



AGENDA
SCARBOROUGH TOWN COUNCIL
WEDNESDAY – DECEMBER 2, 2009
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: November 18, 2009 – Regular 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. 09-139, 7:00 p.m. Public hearing on the new request for a Food Handlers License from Tyson P. Millette, d/b/a Mac’s Deli & Catering, located at 426 U.S. Route One. [Change in ownership]

Order No. 09-140, 7:00 p.m. Public hearing on the new request for a Combined Massage Establishment/Massage Therapist License from Diane L. Provencher, LMT, located at 153 U.S. Route One.

OLD BUSINESS:

Order No. 09-128. Second reading on the proposed amendments to Chapter 416 – the Haigis Parkway Assessment Ordinance.

NEW BUSINESS:

Order No. 09-141. Act to authorize the Town Manager accept the allocation from Maine’s Future Board in the amount of \$252,500.00, for the Pine Point Pier Working Waterfront Access Project and to sign any and all necessary documentation relating to this Project.

Order No. 09-142. Act to authorize the Town Manager to sign a *Waiver of Foreclosure* if taxes are not paid on properties located at 28 Matthews Way – Map T003, Lot 028 and at 407 Topaz Drive – Map T002, Lot 407, as requested by the Deputy Tax Collector.

Order No. 09-143. Act on Council appointments, as recommended by the Council Chair.

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:

202.2a: 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)

202.2b.: 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 – DECEMBER 2, 2009

Order No. 09-139. Move approval on the new request for a Food Handlers License from Tyson P. Millette, d/b/a Mac's Deli & Catering, located at 426 U.S. Route One. [Change in ownership]

TO: Town Council Members

FROM: Yolande P. Justice, Town Clerk

DATE: November 25, 2009

RE: **New Requests for Food Handlers License**

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

1. Tyson P. Millette, d/b/a Mac's Deli & Catering, located at 426 U.S. Route One. [Change in ownership]

Applicant is in compliance with the requirements of the Town Clerk's Office and there are no outstanding issues.

It is recommended that this request be approved.

AGENDA

SCARBOROUGH TOWN COUNCIL WEDNESDAY – DECEMBER 2, 2009

Order No. 09-140. Move approval on the new request for a Combined Massage Establishment/Massage Therapist License from Diane L. Provencher, LMT, located at 153 U.S. Route One.

TO: Town Council Members

FROM: Yolande P. Justice, Town Clerk

DATE: November 25, 2009

RE: Requests for a Combined Massage Establishment/Massage Therapist License

The following applicant is requesting approval for a Combined Massage Establishment/Massage Therapist License:

1. Diane L. Provencher, LMT, located at 153 U.S. Route One.

Applicant is in compliance with the requirements of the Town Clerk's Office and there are no outstanding issues. The completed application is on file with Clerk's Office.

It is recommended that this license be granted.

AGENDA

SCARBOROUGH TOWN COUNCIL WEDNESDAY – DECEMBER 2, 2009

Order No. 09-128. Move approval of the second reading on the proposed amendments to Chapter 416 – the Haigis Parkway Assessment Ordinance, as follows:

CHAPTER 416
TOWN OF SCARBOROUGH
HAIGIS PARKWAY MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING
DISTRICT
SEWER ASSESSMENT ORDINANCE

WHEREAS, the Town Council of the Town of Scarborough, Maine has designated the Haigis Parkway Municipal Development and Tax Increment Financing District (the "District") and has adopted a development program and financial plan (the "Development Program") for the District;

WHEREAS, the Development Program contemplates the construction and installation, by the Town, of a series of infrastructure projects in order to promote private commercial and industrial development on properties in the District (the "Project");

WHEREAS, the Town Council has authorized the issuance of general obligation bonds of the Town in order to fund a portion of the costs of the Project (the "Bonds");

WHEREAS, the debt service on the Bonds will be paid, in part, from tax increment revenues from the District;

WHEREAS, in the judgment of the Town Council, a just and equitable proportionate share of the costs of the Project and the debt service on the Bonds should be borne by properties that have been benefited by the Project in the form of an assessment on those properties;

WHEREAS, the Town Council conducted a public hearing on the subject of proposed assessments on May 7, 2003, after posting and publication of notice thereof in accordance with the provisions of applicable Maine law;

WHEREAS, thereafter the Town sent out notices of assessments (the "Original Assessments") to the owners of properties located within the District, with most property owners arranging for payment of the Original Assessments or entering into payment plans to pay the Original Assessments with the Town as further authorized hereunder;

WHEREAS, the Project is now complete with the final costs of the construction confirmed;

WHEREAS, pursuant to Section 11 of this Ordinance, as originally enacted on May 12, 2004, the Town Council was directed to review the appropriateness of the Original Assessments to determine whether such assessments continue to be reflective of the just, equitable and proportionate shares of the costs of the Project to be borne by each property within the District, the review to be completed by January 1, 2010;

WHEREAS, in the course of levying the Original Assessments to recover the just and equitable proportionate share of the costs of the Project to the properties which have been benefited by the Project, certain adjustments and modifications to the Original Assessments have been identified by the Council (the "Revised Assessments"), determined to be warranted and appropriate in the circumstances and necessary to ensure that the just, equitable and proportionate shares of the costs of the Project are borne by each property within the District; and

WHEREAS, on July 19, 2006, after posting and publication of notice thereof in accordance with the provisions of applicable Maine law, the Town Council conducted a public hearing on the subject of reviewing the Original Assessments and adopting Revised Assessments as the just, equitable and proportionate share of the costs of the Project to be borne by each Property within the District;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SCARBOROUGH, MAINE AS FOLLOWS:

1. Authority. This Ordinance is enacted under and pursuant to the provisions of the Charter of the Town of Scarborough, Maine and Chapters 141 and 206 of Title 30-A of the Maine Revised Statutes Annotated, amended and supplemented to date.
2. Revised List of Assessments. After hearing, the Town Council finds that the properties set forth in the Revised List of Assessments (the "Revised List"), attached hereto as Exhibit A and made a part hereof, is a true, complete and correct list of those properties and that the owner(s) ("Owner") thereof, and the properties listed therein, have received and will continue to receive benefits from the Development Program and the public facilities constructed in the District.
3. Just and Equitable Share. The Town Council further finds that a revised or supplemental assessment for each property described in the Revised List, arrived at through the procedures identified in the "Haigis Parkway Zone Assessment Calculation Procedure", Exhibit B attached hereto and made a part hereof, is necessary to allocate a just and equitable proportionate share of the costs of the Project to each property within the District.
4. Assessment. There is hereby assessed, against each of the properties described in the Revised List, a revised or supplemental assessment in the amount set forth in the Revised List (the "Revised Assessment").
5. Payment. Revised Assessments shall be due and payable at the Office of the Treasurer of the Town of Scarborough, Maine thirty (30) days following the effective date of this Ordinance. In cases where property owners have already paid in full the Original Assessment shown on the "List of Properties Assessed in the District" effective as of May 12, 2004, and the Revised Assessments set forth in the Revised List are less, the Town will make a refund. The Owner, if already paying under a Deferred Payment Program, shall continue to pay according to the terms of the payment agreement and may, within thirty (30) days, make application to the Town Manager for consideration and approval of a revised payment schedule and plan for payment of the Revised Assessment according to one of the Deferred Payment Programs, as set forth in Paragraph 6, below.
6. Deferred Payment Programs. Owners who receive increases in the assessment on their property as a result of a Revised Assessment may, within 30 days from the effective date of this revision of the Ordinance, make application to the Town Manager for consideration and approval of a Deferred Payment Program and revised payment schedule in accordance with one of the payment plans below. Revised payment schedules under any Deferred Payment Program for each property shall include: the amount of the Original Assessment; the amount of the Revised Assessment and the difference; a revised payment schedule showing each new installment; and a revised interest schedule consistent with the terms of the particular deferred payment option as follow:

A. Payment of the Revised Assessment in up to ten (10) substantially equal annual payments together with interest on the unpaid balance of the Assessment at a rate equal to that paid by the Town on the Bonds; or

B. Payment of the Revised Assessment in up to ten (10) annual payments, the first two (2) of which shall be in an amount of at least three percent (3%) of the total amount of the Revised Assessment and the final eight (8) of which shall be substantially equal payments of the then unpaid principal balance of the Revised Assessment, together with interest on the unpaid principal balance of the Revised Assessment at the rate of four percent (4%) per annum; or

C. In cases where the Town Manager determines that payment in accordance with Sections 6(A) or 6(B) above would cause an undue financial hardship to the Owner, the Town Manager may approve a deferred payment plan authorizing the Owner to make reduced payments of the principal balance of the Revised Assessment annually over a period not to exceed six (6) years and payment of the then remaining principal balance of the Revised Assessment in substantially equal annual payments for a period of up to four (4) additional years, together with interest on the unpaid principal balance of the Revised Assessment at the rate of eight percent (8%) per annum; or

D. In cases where a parcel is already developed and is currently used for commercial or residential purposes, the Owner may elect an installment payment plan to pay any increase in the Revised Assessment over the amount of the Original Assessments (as originally set on May 14, 2004) by agreeing to pay the amount by which the Original Assessment increased in up to five (5) substantially equal annual installments, the first payment due no later than fifteen (15) years from the date of enactment of this Ordinance, interest also commencing to run on that same date on the unpaid balance of the increased assessment, the rate of interest being the same rate then available to the Town for public financing purposes.

Upon the sale or transfer of a property in the District to a non-family member or non-affiliated third party, any outstanding balance of an assessment and interest as is under a Deferred Payment Program becomes immediately due and payable in the full amount to the Town, such amount due and interest to be paid to the Town at closing or upon transfer. Any election to enter a Deferred Payment Program made by an Owner hereunder shall be in a writing, duly executed by the Owner, in a form and content satisfactory to the Town Manager and suitable for recording in the Cumberland County Registry of Deeds. A condition of entering any Deferred Payment Program is that the Owner waives his or her rights to contest or appeal the amount of the assessment or appeal the validity or appropriateness of the methodologies by which such assessments were derived. Nothing in the provisions of this section shall constitute a waiver of the Town's lien rights or other legal remedies available to the Town to secure or enforce payment of any assessment or available for the Town to obtain full payment and interest due in the event of a default under a deferred payment agreement.

E. To further facilitate the sale and transfer of parcels in cases where a parcel originally subject to a Revised Assessment has been legally divided into more than one parcel or interest, the Owner, before such parcels or interests are offered for sale, may request that the Revised Assessment, and any balance remaining under a Deferred Payment Program and installment payment agreement against the parcel, be re-apportioned among the newly created parcels or interests.

The Town Manager shall oversee and approve the terms of all such requested re-apportionments of assessments or installment payments. In arriving at reapportioned assessments and installments the Town Manager shall discuss the proposal with the owner and then re-apportion the outstanding amount of the Revised Assessment for the original parcel among each newly created parcel or interest. The schedule and timing for payments for any re-apportioned assessments shall remain the same as in the payment schedule established in the underlying installment payment agreement for the original parcel. The Town Manger's objectives in re-apportioning assessments are to create fair and proportional assessments which are consistent with the expected relative values of the newly created lots and consistent with the interests of the Town in securing the most expedient and complete collection of assessments and outstanding payment installments.

After re-apportioning the assessment among newly created parcels or interests, the Town Manager shall issue a notice of the same for recording in the Cumberland County Registry of Deeds. Upon the sale or transfer of any newly created parcel or interest to a non-family member or non-affiliated third party, the outstanding balance of the re-apportioned assessment and interest then due is immediately due and payable in full to the Town and shall be paid to the Town at closing or upon transfer of the parcel or interest. Upon receipt of payment in full of a re-apportioned assessment, the Town will issue a partial release of the lien securing the Revised Assessment. The partial release of the Town's lien interest will correspond with the area of the new parcel or interest.

7. Collection. In the event that an Owner fails to pay an assessment, installments or interest under a Deferred Payment Program on or before the dates required, the terms and conditions of payment agreements under a Deferred Payment Program, or as otherwise required under this Ordinance, the Town of Scarborough and its officers shall have and may exercise all authority and powers to collect assessments or delinquent payments, interest or its costs under the procedures and legal remedies for the collection of delinquent municipal taxes.
8. Use of Revenues. All revenues collected from assessments made pursuant to this Ordinance shall be deposited into the Town's reserve fund established by the Development Program known as the Sinking Fund Account of the Development Program Fund, and all such revenues shall be used solely for the purposes of the Development Program.
9. Effective Date. This Ordinance shall become effective on the date it is approved by the Scarborough Town Council.
10. Severability. The provisions of this Ordinance are severable. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision or application of this Ordinance and the Ordinance shall be given effect without the invalid provisions or application.
11. Review of Assessments. (Repealed).

**EXHIBIT A
REVISED LIST OF ASSESSMENTS**

Map/Lot	Property Owners	Assessment
BUSINESS USE		
R39 L1	R. C. Moore, Inc	\$44,400
R39 L1A	Moore Brothers Realty, LLC	\$38,800
R39 L2	Shaws Realty Co.	\$177,100
R40 L11	Richard C. Moore	
R40 L11B	Richard C. Moore	
R40 L11C	Richard C. Moore	\$164,400
R40 L12A	R L R Investments LLC	\$48,300
R40 L12B	Adele C. & Cary N. Mack	\$97,400
R40 L5	Peoples Heritage Savings Bank	
R40 L6	Peoples Heritage Savings Bank	
R40 L7	Peoples Heritage Savings Bank	\$172,200
R40 L8	262 Payne Road, LLC	\$107,100
R40 L9	23 Spring Street, LLC	\$22,300
R40 L11A	Herbert E. & Robert Ginn	\$72,300
R40 L13	Neptune Properties LLC	\$79,100
R40 L14	Glennonna Inc.	\$410,800
R52 L6	Dongle, LLC	\$204,700
R40 L26	Lee F. Adams Jr.	\$295,100
R40 L27	CJK, Inc	\$162,500
R52 L5	George E. Curlew	\$251,700
R50 L24	Michael D. Scamman	
R50 L24C	Michael D. Scamman	\$282,500
R50 L33	Three Diamond Realty, Inc.	\$140,400
R51 L1A	Three Diamond Realty, Inc.	\$100,000
R50 L34A	Haigis Parkway, LLC	\$544,500
R52 L4	Davric Maine Corp.	\$475,000
NON-CONFORMING, RESIDENTIAL USE		
R40 L3	Erik R. Peterson	\$10,400
R40 L4	Richard & Ellen Nielsen	\$5,400
R40 L15	Sharon Paula Theofrastou	\$6,800
R40 L16	Ralph R. & Annette L. Trempe	\$5,400
R40 L17	Robert & Wilma Reed	\$5,700
R40 L18	Leland & Marilyn Withee	\$5,000
R40 L19	Jerri Lynn MacLean	\$7,200
Total		\$3,936,600

EXHIBIT B

HAIGIS PARKWAY ZONE ASSESSMENT CALCULATION PROCEDURE

AREA ASSESSMENT:

The total area of the properties receiving sewer was summed.

The total area of properties receiving other utilities was summed.

An assessment cost per acre for sewer was calculated using the allocated project cost for sewer divided by the total area of properties receiving sewer.

An assessment cost per acre for utilities was calculated using the allocated project cost for utilities divided by the total area of properties receiving utilities.

The area assessment for sewer was calculated by multiplying the cost per acre by the sewer area for each lot.

The area assessment for utilities was calculated by multiplying the cost per acre by the utilities area for each lot.

The area assessment for sewer and utilities for each lot were summed.

The existing residential properties are to be held constant at this value, without further consideration of lot frontage.

FRONTAGE ASSESSMENT:

The total road frontage of the properties receiving sewer was summed.

The total frontage of properties receiving other utilities was summed.

Since the existing residential properties are not considered for this exercise, calculating the cost per lot must exclude the total betterment assessment for the residential properties.

The assessment cost per foot road frontage for sewer was calculated using the allocated project cost *minus the total assessment for the residential properties* for sewer divided by the total frontage of properties receiving sewer.

An assessment cost per foot road frontage for utilities was calculated using the allocated project cost *minus the total assessment for the residential properties* for utilities divided by the total frontage of properties receiving utilities.

The frontage assessment for sewer was calculated by multiplying the cost per foot road frontage by the sewer frontage for each lot.

The frontage assessment for utilities was calculated by multiplying the cost per foot road frontage by the utilities frontage for each lot.

TOTAL FEE:

For the business use properties, the total assessment fee for each lot was calculated by taking the average of the frontage assessment and the area assessment per lot.

For the existing residential properties, the total assessment fee for each lot is equal to the total area assessment already calculated for each lot.

AGENDA

SCARBOROUGH TOWN COUNCIL WEDNESDAY – DECEMBER 2, 2009

Order No. 09-141. Move approval to authorize the Town Manager to apply under the Working Waterfront Access Pilot Program and to accept a grant in the amount of Two Hundred Fifty Two Thousand and Five Hundred Dollars (\$252,500) from the Land For Maine Future Board and to execute such documents and take such steps as will be necessary to adopt a Working Waterfront Covenant on land located at 93 and 94 King Street, and more particularly described as Tax Map U021, Lot 20 and a portion of Tax Map U021, Lot 21.



STATE OF MAINE
STATE PLANNING OFFICE
LAND FOR MAINE'S FUTURE PROGRAM
184 STATE STREET
38 STATE HOUSE STATION, AUGUSTA, MAINE 04333

GEORGE LAPOINTE, LMF BOARD CHAIR
TIM GLIDDEN, LMF DIRECTOR

TEL: (207) 287-1487 FAX: (207) 287-8059
E-MAIL: TIM.GLIDDEN@MAINE.GOV

November 20, 2009

Tom Hall, Town Manager
Town of Scarborough
246 US Rte 1
Scarborough, ME 04074

Dear Tom:

We are very pleased to officially inform you that at its November 10, 2009 meeting, the Land for Maine's Future Board approved the allocation of **\$252,500** for the Pine Point Pier working waterfront access project. With this Board approval, we are now able to prepare for the closing and transfer of funds for this project.

Before these public funds can be released to the town, you will need to complete the following steps:

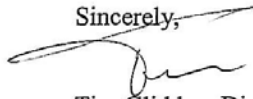
- Acceptance of an Environmental Site Assessment-Phase I;
- Acceptable evidence of good title (typically title insurance);
- Completion of property boundary survey suitable for recording, or acceptance of an existing, suitable property boundary survey, with GIS-compatible shape files;
- Documentation of matching funds provided by applicant as presented in the application;
- Submission of Corporate Authority document evidencing the acceptance of this responsibility from the Town of Scarborough;
- Execution of a Working Waterfront Covenant between the Town and the State of Maine.

As we complete these details, you will be working with Hugh Cowperthwaite, project contractor and Jim Connors (Tel. 287-8938 and email jim.connors@maine.gov) as your LMF staff liaison. The State of Maine's attorney for this project will be Hope Hilton. Your contact person at the Department of Marine Resources is Deirdre Gilbert (Tel. #624-6576, email Deirdre.gilbert@maine.gov).

Please feel free to call Jim as you need additional information and to help work through the remaining details.

Congratulations on the allocation of Land for Maine Future Funds from the Land for Maine's Future Program!

Sincerely,



Tim Glidden, Director
LMF Program

cc: Deirdre Gilbert, Department of Marine Resources
Hope Hilton, State Attorney
Hugh Cowperthwaite, Consultant

WORKING WATERFRONT COVENANT AND RIGHT OF FIRST REFUSAL

"In a nutshell"

INTRODUCTION & PURPOSE:

Working Waterfront Access Pilot Program grant funds are used to purchase certain development rights on a given piece of working waterfront property. A legal document called a working waterfront covenant granted by the land owner and held by the state will describe these restrictions. The purpose of this covenant is to ensure the permanent availability and affordability of the property for use by Commercial Fisheries Activities.

TOOL:

As described in law, a "working waterfront covenant" means an agreement in recordable form between the owner of working waterfront real estate and one or more qualified holders (in this case to be held by the Department of Marine Resources) to assure the continued and permanent access and availability and affordability of the working waterfront real estate for commercial fisheries uses (33 MRS.A c. 6-A)

METHOD:

Each covenant will be developed specifically to address the individual property to be protected considering the on-site improvements and the uses related to Commercial Fishing Activities. The covenant will permanently protect and preserve the property to ensure its availability and affordability for commercial fisheries operations. This is accomplished by limiting the property's use, alteration, or development in any manner that precludes its use for Commercial Fisheries Activities. The covenant "runs with the land" meaning that it is permanent and remains in place as a restriction on the use and value of the property regardless of future ownership.

PROPERTY OWNER RIGHTS:

The Grantor (property owner) retains all customary rights and privileges of property ownership. This includes the rights to control who can access the property (public and others) and the right to maintain and diversify the property within the limits of the covenant.

HOLDER'S RIGHTS:

The Holder (State) has the right to prevent, and require the correction of, any violations of the terms of this covenant. Holder also has the right to enter the Protected Property for the purpose of monitoring the terms of this covenant and inspecting for violations, so long as the Holder does not unreasonably interfere with Grantor's use of the property.

REPORTING:

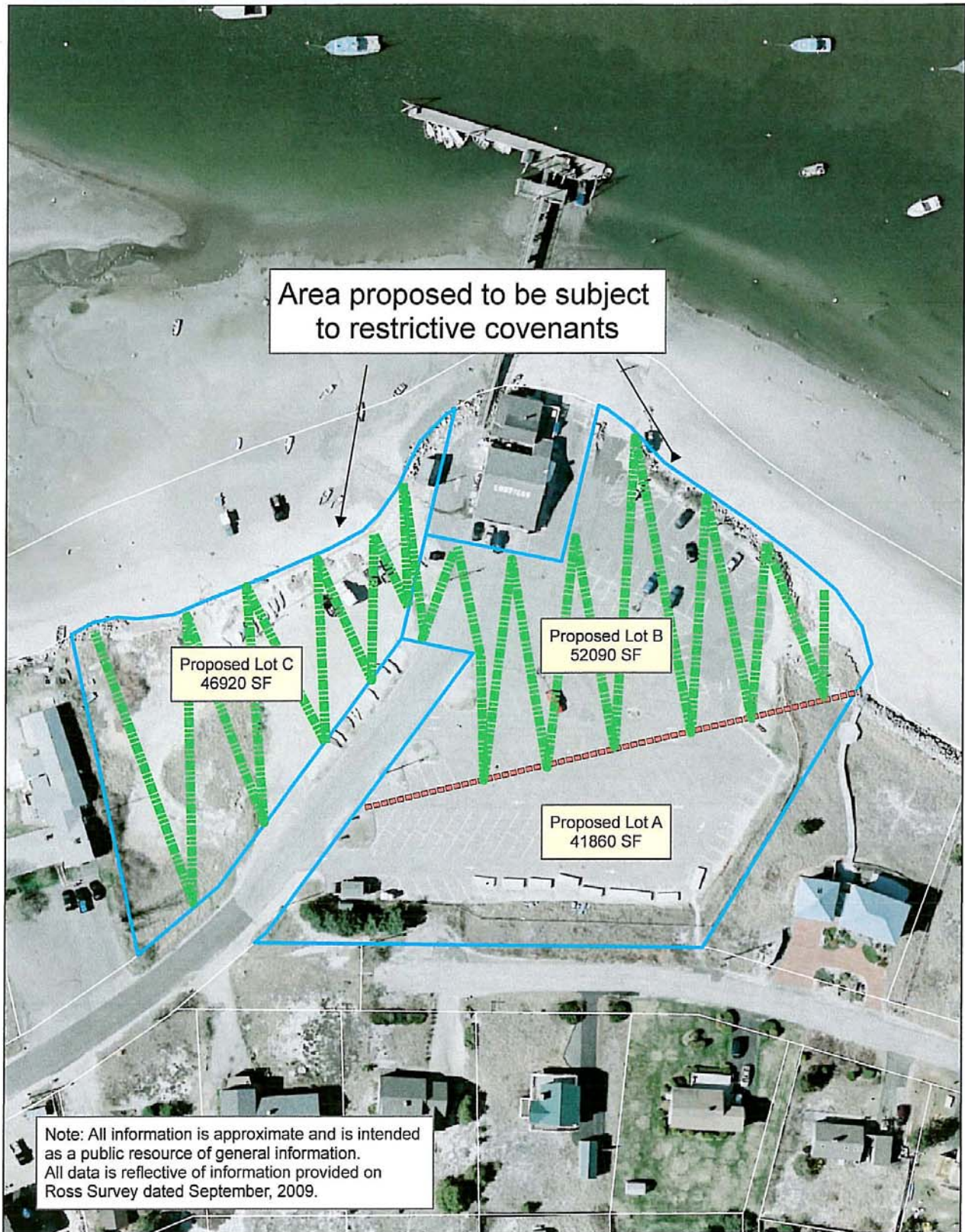
Each year, Grantor will complete a form provided by the Holder, detailing any maintenance, alterations, repairs, and improvements to the Protected Property, as well as proposed activities for the subsequent year. Grantor and Holder will also meet annually, to discuss the past year and any future plans.

RIGHT OF FIRST REFUSAL:

The Holder will have a right of first refusal in the event the Grantor wants to sell or transfer the property. This allows the State to direct the sale of the property to fisherman who will continue to make use of and benefit from the commercial fishing capacity of the property. This also assures that the property will be reasonably priced as the price will be based in the value of the property as a working waterfront.

Grantor is the owner of the property.

Holder is the State of Maine, who will hold the covenant on the property and maintain a right of first refusal if the property is ever to be sold.



Area proposed to be subject to restrictive covenants

Proposed Lot C
46920 SF

Proposed Lot B
52090 SF

Proposed Lot A
41860 SF

Note: All information is approximate and is intended as a public resource of general information. All data is reflective of information provided on Ross Survey dated September, 2009.

AGENDA

SCARBOROUGH TOWN COUNCIL WEDNESDAY – DECEMBER 2, 2009

Order No. 09-142. Move approval to authorize the Town Manager to sign a *Waiver of Foreclosure* if taxes are not paid on properties located at 28 Matthews Way – Map T003, Lot 028 and at 407 Topaz Drive – Map T002, Lot 407, as requested by the Deputy Tax Collector.

Memorandum

To: Tom Hall- Town Manager
CC: Ruth Porter
From: Wendy Frazier- Deputy Tax Collector
Date: 11/25/2009
Re: Waiver of foreclosures

Tom I would like to file a waiver of foreclosure on the following mobile homes if the 2007 taxes/interest and fees are not paid.

T002-407

T003-028

Tax liens will remain in force but will not automatically foreclose. I have attached a copy of the form used for recording these.

Thank you,

AGENDA

SCARBOROUGH TOWN COUNCIL WEDNESDAY – DECEMBER 2, 2009

Order No. 09-143. Move approval on the Council appointments, as recommended by the Council Chair.