

**MINUTES  
SCARBOROUGH TOWN COUNCIL  
WEDNESDAY – NOVEMBER 1, 2017  
REGULAR MEETING – 7:00 P.M.**

**Item 1. Call to Order.** Chairman Babine called the regular meeting of the Scarborough Town Council to order at 7:02 p.m.

**Item 2. Pledge of Allegiance.**

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

William J. Donovan	Katherine A. St. Clair, Vice-Chair
Robert W. Rowan	Peter F. Hayes
Kathleen M. Foley	Christopher J. Caiazzo
Shawn A. Babine, Chairman	

**Item 4. General Public Comments.**

- Benjamin Howard of Windsor Pines noted that it was a year ago this evening that he began the Town Council meetings. He found that some of the meetings interesting and a learning curve and others not so much. He thank you the Council for their service.
- Larry Hartwell of Puritan Drive spoke on the sign ordinance and how hard it is to enforce and felt that it needed to be revisited.

**Item 5. Minutes: October 18, 2017 – Regular Meeting.** Motion by Councilor St. Clair, seconded by Councilor Hayes, to move approval of the minutes of the October 18, 2017, meeting.

Vote: 7 Yeas.

**Item 6. Adjustment to the Agenda.** None at this time.

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

**Order No. 17-106, 7:00 p.m. Public hearing and second reading on the request to amend the Town Ordinances as noted below to gender/neutral content; due to the number of pages in this Order, an attested copy of the proposed changes are on file in the Town Clerk’s Office for review: [Ordinance Committee]**

**Chapter 304 - Purchasing Policy Ordinance**  
**Chapter 306 - Fire Lanes Established**  
**Chapter 313A - Town of Scarborough Property Tax Assistance Ordinance**  
**Chapter 404A - Plumbing Ordinance**  
**Chapter 405 – Zoning Ordinance [Section VI and Section IX]**  
**Chapter 405B - Site Plan Review Ordinance**  
**Chapter 405C - Shoreland Zoning**  
**Chapter 406 - Subdivision Ordinance**  
**Chapter 407 - Septic Tank Disposal Ordinance**  
**Chapter 408 - Extractive Industry and Land Reclamation Ordinance**  
**Chapter 410 - Road Impact Fee Ordinance**

**Chapter 413 - Growth Ordinance**  
**Chapter 500 - Trailer and Trailer Camps**  
**Chapter 601 - Traffic Ordinance**  
**Chapter 602 - Public Assembly Ordinance**  
**Chapter 602A - Mass Gathering Ordinance**  
**Chapter 606 - ATV Ordinance**  
**Chapter 607 - Alarm Systems Ordinance**  
**Chapter 607A - Fire Suppression and Detection Ordinance**  
**Chapter 608 - Fireworks Ordinance**  
**Chapter 613 - Emergency Management Ordinance**  
**Chapter 615 - Blasting Ordinance**  
**Chapter 701 - Street Acceptance Ordinance**  
**Chapter 702 - Street Opening Ordinance**  
**Chapter 900 - Public and Private Dump Ordinance**  
**Chapter 901 - Garbage and Recycling Collection and Disposal Ordinance**  
**Chapter 1004 - Taxicab Ordinance**  
**Chapter 1005 - Innkeepers License Ordinance**  
**Chapter 1007 - Cable TV Ordinance**  
**Chapter 1008 - Special Amusement Ordinance**  
**Chapter 1009 - Coin Operated Game Ordinance**  
**Chapter 1015 - Food - Food Handlers Ordinance**  
**Chapter 1017 - Pawnbroker Ordinance**  
**Chapter 1202 - Scarborough Memorial and Dunstan Cemeteries Ordinance**  
**Chapter 1401 - Harbor Ordinance**

Councilor Donovan gave a brief overview on this Order. Chairman Babine opened the public hearing. There being no comments either for or against, the hearing was closed at 7:08 p.m.

Motion by Councilor St. Clair, seconded by Councilor Foley, to move approval of the second reading on the request to amend the Town Ordinances as noted above, to gender/neutral content; due to the number of pages in this Order, an attested copy of the proposed changes are on file in the Town Clerk's Office for review.

Vote: 7 Yeas.

**Order No. 17-107, 7:00 p.m. Public hearing and second reading on the proposed amendment to Chapter 604A of the Town of Scarborough Horse Beach Permit Ordinance, Section 604A-Regulation of Horses on the Beach, to extend the deadline for the implementation of the containment device for Horses on the beach to October 1, 2018. [Councilor Donovan]** Councilor Donovan gave a brief overview on this Order. Chairman Babine opened the public hearing. There being no comments either for or against, the hearing was closed at 7:09 p.m.

Motion by Councilor St. Clair, seconded by Councilor Hayes, to move approval of the second reading on the proposed amendment to Chapter 604A - the Town of Scarborough Horse Beach Permit Ordinance, Section 604A-Regulation of Horses on the Beach, to extend the deadline for the implementation of the containment device for Horses on the beach to October 1, 2018, as follows:

**CHAPTER 604A  
TOWN OF SCARBOROUGH  
HORSE BEACH PERMIT ORDINANCE**

BE IT HEREBY ORDAINED, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that Chapter 604a, the Horse Beach Permit Ordinance of the Town of Scarborough, Maine is amended by adding the underlined text and deleting the text shown in strikeover type, as shown below:

**604A-6 Regulation of Horses on the Beach**

1. Horses are allowed on the beach only from October 1st<sup>th</sup> through March 31<sup>st</sup>.
2. Except for gaining access to and egress from the beach, horses are allowed only in the intertidal zone (between the mean high tide line and the mean low water line).
3. Parking of horse trailers is limited to Hurd Park in the Town of Scarborough and the Milliken Street Municipal Parking Lot in the Town of Old Orchard Beach.
4. Any rider or owner who allows a horse to be present on the beach must remove and dispose of animal waste as required by Section 604-9 of the Town of Scarborough Animal Control Ordinance. Violation of Section 604-9 constitutes a violation of this Ordinance. Effective October 1, 2018 ~~t~~The owner, operator or driver of horses, or horse-drawn carriages operating on the beach shall be required to attach a containment device to the rear of each and every horse so operated, to be maintained and emptied so that manure is completely contained therein, cannot and does not fall upon any surface while operating under the Permit provided for herein, and is carried away for proper disposal.

Vote: 7 Yeas.

**OLD BUSINESS:** None at this time.

**NEW BUSINESS:** None at this time.

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

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

- Councilor Donovan noted that the Ordinance Committee would be meeting Thursday, November 2<sup>nd</sup> at 4:45 p.m.
- Councilor Caiazzo gave an update on the Transportation Committee.
- Councilor Rowan gave an update on the Scarborough Housing Alliance
- Councilor Hayes gave an update on the Finance Committee and the DMR Hearing on the proposed oyster farms in the Spurwink River and another by the Co-Op
- Councilor St. Clair gave an update on the Communications Committee.

**Item 10. Town Manager Report.** Thomas J. Hall, Town Manager, gave the following updates:

- Update on the Gateway Commons Development noting that it would be moving quicker than expected.
- Receive word from the Financial Advisory that have potential of three bonds with potential refunding. The process could start as early as the next meeting.
- Invitation from the School Department to attend the NEASC Decennial Accreditation Site Visit on November 5-8, 2017. Please consider attending the Panel Presentation on November 5th at 1:00 p.m. and the reception later that afternoon at 4:20 p.m.
- The Council is aware of odor complaints and wanted to assure everyone that we have been working with the Sewer district to work on these issues.

**Item 11. Council Member Comments.**

- Councilor St. Clair referenced an email that she had received regarding bullying at the Middle School – she asked that adults be models for their kids....have conversations with them on all aspects of life.
- Councilor Foley thanked the Police, Fire CMP and Public Works who have been working around the clock for doing what they have been doing through the storm.
- Councilor Hayes shared his experience participating in a ride-along with Police Officer Thurlow. He had a much better understanding of what the Department does and has a greater respect. Thank you to the Police and Officer Thurlow.
- Councilor Rowan encouraged everyone to vote and voting is at the High School.
- Councilor Donovan handed out the ecomaine Annual Report. He had attended the DMR Scoping Session and found it very interesting and well attended. He was pleased that the sign ordinance seemed to be working and thanked Mrs. O'Brien for her input. He wished the Scarborough Girls Soccer team in playing in the Championship this evening.
- Councilor Caiazzo spoke on the weather and he noted that there are two warming and charging stations Library and Middle School until 8:00 p.m. He spoke on food safety and what should be kept or thrown out; generator safety and check on your neighbors. He appreciated the civility of everyone. Please be safe – help others and remember to vote on Tuesday, November 7<sup>th</sup> at the High School.
- Chairman Babine notated that 20 years ago there was hurricane Ruth and his it is also hi 20<sup>th</sup> wedding anniversary. He noted that he and a few of the Councilors would be in attendance at a small reception at O'Reilly's Cure.

**Item 12. Adjournment.** Motion by Councilor St. Clair, seconded by Councilor Rowan, to move approval to adjourn the regular meeting of the Scarborough Town Council.

Vote: 7 Yeas.

Meeting Adjourned at 7:34 p.m.

Respectfully submitted,

Yolande P. Justice  
Town Clerk