



AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – JUNE 2, 2010
REGULAR MEETING – 7:00 P.M.

NO NEW BUSINESS SHALL BE TAKEN UP AFTER 10:00 P.M.

Item 1. Call to Order.

Item 2. Pledge of Allegiance.

Item 3. Roll Call.

Item 4. General Public Comments. (*Please see **NOTICE** at the end of the agenda.)

Item 5. Minutes: May 5, 2010 – Regular Meeting.
May 19, 2010 – Regular Meeting.
May 24, 2010 – Special Meeting

Item 6. Adjustment to the Agenda.

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

Procedure for Addressing Council, please see end of agenda.

Order No. 10-56, 7:00 p.m. Public Hearing and second reading on the proposed School Budget for FY2011.

Order No. 10-57, 7:00 p.m. Public Hearing and action on the request for a Food Handlers License from Eric A. Tomazin, d/b/a Eat Lobster, located at 162 Black Point Road.

Resolution 10-06. Resolution to approve the formation of an Ad-Hoc Higgins Beach Parking Advisory Committee.

OLD BUSINESS: None at this time.

NEW BUSINESS: None at this time.

Item 8. Non Action Items.

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

Item 10. Town Manager Report.

Item 11. Council Member Comments.

Item 12. Adjournment.

***NOTICE Procedure for Addressing Council.**

202.0: PROCEDURES FOR ADDRESSING THE COUNCIL.

Any person wishing to address the Town Council will be given an opportunity to do so in accordance with the following procedures:

202.1: Procedure.

A Public Comment Period shall be conducted prior to the start of any Council business at each regular Town Council meeting, at which time citizens shall be given the opportunity to be heard on matters concerning Town business in general. Additional public comment shall be allowed during public hearings and on agenda items. Such public forums and/or public comment periods may be waived if no member of the public wishes to speak. Persons wishing to speak will preface their comments by giving their name and address.

202.2: Time Limit.

All such public forums, public comment periods and public hearings shall be conducted under the following guidelines:

202.2.a: General Public Comment: Persons addressing the Town Council during the public comment period at the beginning of the meeting shall limit their comments to (3) three minutes. Individuals may be permitted to speak more than once at the discretion of the Chair of the Council. The first (30) thirty minutes of the Council meeting will be allocated for general public comment. If it appears that the public comment period will exceed (30) thirty minutes, public comment may be suspended by the Chair, so the Town Council can conduct its business, in any case to occur prior to adjournment. (amended 10/21/09)

202.2.b.: Public Hearing Comment: Persons addressing the Town Council during a public hearing shall limit their comments to the particular agenda item and shall limit their comments to (3) three minutes. Individuals may be permitted to speak more than once at the discretion of the Chair of the Council. (amended 04/18/01; amended 10/21/09)

202.2.c.: Public Comment on Agenda Items: Following the reading of each agenda item, the Chair shall ask if any member of the public wishes to speak on that item. Persons who have previously addressed the Town Council during the public comment portion and wishes to speak on an agenda item may do so only if there is new and pertinent information to be added and limit their comments to (3) three minutes. (amended 10/21/09)

202.3: Decorum.

Persons present at Council meetings are requested not to applaud or otherwise express approval or disapproval of any statements made or action taken at such meeting.

202.3.a.: Citizens will strive to be accurate in their statements, avoid personalities, and conduct themselves in a manner expected of all meeting participants. (amended 04/18/01).

202.3.b.: It shall be at the discretion of the Council Chair to ask any persons making in-appropriate statements, and/or conducting themselves in a disrespectful manner to cease such action or risk being asked to be seated or removed.

AGENDA

SCARBOROUGH TOWN COUNCIL

WEDNESDAY – JUNE 2, 2010

REGULAR MEETING – 7:00 P.M.

Order No. 10-56. Move approval of the second reading on the proposed School Budget for FY2011.

Order No. 10-56.

Budget Order for Fiscal Year 2011 School Budget

Be it ordered that the Scarborough Town Council moves approval of the second reading to adopt the Fiscal Year 2011 School Budget; and,

Be it further ordered the Scarborough Town Council hereby appropriates for the Education Operating Budget for school purposes the sum of **\$34,974,459** and the Town of Scarborough raises as the local share for Education Operating Budget the sum of **\$27,975,941**.

AGENDA

SCARBOROUGH TOWN COUNCIL

WEDNESDAY – JUNE 2, 2010

REGULAR MEETING – 7:00 P.M.

Order No. 10-57. Move approval on the request for a Food Handlers License from Eric A. Tomazin, d/b/a Eat Lobster, located at 162 Black Point Road.

Town of Scarborough, Maine
Town Clerk's Office
259 US ROUTE ONE
PO BOX 360
SCARBOROUGH, MAINE • 04070-0360

TO: Town Council Members
FROM: Yolande P. Justice, Town Clerk
DATE: May 28, 2010
RE: Requests for Food Handlers License

The following applicant is requesting approval of a new Food Handlers License:

Eric A. Tomazin, d/b/a Eat Lobster, located at 162 Black Point Road

The completed application is on file with Clerk's Office. The Applicant is working with the Code Office with regards to completing a structure to conduct business in. The Code Office recommends that the Town Council approve this request with the license to be issued through the Code Office upon issuance of an occupancy permit for the completed structure.

AGENDA

SCARBOROUGH TOWN COUNCIL

WEDNESDAY – JUNE 2, 2010

REGULAR MEETING – 7:00 P.M.

Resolution 10-06. Move approval of Resolution 10-06, approving the formation of an Ad-Hoc Higgins Beach Parking Advisory Committee, as follows:

RESOLUTION No. 10-06
Resolution To Approve The Formation Of An
Ad-Hoc Higgins Beach Parking Advisory Committee

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

WHEREAS, the Town of Scarborough recognizes the value of public access to Higgins Beach, but acknowledges that public access presents certain impacts and pressures on the Higgins Beach area, and to that end has convened Ad Hoc Committees in 1980 and 1998 to recommend improvements to the public infrastructure to mitigate these impacts; and,

WHEREAS, although many of the recommendations of these prior efforts have been implemented, the impacts and pressures relating to parking remain and extend beyond the Higgins Beach neighborhood proper, affecting areas as far away as Spurwink Road and Acorn Lane; and,

WHEREAS, in an effort to ensure public access and to relieve parking pressures in the area, the Town of Scarborough has acquired 1.55 acres off Ocean Avenue for the purpose of operating a public parking facility; and,

NOW, THEREFORE, BE IT RESOLVED, by the Scarborough Town Council in Town Council assembled, that there is hereby an Ad-Hoc Higgins Beach Parking Advisory Committee created, and the membership, terms, offices and duties shall be as follows:

1. **Purpose.** The purpose of the Committee is to advise the Town Manager and Town Council on maintaining public access while addressing parking issues and improvements related thereto in the larger Higgins Beach area, including adjoining neighborhoods such as Acorn Lane and Spurwink Road. As part of their consideration of current parking conditions, the Committee is charged to review the 1980 and 1998 Higgins Beach Management Plans to determine the extent to which parking-related recommendations have been implemented. The Committee's powers and duties shall not exceed those prescribed, herein or otherwise restricted by Town Council Rules, Policies and Charter. The Committee will recommend and report a course of action to the Town Council by September 30, 2010, at which time the Committee shall cease to exist unless otherwise extended by the Town Council.
2. **Membership.** The Committee shall be comprised of seven (7) members as follows: one (1) beach front property owner at Higgins Beach, one (1) non-beach front property owner at Higgins Beach, two (2) citizens of Scarborough at-large, one (1) member of Surfrider Foundation, Northern New England Chapter, one (1) member who resides on Acorn Lane, and one (1) member of the Town Council appointed by the Town Council. All appointment will be made by the Town Council.
3. **Vacancies and Removal.** Any vacancies shall be filled by the Town Council. The Town Council may remove any member of the Committee by vote of a majority of its members for misconduct or non-performance of duty.
4. **Officers.** The Committee shall elect a Chair and Recording Secretary from among its members. The Chair shall be counted to determine a quorum and shall have the same rights as other members of the Committee, including the right to vote.
5. **Quorum and Voting.** A quorum shall consist of five (5) members. The concurrence of a majority of the members present and voting shall be necessary to decide any question before the Committee.
6. **Meeting and Records.** The Committee shall meet at least monthly on a date and time specified by a vote of the majority of the Committee at its first organization meeting. Other meetings may be called by the Chair, provided that the Chair shall call a meeting of the Committee upon the request of at least three (3) members. The Committee shall keep minutes of its meetings and submit them to the Town Clerk's Office.

Signed and dated this 2nd day of June, 2010, on behalf of the Scarborough Town Council and the Town Manager of Scarborough, Maine.

Signed by:

Carol S. Rancourt
Council Chair

Attested by:

Yolande P. Justice
Town Clerk