

MINUTES
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – APRIL 7, 2010
REGULAR MEETING – 7:00 P.M.

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

Item 2. Pledge of Allegiance.

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

Ronald D. Ahlquist	Karen A. D’Andrea
Jessica L. Holbrook	Michael J. Wood
Shawn A. Babine	Judith L. Roy, Council Vice-Chair
Carol S. Rancourt, Council Chair	

Item 4. General Public Comments.

- David Green of 135 Beech Ridge Road spoke on the fact that he did not get the chance to speak at the last meeting on the RF Zone and voiced his concern on the lack of notice to the State on the recommended changes to this zone. He then spoke on the proposed changes to the RF Zone.
- Dave Bouffard of 7 Carter Brooke Drive noted that he had sent the Council an email on the proposed budget and further commented to the Council please do not increase taxes.
- Bruce Bell of 13 West Beech Ridge Road spoke on the proposed budget and asked that the Council to take a good look at the budget and hold the line with no tax increase.
- David Green of 135 Beech Ridge Road spoke on the proposed budget and concurred with Mr. Bell on holding the line with no tax increase.
- Richard Sullivan, Jr. of 1 Sullivan Farm Road spoke on the proposed budget and stated that there are items that can be removed from the budget – hold the line with no tax increase.

Item 5. Minutes: March 17, 2010 – Regular Meeting. Motion by Councillor Babine, seconded by Councillor D’Andrea, to move approval of the minutes of the March 17, 2010, regular Town Council meeting.

Vote: 7 Yeas.

Item 6. Adjustment to the Agenda.

Motion by Councillor Wood, seconded by Councillor Babine, to move approval to suspend the rules and add an item to the agenda, as follows [to be taken up right after Order No. 10-35]:

Order No. 10-38. Act on the request from the Town Manager to transfer and appropriate the sum of \$136,000 from the public works/transportation capitol improvement projects in FY2008 [bonded for the Broadturn Road Project] as follows: a. King Street Drainage and Street Reconstruction Project for \$41,000 and b. Pine Point Beach Access Project for \$95,000.

Vote to add an item to the agenda: 7 Yeas.

Item 7. Items to be signed: a. Treasurer’s Warrants. Not available at this time.

Order No. 10-29, 7:00 p.m. Public hearing and second reading on the proposed amendments to Chapter 301 – the Town of Scarborough Administrative Code to adopt Article XXIII – Energy Committee [as a standing committee] as recommended by the Ad Hoc Energy Committee. Council Chair Rancourt opened the public hearing. The following individual spoke on this Order: David Green of 135 Beech Ridge Road asked the Council to support alternative energy. There being no further comments the hearing was closed at 7:27 p.m.

Motion by Councillor Roy, seconded by Councillor Babine, to move approval of the second reading on the proposed amendments to Chapter 301 – the Town of Scarborough Administrative Code to adopt Article XXIII – Energy Committee [as a standing committee] as recommended by the Ad Hoc Energy Committee.

Motion by Councillor Roy, seconded by Councillor Babine, to move approval to amend the main motion to strike “*Promote the local economy and protecting its environment*” under Duties.

Vote on Amendment: 7 Yeas.

Main motion as amended:

ORDER CREATING A STANDING ENERGY COMMITTEE

WHEREAS, the Town of Scarborough recognizes the use and cost of energy is a substantial and increasing municipal expense and the Town also acknowledges its responsibility to provide leadership in the conservation, efficiency and conversion of energy resources, and therefore, desires to establish a standing *Energy Committee* with the objective to identify actions that the community can undertake to reduce costly energy consumption in the Town.

NOW, THEREFORE, be it hereby ordained by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the Town of Scarborough Administrative Code, adopted April 1, 1970 and subsequently amended, is further amended by adding the following new Article XXIII:

ARTICLE XXIII. THE TOWN OF SCARBOROUGH ENERGY COMMITTEE

Established.

There shall be an Energy Committee with the objective to identify actions that the community as a whole [municipal/school, residential, commercial and industrial] can undertake to reduce costly energy consumption in the Town.

Purpose.

The purpose of this Committee is to serve as an energy and environmental sustainability committee for Scarborough, and to research energy programs, projects, and policies through conservation and alternative energy use.

Organization and/or Membership.

Members shall be appointed for three-year terms, except for the initial appointments, which shall be two (2) members for terms of one year, two (2) members for terms of two years and one (1) member for a term of three years and two (2) alternates for a term of two years. Members whose terms expire shall continue to serve until their successors are appointed and qualified.

The Town Council shall appoint one of its members to serve as Council liaison to the Committee. The Town Manager, his/her designee, shall serve as staff liaison to the Committee. Neither shall be a voting member.

Duties.

The Committee shall have the following duties:

- Prepare, recommend and implement a Comprehensive Energy Plan for the Town to be adopted by the Town Council;
- Serve as a forum to review and recommend opportunities to increase the efficient use of energy through conservation and alternative energy initiatives;
- Recommend ordinances and policies to the Town related to energy issues;
- Analyze municipal energy use patterns and benchmark usage to identify opportunities;
- Pursue grant opportunities for energy efficiency and alternative energy sources;
- Recommend ways to reduce the Town's environmental footprint by minimizing its energy use while reducing greenhouse gas emissions;
- Explore the benefits and funding models for an Energy Office for the Town;
- Provide Public education and awareness through community outreach.
- Provide an Annual Report to the Council.

Procedures.

Three members of the Committee constitute a quorum. The Committee shall select one of its members to serve as chair and another member who shall serve as recording clerk and keep the minutes of all proceedings and submit these to the Town Clerk's Office for filing. The Committee shall set its own meeting schedule which will be open to the public.

Vote: 7 Yeas.

OLD BUSINESS: None at this time.

NEW BUSINESS:

Order No. 10-34. First reading and schedule a public hearing on the proposed Municipal/School Budget for FY2011. Thomas J. Hall, Town Manager, gave a brief overview on the proposed recommendation. The following individual spoke on this Order: Dave Bouffard of 7 Carter Brooke Drive noted that he felt he and Councillor Babine were both correct in that Mr. Bouffard had heard that the Town Employees were willing to receive no increase and Councillor Babine had indicated that there was indeed an increase to town employees factored in this budget.

Motion by Councillor Babine, seconded by Councillor Roy, to move approval of the first reading on the proposed Municipal/School Budget for FY2011 and schedule a public hearing for Wednesday, April 28, 2010 at 7:00 p.m., as follows:

Budget Order for Fiscal Year 2011

Be it ordered that the Scarborough Town Council moves approval of the first reading to adopt the Fiscal Year 2011 Budget, **schedule a public hearing for 7:00 p.m. on Wednesday, April 28, 2010,** and approve the line item appropriations and expenditures for all offices, agencies and departments of the Town as follows, and approves other additional operating expenditures which may result from the receipt of Federal or State funds or other grants and subsidies not requiring local taxation:

MUNICIPAL OPERATING BUDGET FY2011	
TOTAL LEGISLATIVE	\$ 11,573
TOTAL EXECUTIVE ALL AREAS	\$ 1,878,905
TOTAL FINANCE ALL AREAS	\$ 1,104,437
TOTAL MUNICIPAL INFORMATION SYSTEMS	\$ 707,201
TOTAL PLANNING DEPARTMENT ALL DIVISIONS	\$ 848,581
TOTAL LIBRARY NET -TOWN APPROPRIATION	\$ 796,993
TOTAL SEDCO	\$ 235,732
TOTAL FIRE ALL DIVISIONS	\$ 3,324,914
TOTAL POLICE - ALL DIVISIONS	\$ 4,727,665
TOTAL PUBLIC WORKS ALL DIVISIONS	\$ 6,356,079
MUNICIPAL TOTALS	\$ 19,992,080

Be it further ordered the Scarborough Town Council hereby appropriates for the Education Operating Budget for school purposes the sum of **\$34,417,870** and the Town of Scarborough raises as the local share for Education Operating Budget the sum of **\$28,458,196** and,

Be It Further Ordered that the Town Council hereby authorizes the Chairperson of the Town Council to sign the Municipal Expenditure Warrant approving all expenditures paid at the regular meetings of the Town Council.

Be It Further Ordered that the Town of Scarborough hereby adopts the Schedule of License Permit and Application Fees as presented and attached hereto – Chapter 311 –Town of Scarborough, Schedule of License, Permit and Application Fees, for Budget Presentation FY 2011; and,

The Total Gross Budget to be **\$68,574,913**; this total less estimated credits of **\$(23,429,314)** result in a Net Appropriation of **\$45,145,599**, which shall be raised from taxation. The Scarborough Town Council further fixes **Friday, October 15, 2010**, and **Tuesday, March 15, 2011**, as the dates upon each of which one-half of such tax is due and payable, and pursuant to 36 M.R.S.A. Section 505.4 with interest to accrue upon taxes due and unpaid after each such date at the rate of **7.00%** per annum.

Be It Further Ordered that in accordance with 36 M.R.S.A. Section 506, the Tax Collector/Treasurer is authorized to accept prepayment of taxes not yet committed or prior to any due date and pay no interest thereon. In accordance with 36 M.R.S.A. Section 506-A, a taxpayer that pays an amount in excess of that finally assessed shall be repaid the amount of overpayment plus interest from the date of overpayment at the annual rate of **3.00%**.

Be It Further Ordered that the Town Council hereby authorizes the Finance Director-Tax Collector/Treasurer or Deputy Tax Collector/Treasurer to withhold monies payable by the Town of Scarborough to cover taxes due pursuant to M.R.S.A. Title 36, Section 905; to sign on behalf of the Town, the necessary deeds and liens and tax settlements; and to invest funds in accordance with M.R.S.A. Title 30-A, Section 5706; in accordance with 36 M.R.S.A. Section 906, the Tax Collector/Treasurer is authorized to apply any tax payment received as payment for any property tax against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill; and, after the date of perfection of the tax the Tax Collector/Treasurer is authorized to discharge any obligation to collect unpaid property taxes in the amount of \$5.00 or less and remove same from the municipal books, pursuant to 36 M.R.S.A. Section 970-A.

**CHAPTER 311
TOWN OF SCARBOROUGH
SCHEDULE OF LICENSE, PERMIT AND APPLICATION FEES**

Chapter 402a – Electrical Permit Fees	Fee
Administrative Fee [for each application] (adopted 05/06/09)	\$30.00
<u>RESIDENTIAL</u>	
Minimum Fee (amended 05/06/09)	\$30.00
Square footage of any structure (adopted 05/06/09)	\$0.05
Service Inspection (adopted 05/06/09)	\$30.00
Each Garage – Under, Attached, Unattached (amended 05/06/09)	\$30.00
<u>RENOVATIONS</u>	
Rewiring Complete Existing Home – Same as New	
Each Room (amended 05/05/04)	\$15.00
Meter and Panel Upgrade (amended 05/06/09)	\$30.00
Alarm/Low Voltage (adopted 05/06/09)	\$30.00
Pools, In-Ground or Above (amended 05/06/09)	\$30.00
Storage or Utility Buildings (amended 05/06/09)	\$30.00
<u>COMMERCIAL</u>	
Minimum Fee	\$30.00
Square Footage of Any Structure (adopted 05/06/09)	\$0.05
All Signs – Each (amended 05/05/04) (amended 05/06/09)	\$30.00
Yard Lights – Up to 6 (amended 05/05/04) (amended 05/06/09)	\$40.00
Each Additional over 6 Yard Lights (amended 05/06/09)	\$10.00

Chapter 404a – Local Plumbing Permit Fees Internal Permit Fee Schedule	Fee
1. The minimum permit fee is: (amended 05/06/09)	\$36.00
2. The fixture fee for all fixtures is per fixture and is: The fixture fees are no longer on a sliding scale. (amended 05/06/09)	\$9.00 ea.
<u>EXTERNAL PERMIT FEE SCHEDULE COMPLETE SYSTEM</u>	
Non-engineered System (amended 05/06/09)	\$130.00
Primitive Disposal System (includes alternative toilet) (amended 05/06/09)	\$130.00
Engineered System (amended 05/06/09)	\$250.00
<u>SYSTEM COMPONENTS (INSTALLED SEPARATELY)</u>	
Treatment Tank (amended 05/06/09)	\$65.00
Holding Tank (amended 05/06/09)	\$130.00
Alternative Toilet (amended 05/06/09)	\$65.00
Disposal Area (amended 05/06/09)	\$100.00
Engineered Disposal Area (amended 05/06/09)	\$200.00
Separated Laundry Disposal Area (amended 05/06/09)	\$50.00
<u>OTHER</u>	
Seasonal Conversion Permit (amended 05/06/09)	\$65.00

Chapter 405 – Zoning	Fee
Requests for Zoning Amendments (Not from Planning Board or Town Council)	\$250.00
Contract Zoning – Non-Refundable Application Fee [11/20/02] (amended 05/05/04)	\$500.00
Sketch Plan Review Fee (amended 05/05/04)	\$175.00

Review Fee for Private Way Registration (amended 06/02/04)	\$100.00
One (1) Dwelling Unit Credit (<i>as per Section VIII(E)1, Development Transfer Provisions</i>) (July 18, 2007)	
Calendars Years 2007 & 2008	\$15,000
Calendar Years 2009 & 2010	\$17,500
Calendar Years 2011 & 2012	\$20,000
CODE ENFORCEMENT -	
Building Permit Fees [-a minimum of] (amended 05/06/09)	\$35.00
Residential / Commercial Unfinished, per square foot (amended 05/05/04) (amended 05/03/06)	\$0.20
Residential / Commercial Finished, per square foot (amended 05/05/04) (amended 05/03/06)	\$0.40
Minimum Application Fee - Will be applied toward the building permit when issued. Applies to new construction and renovations over 1,000 square feet.	\$110.00
First Offense Double the Permit Fee	
Each Offense Thereafter Triple the Permit Fee	
Demolition Permit Fees (amended 05/05/04) (amended 05/06/09)	\$35.00
Zoning Board Of Appeals - Per Appeal (amended 05/05/04)	\$250.00
Certificate of Occupancy Fee (adopted 05/06/09)	\$35.00
Sign Permit Fees	
Permanent Signs – each (amended 05/05/04) (amended 05/06/09)	\$35.00
Temporary Signs – each (amended 05/05/04) (amended 05/06/09)	\$35.00
Plus Deposit Required (refundable deposit for removal of sign) (10/02/02)	\$300.00
Temporary Storage Containers - Per Application (10/01/97) (amended 05/05/04)	\$25.00
The fees for electrical permits, plumbing permits and building permits shall include one inspection of the work covered by each permit. Typically permits include the following inspections: A) Foundation; B) Bed bottom for leech fields; C) Leech bed; D) Electrical; E) Plumbing; F) Framing; and, G) Certificate of Occupancy. For each re-inspection thereafter, per-permit, a fee of \$50 shall be charged. If a re-inspection is required because the permit holder called for an inspection before the work was ready for inspection, such re-inspection shall not occur for at least two (2) weeks, unless the permit holder pays a surcharge of \$200 in addition to the \$50 re-inspection fee. (amended 10/06/04)	

<u>Chapter 405A - Floodplain Management</u>	Fee
Non-Refundable Permit Application Fee	\$50.00

<u>Chapter 405B - Site Plan Review</u>	Fee
Under 1,000 Square Feet	\$50.00
1,000 to 2,000 Square Feet	\$150.00
>2,000 to 5,000 Square Feet	\$250.00
>5,000 to 10,000 Square Feet	\$500.00
>10,000 Square feet and over, plus \$25.00 per 1,000 above 10,000 square feet	\$500.00

<u>Chapter 405C - Subdivision Review</u>	Fee
Charge Per Lot (amended 05/05/04)	\$175.00

<u>Chapter 407 - Septic Tank Sludge Disposal Fees</u>	Fee
Field Spread - per gal. (amended 05/05/04)	\$0.04

Holding Tank - per gal. (amended 05/05/04)	\$0.08
Disposal Of Treatment Plant Sludge S.S.D. Only - per gal. (amended 05/05/04)	\$0.08
Disposal Of Industrial Sludge & Wastes - per gal. (amended 05/05/04)	\$0.08
Grey Water 2,000 Gallons, Maximum Load - per load (amended 05/05/04)	\$4.00

<u>Chapter 408 - Extractive Industry, Waste Control, Landfill, And Land Reclamation</u>	Fee
Plan Review Fee - Minimum fee (amended 05/05/04)	\$175.00
Additional Fee Per Acre In Excess Of 10 Acres - Per additional acre over 10 acres (amended 05/05/04)	\$15.00

<u>Chapter 410 - Road Impact Fee Ordinance And Designating Approved Projects</u>			
The following fees and charges are established for development and the following projects are designated as eligible for funding from the Highway Impact Fee Trust Fund:			
Fees	Peak Hour Trips		Cost of Trip
A. District 1	N	X	\$149.43
B. District 2	N	X	\$292.42
C. District 3	N	X	\$499.05
D. District 4	N	X	\$96.35
E. District 5	N	X	\$1,024.52
Where N = Estimated number of peak hour trips. Total trips generated during the p.m. peak hour for a development can typically be determined by trip rates presented in the 1987 Institute of Transportation Engineers (ITE) “ <u>Trip Generation</u> ” handbook, or estimated by field measurements collected at similar type developments. If, however, the ITE handbook does not have applicable rates, then the rates should be based on sufficient field data collected at a similar site. There are several types of development (i.e., fast food, shopping plazas, convenience stores, etc.) that simply redirect existing pass-by trips already on the existing roadway system; these trips should not be included in the assessment system. Only “new” trips to the system roadways should be assessed a development fee.			
The total Impact Fee for a project shall be the sum of the fees for each district affected.			
Projects eligible for funding from the Road Impact Fee Trust Funds are those projects depicted on the 100 scale aerial photographs titled “Long Range Transportation Improvement Program” (April 1989), prepared by Vanasse Hangen Brustling, Inc. as part of the 1988 Maine Mall/Jetport Area Traffic Study conducted for the Portland Area Comprehensive Transportation Study (PACTS) and the Maine Department of Transportation.			

<u>Chapter 413 – Growth Ordinance</u>	Fee
Application Fee (amended 11/03/04)	\$1,500.00

<u>Chapter 500 - Trailer & Trailer Camp</u>	Fee
Application Fee, minimum	\$27.50
Each unit in excess of 10 (amended 05/21/2008)	\$3.75
Maximum Fee (amended 05/21/2008)	\$200.00

<u>Chapter 501 - Tenting & Camping Ordinance</u>	Fee
Annual Fee For Tenting/Camping Season License, per lot (amended 05/05/04; 05/21/2008)	\$2.25

<u>Chapter 601 – Traffic Ordinance</u>	Fee
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Section 26 – Penalties General (05/03-2006)	
Fine for any violation of this ordinance is:	\$100.00
If paid within 30-days of issuance of the ticket the fine is reduced to:	\$50.00
Section 27 – Illegally Parked Vehicles (05/03-2006)	
Fine for illegally parked vehicle, except handicapped parking violation is:	\$100.00
If paid within 30-days of issuance of the ticket parking fine is reduced to:	\$50.00
Fine for parked vehicle violating handicapped parking is:	\$150.00
If paid within 30-days of issuance of the ticket parking fine is reduced to:	\$75.00
Section 30 – Towing Rate Schedule -	
Service Call - Gas, Jumpstarts, lockouts, tire change, etc. Range	\$25.00 to \$40.00
Vehicle Storage, per day, INCLUDING non-business days	\$25.00 per day
Call out fee, to come to shop during non-business hours	\$25.00
Vehicle Tow	
Day	\$65.00
Night	\$75.00
Snow Tow – Range	
Day	\$75.00
Night	\$85.00
Vehicle Tow w/dollies – Range	\$65 to \$85
Motorcycle Town – Same as vehicle due to special equipment	
Pull out – Range	\$40 to \$85
Recovery – Same as tow, depending on time of day.	
After first hour \$70 per additional hour plus any special equipment, i.e., bulldozer, etc.	
Definition of Hours – Daytime Hours = 0700 to 1800 hours; Night Time Hours = 1800 to 0700 hours	

<u>Chapter 602A – Mass Gathering</u>	Fee
Application Fee, each event (amended 05/05/04; 05/21/2008)	\$175.00

<u>Chapter 607 - Alarm Systems</u>	Fee
False Alarm Fee - per occurrence after third false alarm within one year (amended 05/05/04)	\$250.00

<u>Chapter 608 – Fireworks Ordinance</u>	Fee
Non-Refundable Local Fireworks Display Permit Application Fee (amended 06/15/05)	\$50.00

<u>Chapter 612 – Rules & Regulations for Use of Parks & Recreation Facilities</u>	Fee
Application Fee	\$100.00
Application Fee for Non-Profit or Service Groups	\$50.00

<u>Chapter 702 - Street Opening, Fees</u>	Fee
Excavator License Fee Annual	\$100.00
Excavation Permit Fee - Each Excavation (amended 05/05/04)	\$50.00
Renewal Of Excavation Permit (amended 05/05/04)	\$50.00

<u>Town Of Scarborough - Street Opening Fee Schedule</u>	
<u>Street Opening Charges</u>	Fee*
1. Newly constructed or reconstructed Streets (amended 05/05/04)	\$55.00 per sq. yd.

2. Residential streets (amended 05/05/04)	\$55.00 per sq. yd.
3. Arterial or commercial streets (amended 05/05/04)	\$80.00 per sq. yd.
4. Streets with a concrete base (amended 05/05/04)	\$80.00 per sq. yd.
<u>Sidewalk and Driveway Opening Charges</u>	
1. Portland cement concrete sidewalk (amended 05/05/04)	\$55.00 per sq. yd.
2. Portland cement concrete driveway (amended 05/05/04)	\$65.00 per sq. yd.
3. Bituminous concrete sidewalk (amended 05/05/04)	\$35.00 per sq. yd.
4. Bituminous concrete driveway (amended 05/05/04)	\$45.00 per sq. yd.
<u>Curbing</u>	
1. Replacement and installation of lost or damaged granite curbing	\$35.00 linear ft.
2. Bituminous concrete curbing	\$10.00 linear ft.
<u>Other Charges</u>	
1. Removing and replacing regulatory signs	\$50.00 each
2. Removing and replacing street name and stop signs	\$50.00 each
3. Reinstalling street and right of way granite monuments	\$800.00 each
4. Long-term maintenance reserve for bituminous street openings	\$25.00 per sq. yd.

<u>Chapter 901 – Refuse collection Fee</u>	Fee
1. Commercial Hauler	\$500.00 each
2. Residential Hauler	\$500.00 each
Applications for license renewal received after March 1 st shall pay a late fee in the amount of \$100.00 in addition to the regular application fee. (05/03/2006)	

<u>Chapter 1002 - Shellfish Ordinance, Fees</u>	Fee
Resident Commercial	\$200.00
Non-resident Non-reciprocating Commercial	\$400.00
Resident Student Commercial	\$100.00
Non-resident Student Commercial	\$200.00
Over - 60 Years Resident Commercial (Bushel)	\$100.00
Resident Recreational - (Over 65 Free)	\$25.00
All Day Licenses – Resident and Non-resident (amended 04/06/05)	\$10.00

<u>Chapter 1003 – Hawkers & Peddlers</u>	Fee
License Fee for Hawkers & Peddlers License (05/21/2008)	\$50.00

<u>Chapter 1004 - Taxicab Licenses</u>	Fee
Annual License - Each Taxicab (amended 05/05/04) (amended 05/06/09)	\$150.00
Annual License - Each Operator (amended 05/05/04) (amended 05/06/09)	\$50.00

<u>Chapter 1005 - Innkeepers Licenses (06/21/2006)</u>	Fee
Application Fee	\$50.00
Per Room Fee	\$3.00 per room
Maximum Fee Not to Exceed	\$350.00

<u>Chapter 1006 - Ferry Beach/Hurd Park Fees Season Passes</u>	Fee
Resident And/Or Taxpayer Season Beach Pass - (either Ferry Beach or Hurd Park) (amended 05/05/04)	\$20.00
Resident And/Or Taxpayer Combination Season Pass - (includes both Ferry	\$30.00

Beach and Hurd Park) (amended 05/05/04)	
Resident - Additional Vehicle Registered to the Same Address	\$5.00
Non-Resident Combination Season Beach Pass - (includes both Ferry Beach and Hurd Park) (amended 05/05/04)	\$60.00
Resident Commercial Fisherman Season Beach Pass - (Ferry Beach <u>only</u> , <i>must</i> show State Commercial Fisherman License)	FREE
Resident Senior Citizen Combination Season Pass - (includes both Ferry Beach and Hurd Park)	FREE
<u>DAILY PARKING RATES (WITHOUT PASS)</u>	
Daily Parking: Ferry Beach And Hurd Park (amended 05/05/04)	\$10.00
End of Day Parking Fee (e.g. Passenger Vehicles, Motor Bikes) – 3 PM to 5 PM (amended 05/03/05)	\$5.00
Larger Vehicle Daily Parking Fee - (R.V.'s, Campers and Buses) (amended 05/05/04)	\$35.00
<u>BOAT LAUNCHING FEE</u>	
Launching from any town facility, includes Ferry Beach Boat Launch and Co-op Boat Launch (Note – Ferry Beach – parking is not included)	
Resident – Daily Boat Launching Fee (amended 05/05/04)	\$10.00
Resident – Seasonal Boat Launching Fee	\$25.00
Non-Resident – Daily Boat Launching Fee (amended 05/05/04)	\$20.00
Non-Resident – Seasonal Boat Launching Fee	\$50.00
<u>Chapter 1007 - C.A.T.V. (Cable T.V.) Operators Fees</u>	
	Fee
Franchise Filing Fee	\$500.00
<u>Chapter 1008 - Special Amusement Operator License Fees</u>	
	Fee
Annual License Fee	\$110.00
<u>Chapter 1009 – Coin Operated Game License Fees</u>	
	Fee
Annual License Fee - Per Machine (B-2 Zone)	\$110.00
Annual Video Arcade License Campgrounds (R-F Zone) Maximum of 25 machines (amended 05/03/06)	\$1,500.00
<u>Chapter 1010 - Massage Establishment Annual License Fees</u>	
	Fee
Massage Establishment	\$55.00
Combined Massage Establishment/Massage Therapist	\$35.00
Massage Therapist	\$30.00
<u>Chapter 1011 - Para-Massage Establishment Annual License Fees</u>	
	Fee
Para-Massage Establishment License	\$55.00
Para-Massager License	\$30.00
Combined Para-Massager Est./Para-Massager License	\$35.00
<u>Chapter 1012 - Adult Business - Viewing Booth Annual License Fees</u>	
	Fee
Annual License For Each Viewing Booth	\$110.00

Chapter 1013 - Ice Cream Trucks (06/18/97)	Fee
Application Fee	\$110.00
Each Additional Truck	\$30.00

Chapter 1017 – Pawnbroker License (03/03/2010)	Fee
Application Fee	\$100.00
SBI Check	\$25.00

Chapter 1201 - Cemetery Fees	Fee
Sale Of Lots - Scarborough Memorial Cemetery Per Grave (amended 05/05/04)	\$400.00
Grave Opening Charges	
Weekdays (Regular Burial)	\$440.00
Weekends (Regular Burial) (amended 05/05/04)	\$500.00
Cremations/Other (Weekdays)	\$110.00
Cremations/Other (Weekends) (amended 05/05/04)	\$150.00

Chapter 1400 - Annual Mooring Fees	Fee
Resident And/Or Taxpayer (amended 05/05/04)	\$50.00
Non-Resident (amended 05/05/04)	\$100.00

Assessing Office Charges	Fee
Printouts	
Name/Location/Map & Lot	\$25.00
Name/Address/Location/Map & Lot	\$50.00
Name/Location/Map & Lot/Assessment	\$75.00
Name/Address/Location/Map/Lot/Assess	\$75.00
Name/Address/Location/Map/Lot/Assess/Ref.	\$100.00
Valuation Report – Printout per page	\$2.00
Mailing Labels - Each	\$.05
Copy of Property Card	\$2.00
Large Map	\$5.00
Reduced Map	\$2.50
Reduced Set of Maps	\$200.00

Fire Department Fees	Fee
Fire Department Construction Permit & Plans Review Fees	
<p>A Fire Department construction permit is required for any new construction, or remodeling of existing commercial space, or erection of any temporary structures for commercial purposes. The permit allows us to review important information concerning life safety issues, the buildings alarm & suppression systems, utility connections, heating system information, water supply, hazardous materials, fire lanes, and a variety of other items prior to the start of construction. (amended 11/05/03)</p>	
Minimum Fee	\$25.00
Construction permit fees for all commercial buildings shall be	\$0.10 per sq. ft.
<p>Commercial structures include any building that is non-residential, or any residential complex that has three or more living units.</p>	

Construction permit fees cover the following services:	
Initial conference and fact finding discussion	
Concept plans review for compliance with local ordinances	
Site Plan review	
Construction plans review	
Follow-up meetings with contractors, architects, and building owners	
Structural building inspections as necessary during construction	
One (1) comprehensive alarm system and fire suppression system test to be scheduled after coordination of reporting information with the Fire Department, and after all components have been installed to the applicable codes and pre-tested through to the monitoring company.	
One (1) final Certificate of Occupancy inspection to be scheduled when all Federal State and Local codes have been met and the building is ready for occupancy.	
Additional Fire Dept. Construction Permits & Plans Review Fees	
Re-inspection of alarm & fire suppression system testing required due to improper pre-testing, installation, or lack of coordination with the Fire Department concerning appropriate reporting requirements. (amended 05/05/04) (amended 05/06/09)	\$100.00 first occurrence and \$200.00 for second and any subsequent occurrence
Re-inspection fee for Certificate of Occupancy (amended 05/05/04) (amended 05/06/09)	\$100.00 first occurrence and \$200.00 for second and any subsequent occurrence
Commercial Fire Alarm Plan Review & Permit Fee (adopted 05/06/09)	\$100.00
Commercial Sprinkler System Plan Review & Permit Fee (adopted 05/06/09)	\$100.00
Blasting Permit Fee (adopted 05/06/09)	\$50.00
Fire Department Fees	Fee
Aerial / Ladder Truck	\$150.00
Pumper Truck	\$125.00
Squad Truck	\$125.00
Command Van	\$100.00
Rescue Unit	\$100.00
Tank Truck 4 x 4	\$75.00
Utility Truck	\$50.00
Police Cruiser	\$50.00
Personnel Labor	\$30.00
Fire Department Rescue Charges –	Fee
Rescue Fees	
BLS Emergency Base Rate (amended 05/05/04) (amended 09/01/04) (amended 02/02/05) (amended 02/01/06) (amended 03/15/06)	The charges for BLS, ALS and ALS2 will be the maximum rates established and approved by the
ALS Emergency Base Rate (amended 05/05/04) (amended 09/01/04) (amended 02/02/05) (amended 02/01/06) (amended 03/15/06)	
ALS 2 Base Rate (amended 05/05/04) (amended 09/01/04) (amended	

02/02/05) (amended 02/01/06) (amended 03/15/06)	Federal Medicare (CMS)
Mileage (amended 05/05/04; 05/21/2008; 08/20/2008)	Mileage will be the maximum rates established and approved by the Federal Medicare (CMS).
No Transport (amended 05/05/04) (amended 05/06/09)	\$100.00
Paramedic Intercept Fee (05/21/2008)	\$300.00
Rescue Run Reports –	
First Page of Report_ (amended 05/05/04)	\$10.00
Each Additional Page Thereafter (amended 05/05/04)	\$0.35

<u>Chapter 1015 -Food Handlers Registration Fee (adopted 05/03/06) [amended 05/21/08]</u>	
Food Handlers Registration Fee	\$100.00
For Year-Round Businesses	\$220.00
Seasonal, catering and in-home food handlers	\$110.00

<u>Chapter 1016 - Garage/Yard Sale (adopted 03/07/2007)</u>	Fee
Garage/Yard Sale Permit	\$5.00 per sale

<u>Horse Beach Permit (per rider) (adopted 10/02/02)</u>	Fee
All Permits (amended 05/06/09; amended 09/16/09)	\$20.00

<u>Interest Penalties (adopted 05/02/2007)</u>	Penalty
Interest on fees, charges or payments owed to the Town which are more than 30-days past due	1.5% per month

<u>Miscellaneous Fees (adopted 05/03/05) (amended 02/15/06)</u>	Fee
Marriage Ceremonies Performed	\$50.00
Miscellaneous Administrative Fees – Town Clerk’s Office (amended 05/06/09)	\$15.00
Genealogy / Research – \$3.00 per name, whether or not a record is found, this includes a photocopy. For an attested copy, the fee is as set by the State of Maine Office of Vital Records.	
Dog License Late Fee – Upon receipt of the rabies certificate(s) from the State of Maine the Town Clerk’s Office will notify owner(s) they need to register their dog(s) within 10-days. If a resident fails to license their dog(s) within 10-days of notification from the Town Clerk’s Office a late fee will be charged for each dog. (05/21/2008)	\$15.00 per dog

<u>Notary Fee (Amended 3/6/96; 05/05/04; 05/21/2008)</u>	
First 3-pages	\$10.00
Any Documents more than 3-pages	15.00
<u>Photocopies</u>	Fee
Single Sheets - Their Original	
8 ½ x 11 Regular, each copy	\$0.25
8 ½ x 14 Legal, each copy	\$1.00

11 x 17 Ledger, each copy	\$1.50
<u>Photocopies (amended 3/6/96)</u>	Fee
Single Sheets - Our Document	
8 ½ x 11 or 14 or 17, first page	\$2.00
Each Additional Page	\$0.50
Maps, each copy	\$5.00

<u>Police Department Charges</u>	Fee
Special Police Charge, Per Hour (amended 05/05/04; 05/02/07; 05/21/2008)	\$41.17
Notice of minimum charge if event is canceled without proper notice	
Police Reports	
First Page (amended 05/05/04)	\$12.00
Each Additional Page (amended 05/05/04)	\$1.50
Fingerprinting	
For Civilians' Personal Use (not criminal), each set	\$3.00
Copy Of Video Tape	
Blank Tape Provided (amended 05/05/04)	\$12.00
No Tape Provided (amended 05/05/04)	\$15.00

<u>Public Works Department Charges</u>	
Fee for Building Coordination Form (05/05/04)	\$25.00

<u>Voter Registration Lists (amended 09/06/2006)</u>	Fee
Fees are as set by the Secretary of State's Office pursuant to Title 21-A, Section 2, §4, <i>Fees</i> , and as amended from time to time.	

<u>Vehicle Registration Fee</u>	Fee
Resident per re-registration (amended 05/06/09)	\$3.00
Resident per new registration (amended 05/06/09)	\$4.00
Non-Resident, per re-registration (adopted 05/06/09)	\$4.00
Non-Resident, per new registration (adopted 05/06/09)	\$5.00

Vote: 7 Yeas.

Order No. 10-35. Act on the request from the Town Manager to approve the Pine Point Beach Access Plan. Thomas J. Hall, Town Manager, gave a brief history on the proposal to the Pine Point Beach Access. Keith Smith, landscape architect with Terrence J. DeWan Associates, gave a brief overview on the proposed recommendations and responded to questions from the Town Council. The following individuals spoke on this Order: Judy Shirk of 6 Avenue Three, spoke in opposition of this plan; Sue Perrino of Driftwood Lane indicated that she would like to see the rock wall removed; David Green of 135 Beech Ridge Road stated this project has been going on for too long and needs to come to an end Arlene Hurd formerly of Pine Point also spoke; Judy Shirk of Avenue Three spoke again; Roger Baizley of the Pine Point Road voiced his concerns; Richard Sullivan of 1 Sullivan Farm Road noted that this project is a good one and one for everybody and Kim Green of 135 Beech Ridge Road also spoke.

Motion by Councillor Roy, seconded by Councillor Babine, to move approval on the request from the Town Manager to approve the Pine Point Beach Access Plan.

Motion by Councillor Wood, seconded by Councillor Roy, to move approval to amend the main motion to Order 10-35 to approve the plan the is before the Council with the exception that the stone wall be removed and in its place a curb and/or sidewalk and/or esplanade be installed to arrive at the same reasons the stone wall was considered to remain in place in the first place and that tack-tile [dura-therm] crosswalks be considered in further traffic calming.

Motion by Councillor D'Andrea, seconded by Councillor Babine, to move approval to divide the question.

Vote to divide question: 7 Yeas.

Vote on the tack-tile [dura-therm] crosswalks : 7 Yeas.

Vote on the plan before the Council with the exception that the stone wall be removed and in its place a curb and/or sidewalk and/or esplanade be installed to arrive at the same reasons the stone wall was considered to remain in place in the first place - which will accomplish the safety concerns of the Engineer, Bill Bray and can be a combination of all recommendations:

Vote: 6 Yeas. 1 Nay [Councillor Babine].

Main motion as amended. 7 Yeas.

Order No. 10-38. Act on the request from the Town Manager to transfer and appropriate the sum of \$136,000 from the public works/transportation capitol improvement projects in FY2008 [bonded for the Broadturn Road Project] as follows: a. King Street Drainage and Street Reconstruction Project for \$41,000 and b. Pine Point Beach Access Project for \$95,000. Thomas J. Hall, Town Manager, gave an overview on this recommendation and responded to questions from the Town Council. The following individuals spoke on this item: Arlene Hurd of Old Orchard Beach; Bruce Bell of 12 West Beech Ridge Road and Stan Lourie of 21 East Grand Avenue.

Motion by Councillor Babine, seconded by Councillor , to move approval to transfer and appropriate the sum of \$136,000 from the public works/transportation capitol improvement, as follows: It is hereby ordered, that the sum of \$136,000 appropriated for public works/ transportation capital improvement projects in FY2008 is transferred and appropriated to the following capital improvement projects in the following amounts:

King Street Drainage and Street Reconstruction Project	\$41,000
Pine Point Beach Access Project	\$95,000

Motion by Councillor Babine, seconded by Councillor Wood, to amend the main motion to increase the amount for the King Street Drainage and Street Reconstruction Project by \$7,000 and to increase the amount for the Pine Point Beach Access Project by \$3,000.

Motion by Councillor Holbrook, seconded by Councillor Babine, to divide the question.

Vote to divide: 2 Yeas.
5 Nays [Council Chair Rancourt, Councillors Ahlquist, D'Andrea, Roy and Wood].

Vote on Amendment: 7 Yeas.

Main motion as amended:

Motion by Councillor Babine, seconded by Councillor , to move approval to transfer and appropriate the sum of \$146,000 from the public works/transportation capitol improvement, as follows: It is hereby ordered, that the sum of \$146,000 appropriated for public works/ transportation capital improvement projects in FY2008 is transferred and appropriated to the following capital improvement projects in the following amounts:

King Street Drainage and Street Reconstruction Project	\$48,000
Pine Point Beach Access Project	\$98,000

Vote: 7 Yeas.

The Town Council took a five-minute recess at 9:50 p.m. Council Chair Rancourt reconvened the meeting at 9:55 p.m.

Order No. 10-36. Act on the request to modify the collective bargaining agreement between the Town of Scarborough and the Scarborough Police Benevolent Association. Thomas J. Hall, Town Manager, spoke on this Order.

Motion by Councillor Roy, seconded by Councillor Babine, to move approval on the request to modify the collective bargaining agreement between the Town of Scarborough and the Scarborough Police Benevolent Association.

Vote: 7 Yeas.

Motion by Councillor Babine, seconded by Councillor Roy, to move approval to go past the 10:00 p.m. deadline.

Vote: 7 Yeas.

Councillor Ahlquist excused himself from the rest of the meeting due to illness.

Order No. 10-37. Act to accept the changes in the right-of-way associated with the constructed off-site improvements in Gorham Road/Route 114, along the Windward Subdivision. Motion by Councillor Babine, seconded by Councillor Roy, to move approval to accept the changes in the right-of-way associated with the constructed off-site improvements in Gorham Road/Route 114, along the Windward Subdivision, as recommended by the Town Engineer.

Vote: 6 Yeas.

Item 8. Non Action Items. None at this time.

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

- Councillor D'Andrea gave an update on the Ordinance Committee.
- Councillor Wood gave an update on the CPIC Committee and the next meeting is scheduled for April 16th
- Councillor Babine stated the Appointments Committee met earlier and would like to post the following names:

Community Services and Recreation Advisory Board:

Appoint Amy Cross Sawyer as 2nd Alternate, term to expire in 2011

Energy Committee:

Appoint: Paul D. Aubrey

Ian Engelman
Sean Flaherty
Debra McDonough
Rick Meinking

Personnel Appeals Board:

Appoint Amy Cross Sawyer as 2nd Alternate, term to expire in 2011

Shellfish Conservation Committee:

Appoint Timothy A. Downs as 1st Alternate, term to expire in 2011

Councillor Babine gave a brief update on the Shellfish Committee.

- Councillor Holbrook noted that the next Charter Review Committee meeting is scheduled for Wednesday, April 14th at 7:00 p.m.

Item 10. Town Manager Report. No report at this time.

Item 11. Council Member Comments.

- Councillor Babine noted that all appointees should attend all meetings they are appointed to. He also noted that he was anxious for deliberations on the budget.
- Councillor Roy sent condolences to the families of Patty Sullivan, Barb Janelle, Bob & Jackie Beaudry and Tim Delano. She apologized to Mr. Green for her oversight in not acknowledging public comment before agenda items at the last meeting.
- Councillor Wood thanked fellow Council members for their support on the Pine Point project and wished the Finance Committee luck on the upcoming budget meetings.
- Councillor D'Andrea stated the Broadturn Farm was selected Outstanding Farm of the Year. She further noted that Marsh Cleanup will be the weekend of April 24th
- Council Chair Rancourt noted that she had attended the Walgreen opening.

Item 12. Adjournment. Motion by Councillor Babine, seconded by Councillor Wood, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 6 Yeas.

Meeting adjourned at 10:37 p.m.

Respectfully submitted,

Yolande P. Justice
Town Clerk

