housing Community Theresa Desfosses	126 U.S. Route One
3. Hillcrest Manufactured Housing Theresa Desfosses	126 U.S. Route One

Vice Chair Rancourt opened the public hearing, as there were no comments either for or against the hearing was closed at 7:33 p.m.

Motion by Councillor Roy, seconded by Councillor Babine, to move approval on the renewal requests for Pinecrest Manufactured Housing Community and Hillcrest Manufactured Housing and the license for Crystal Springs Manufactured Housing Community be approved with the condition that the license not be issued until the infraction has been corrected.

Vote: 6 yeas.

Item 6. Non-Action Items.

a. 350th Presentation and slide show. Annalee Rosenblatt, Chair of the 350th Celebration presented the Council with a plaque listing all the sponsors of the Celebration to be located in Town Hall. She also thanked the numerous volunteers and noted the work of Alan Cardinal and Sylvia Most who worked on the 350th Book. She then presented a brief look of the DVD that is available for a donation of \$10.00 that will benefit the Historical Society. The DVD is of the parade and various still pictures of the celebration. These DVDs are available at the Historical Society and the Town Clerk's Office.

OLD BUSINESS: None at this time.

NEW BUSINESS:

Order No. 09-04. Report from the Pine Point Study Group and action to accept the report as presented. Vice Chair Rancourt introduced Dana Morris Jones to present the report from the Pine Point Study Group. Thomas Hall, Town Manager, presented a concept plan that had been prepared on the outline noted in the Report. The Report is as follows:

**Pine Point Study Committee
Report and Recommendations to Scarborough Town Council
December 10, 2009**

Committee Mandate and Membership

A memo from the Scarborough Town Clerk was sent to the proposed membership of the Pine Point Study Committee on August 26, 2008 to inform them of the Committee's membership, mandate and the date of the first meeting (attachment 1). The mandate of the Committee was to make recommendations to the Council on the following:

- 1) Sidewalks and pavement width on Pine Point Rd from E. Grand to King Street with consideration of the curve or turning radius from Pine Point Rd to King Street, 2) Re-working of the directional island at the end of Pine Point Rd and 3) A plan for development of and access to the 'open space parcel' provided by Beach Walk.

Membership of the Committee included the following:

Carol Rancourt – Scarborough Town Council
Jay Chace – Scarborough Planning Department
Jim Wendel – Scarborough Town Engineer
Mike Shaw – Scarborough Public Works
David Jackson – Public Safety
Nick or Peter Truman – Lighthouse Motel
Joe Tedeschi – Sand Dollar Motel
John Wiggin – Beach Walk Association
Jack Callahan – Pine Point Resident – At Large
Elaine Richer – Pine Point Residents Association

Ron Owens – Scarborough Town Manager – Advisory (through 10/30)
Tom Hall – Scarborough Town Manager – Advisory (after 10/30)
Dana Morris-Jones – Facilitator

Process Agreements

At the first meeting, the Committee took time to review its mandate and agree on several procedural elements, including the following: (See Power Point – Attachment 2)

- Guidelines
 - Outcomes
 - Attendance
 - ‘Parking Lot’ for items outside mandate
- Decision Making
 - Definition of Consensus
 - ‘Gradient of Agreement
- Focus on Shared Interests

Meeting Schedule

The Committee met on the following dates in 2008:

Sept 10	Oct 23
Sept 18	Oct 29
Oct 2	Nov 6
Oct 7	Nov 20
Oct 16	Dec 9

See power point slides for meeting agendas.

All meetings, except Oct 16 which took place on site and at the fire station were video taped and summary notes were provided to membership

Recommendations

One of the greatest challenges faced by this Committee was to stay within the scope of the mandate because so many of the design elements impact and are intertwined with others that are outside the mandate. For this reason, a ‘Parking Lot’ (running list of topics) was used to record issues of interest to Committee members but outside the scope of its work.

Unless otherwise indicated, the recommendations below represent some level of consensus by Committee members. Level of consensus was determined by each member expressing his or her level of support, as follows: 5 = Fully endorse, 4 = Agreement with reservation, 3 = Neutral, will support, 2 = Disagree, will accept, 1 = Will not accept or support

1) Width of pavement and dimensions of travel lanes, shoulders, esplanade and sidewalks

All agreed that having a sidewalk, esplanade and shoulder on both sides of the street was desirable; however, there was disagreement about the specific dimensions.

The major issue with regard to dimensions was a philosophical split between planning & engineering professionals and some residents about the relationship between overall pavement width and public safety. While some residents believe a wider shoulder provides greater safety for bicycle riders, the town staff and public safety representative believe that wider pavement, even when that includes a designated shoulder, encourages vehicles to travel faster, thereby creating a less safe condition for bicycles.

The following 2 competing proposals received similar levels of support and non – support, though Proposal B is slightly favored when all 10 committee members are included. Both of these outcomes are listed here at the request of some committee members. The committee is asking the Council to make the final decision. Please note that there is consensus on the width of travel lanes and sidewalks; only the width of shoulder and esplanade remains to be identified.

Proposal A:

11 ft travel lanes, 4 ft shoulders, 5 ft esplanades, 5 ft sidewalks

Support as follows:

3 x 5, 1 x 4, 2 x 3, 1 x 2, 1 x 1.5 (8 people, ave = 3.56)

Proposal B:

11 ft travel lanes, 3 ft shoulders, 6 ft esplanades, 5 ft sidewalks

Support as follows:

5 x 5, 2 x 4, 2 x 2, 1 x 1 (10 people, ave = 3.8)

2) Design for Intersection at Pine Point Rd and King Street, including turning radius and directional island

This task was made difficult by the somewhat conflicting interests of pedestrian access to the beach, pedestrian safety and the reality of the dimensions of the available space given the boundaries of public and private ownership.

One of the primary concerns of many residents is their belief that there is a need to provide a safe ‘drop-off’ area for pedestrians exiting vehicles and wanting to reach the beach. The limitations of the physical boundaries of publicly owned land made this difficult to achieve.

After viewing the site and considering several design options prepared by Jim Wendel in accordance with Committee’s requests and proposals, a design that creates a ‘more fully defined and operational intersection’ was proposed. (See attachment). Specific features of this design include:

- Directs through traffic to King Street from Pine Point and vice versa. Vehicular access to Depot Street (a short dead-end road) is a chosen maneuver by the driver.

- 2-11' Travel lanes
- 2-3' shoulders
- Sidewalk extended along frontage of Sand Dollar Motel on King Street
- 2-10' striped travel lanes on Depot Street off-set to the Lighthouse Motel side of the road r/w. This location provides appropriate definition of vehicular travel on to Depot Street, allows parked Lighthouse traffic to maneuver to and from the parking spaces opposite the Lighthouse Motel without interfering with occasional incoming vehicles, and it allows for a wide "pedestrian mall" space for pedestrian access to the beach from this intersection. Crosswalks would be provided at all appropriate locations for pedestrian safety.
- Road centerline radius from Pine Point to King Street is 49'.
- Curb Style-vertical along Sand Dollar Motel frontage on King Street. No curb along Lighthouse Motel frontage along King Street-Just pavement marking for travel lanes. Sloped curb from Claudia Way to the Depot Street leg. This is necessary to allow required access in this area to Lighthouse property for parking.
- Improvements would comply with all ADA requirements.
- Remove existing raised island and Hurd Park sign.

In addition, though outside the mandate, drainage infrastructure will be designed and extended to outside the project limits to an area in front of the Fire Barn on King Street. This infrastructure work will allow the future correction by the Town of an identified drainage problem in this area. By completing this work as part of the mandated project scope, the Town will avoid the necessity of disturbing new road construction on Pine Point Rd in order to correct the problem at a later date, thereby controlling costs and preserving long term performance of the new infrastructure.

Support for this proposal was as follows:
6 x 5, 2 x 3, 1 x 1 (9 people, ave = 4.1)

3) Materials for Sidewalks and Curbs

Although some residents prefer granite for long term cost effectiveness and consistency with some existing sidewalk in Pine Point, town staff members believe that concrete is the most economical solution and is consistent with other new sidewalks in Scarborough. They propose curbing being cast in place slip form concrete and poured concrete with tooled joints and edges for flat sidewalk surfaces.

Proposal: Use concrete for sidewalks and curbs as described above

Support:
4 x 5, 2 x 4, 2 x 3 (8 people, ave = 4.25)

4) Signage

The committee considered the topic of where to place signs directing visitors to the beach, the boat ramp and associated parking and to allay any confusion. Although all members agreed that improved signage is needed, the issue was raised that residents would want to have more time to consider the pattern of traffic flow being generated by the signs before supporting any signage. Because of this concern and because this topic was not specifically part of the committee's mandate, it was tabled.

5) Parcel

Many committee members expressed support for the concept of using the parcel for a 'beauty spot' which would be identified as town property and allow public access to it. However, the representative of Beach Walk Association was opposed. After much discussion, the following proposal received support:

Improve the parcel (Area 'A') as follows:

- Identify it as town property using a combination of stone and plaque
- Clean it up
- Install low impact, low maintenance hardy plantings
- Provide for maintenance by the town
- Identify right of way with stone-dust (no sidewalk)
- Keep options open for the future

Support for this proposal was as follows:

6 x 5, 1 x 4, 2 x 3 (9 people, ave = 4.4)

Note: Residents requested a stone bench be added; there was not agreement on this

'Parking Lot' Items

These are items that were of interest to some committee members that were outside the scope or its mandate. It is requested that they be submitted to the Comprehensive Planning Committee or some other appropriate body for further consideration

- Sidewalks extended to the Clambake, down King Street to the fire station and in front of the Lighthouse Motel
- 2-sidewalk model continued down King Street
- Possibility of future action to create pedestrian access from the Pine Point Rd/King Street intersection to the beach
- Extension of 'drop-off' area on King Street
- Signage
- Consideration of a 1-way traffic pattern

Motion by Councillor Babine, seconded by Councillor Roy, to move approval to accept the Pine Point Study Report, as presented.

Vote: 6 yeas.

Order No. 09-05. First reading and schedule a second reading to amend the SEDCO Budget for FY2009, as follows: expend \$20,000 in interest earnings from the Scarborough Economic Development Fund and appropriate the \$20,000 to the SEDCO Marketing line. Thomas Hall, Town Manager, gave a brief introduction on this order and responded to questions from the Council.

Motion by Councillor Roy, seconded by Councillor Roy, to move approval of the first reading to amend the SEDCO Budget for FY2009, as follows: Be it hereby ordered by the Town Council, of the Town of Scarborough, Maine, in Town Council assembled, that the following amendment to the SEDOC Budget for FY2009 of the Town of Scarborough, is hereby amended by the expending \$20,000 in interest earnings from the Scarborough Economic Development Fund and appropriating the \$20,000 to the SEDCO Marketing line and schedule the second reading for Wednesday, January 17, 2009.

Vote: 6 yeas.

Order No. 09-06. Act on the request from Sebago Technics to ask the Town to re-convey a 241 square foot piece of open space back to the SBK Associates, LLC, for Lot 35, located within the Sea Ridge Development at Blue Point. Thomas Hall, Town Manager, gave a brief introduction on this Order. Sandra Murray, Developer of Sea Ridge at Blue Point read a prepared statement on this order – the statement gave the history that lead to this request. Bill Koch, General Contractor on the lot in question, gave the reason why they were before the Council regarding this request..

Motion by Councillor Babine, seconded by Councillor Ahlquist, to move approval on the request from Sebago Technics, as follows: Be it hereby ordered, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, to authorize the Town Manager to sign documents that would re-convey a 241 square foot piece of open space, back to the SBK Associates, LLC, for Lot 35, located within the Sea Ridge Development at Blue Point.

Vote: 6 yeas.

Order No. 09-07. Act to authorize the Appointments Committee to recommend to the Town Council a seven-member Charter Review Committee to review the charter and recommend amendments or revisions to the Town Council, pursuant to the Town Charter – Sections 1010 and 1011. Thomas Hall, Town Manager, gave a brief introduction on this order

Move approval to authorize the Appointments Committee to recommend to the Town Council a seven-member Charter Review Committee to review the charter and recommend amendments or revisions to the Town Council, pursuant to the Town Charter – Sections 1010 and 1011.

Vote: 6 yeas.

Item 7. Committee Reports: Standing Committee Reports and Other Committee Reports.

* Councillor Roy noted the following vacancies:

Board of Assessment Review: Two terms expiring [One full voting member & 2nd Alternate]
(One committee member whose term is up wishes to remain)

Personnel Appeals Board: Three terms expiring [Two full voting members & 2nd Alternate]
(One committee member whose term is up wishes to remain)

Community Services and Recreation Advisory Board: Three terms expiring [Two full voting members & 2nd Alternate] - (One committee member whose term is up wishes to remain)

Conservation Commission: Two terms expiring and Two vacancies one with a term to expire in 2009 and one to expire in 2010 [All are full voting members] - (Two committee members whose terms are up wish to remain)

Planning Board: Two terms expiring [All are full voting members] (One committee member whose term is up wishes to remain)

Parks and Conservation Land Board: Three terms expiring and One vacancy with a term to expire in 2009 [All are full voting members] - (Two current committee members whose term are up wish to remain)

Zoning Board of Appeals: Two terms expiring and One vacancy with a term to expire in 2009 [Terms expiring are full voting members – vacancy is 2nd Alternate] - (One committee member whose term is up wishes to remain)

Shellfish Conservation Committee: Three terms expiring [One committee member whose term is up wishes to remain]

Cable Television Committee: Three terms expiring and One vacancy with a term to expire in 2009 [Two committee members whose terms are up wish to remain]

Seniors Program Advisory Board: 2 terms expiring [Two committee members whose terms are up wish to remain]

Housing Alliance: No Openings; 4 terms expiring [Three committee members whose terms are up wish to remain]

- * Councillor Babine stated that he would have more information with regards to the Finance Committee meetings once the Council holds their workshop on January 21st.
- * Vice Chair Rancourt stated that the Ordinance Committee would be hold regular meetings the last Tuesday of every month from 4:30 – 6:00 p.m. with the exception of February when the meeting will be held on Tuesday, February 10th from 4:30 – 6:00 p.m.
- * Councillor Roy stated that the Seniors' Finance Group would be holding a meeting on Monday, January 12th to review their budget and the next regular meeting of the Seniors Group will be held on Tuesday, January 20th at 4:30 p.m.

Item 8. Public Comments. None at this time.

Item 9. Town Manager Report. Thomas Hall, Town Manager, gave note to the following:

- The 2007/2008 Audit has been completed and a workshop will be scheduled soon between the Council and Board of Education; the Departments are monitoring their current Budget to ensure they are within their allocations; the Revenues down in Excise and Planning; FY2010 CIP Budgets have been obtained from Departments; what the effects could be on the School Budget with loss of \$700,000 plus in General Purpose Aid from the State; the Town will have the opportunity to submit requests to FEMA on the storms from December 12th through the 29th; the bid opening Hillside Drainage came in under budget; the Report on the proposal for an off-shore marina off Saco raised more questions then answers; Goals Workshop on January 21st a light dinner at 5:30 p.m. prior to the workshop and a Special meeting on January 14th at 7:00 p.m. with New England Expedition regarding possible modification of their credit enhancement agreement and possible adjustment of the sewer assessment fees.

Item 10. Council Member Comments. Closing comments were made by Council members.

Item 11. Adjournment. Motion by Councillor Babine, seconded by Councillor Roy, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 6 yeas.

Meeting adjourned at 9:19 p.m.

Respectfully submitted,

Yolande P. Justice
Town Clerk