



**AGENDA**  
**SCARBOROUGH TOWN COUNCIL**  
**WEDNESDAY – OCTOBER 20, 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: October 6, 2010 – Regular Meeting.  
October 13, 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. 10-77, 7:00 p.m. Public hearing** and second reading on the proposed amendments to Chapter 1301, the General assistance Ordinance, pursuant to Title 22, M.R.S.A §4305 (4).

**Order No. 10-79, 7:00 p.m. Public hearing** to adopt the proposed new Chapter 1018 Town of Scarborough - Secondhand Dealer Ordinance.

**Order No. 10-84, 7:00 p.m. Public Hearing** and action on the new request for a Food Handlers License from Kelly Roth, d/b/a Kelly's Seaglass Candy, located at 578 U.S. Route One and Dorothy E. Brezack, d/b/a Much Kneaded Bread, located at 15 Spruce Circle.

**Order No. 10-85, 7:00 p.m. Public Hearing** and action on the new request for a Massage Therapist License from Kathleen B. Morin, working at Lucinda's Day Spa, located at 311 Beech Ridge Road.

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

**NEW BUSINESS:**

**Order No. 10-86.** Act on the request to establish a Public Works Inventory Special Revenue Fund, pursuant to the provisions of Title 30-A, §5801 and §5801 of the Maine Revised Statutes, as amended and supplemented to date.

**Order No. 10-87.** Act to set the date, time, and location of the Regular & Special Municipal Election, the Charter Election and the Special Election for the Portland Water District Trustee, for Tuesday, November 2, 2010; appoint the warden, set the hours for voter registration, and act on appointments of election/ballot clerks, pursuant to Chapter 200 – Article VIII. Nomination and Elections.

**Item 8. Non Action Items.**

- a. Update on the Oak Hill Pedestrian Plan and on Transit Service

**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)

**202.2.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 – OCTOBER 20, 2010 REGULAR MEETING – 7:00 P.M.**

**Order No. 10-77.** Move approval of the second reading on the proposed amendments to Chapter 1301, the General assistance Ordinance, pursuant to Title 22, M.R.S.A §4305 (4).

## GA MAXIMUMS SUMMARY SHEET

(Oct. 1, 2010-Oct. 1, 2011)

### APPENDIX A OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
<u>Portland</u> <u>(HMFA)</u>	802.00	952.00	1233.00	1553.00	1664.00	1739.00

NOTE: For each additional person add \$75 per month.

(The applicable figures from Appendix A, *once adopted*, should be inserted here.)

### APPENDIX B FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	46.51	200
2	85.35	367
3	122.33	526
4	155.35	668
5	184.42	793
6	221.40	952
7	244.65	1,052
8	279.53	1,202

NOTE: For each additional person add \$150 per month.

### APPENDIX C HOUSING MAXIMUMS

<u>Number of Bedrooms</u>	<u>Unheated</u>		<u>Heated</u>	
	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0	142.00	611.00	154.00	666.00
1	166.00	715.00	183.00	788.00
2	214.00	922.00	238.00	1023.00
3	271.00	1165.00	300.00	1292.00
4	274.00	1180.00	318.00	1367.00

*FOR MUNICIPAL USE ONLY*

(The applicable figures from Appendix C, *once adopted*, should be inserted here.)

**UTILITIES (Appendix D)**

**ELECTRIC**

**NOTE:** For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households *Without Electric Hot Water*:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.20	\$82.50
5	\$21.00	\$90.00
6	\$22.70	\$97.50

**NOTE:** For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households *With Electrically Heated Hot Water*:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$16.30	\$70.00
2	\$18.60	\$80.00
3	\$21.00	\$90.00
4	\$23.30	\$100.00
5	\$25.60	\$110.00
6	\$27.90	\$120.00

**NOTE:** For each additional person add \$10.00 per month.

**NOTE:** For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

**HEATING FUEL (Appendix E)**

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125

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December	200	April	125
		May	50

**NOTE:** When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

**PERSONAL CARE & HOUSEHOLD SUPPLIES**  
**(Appendix F)**

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

**NOTE:** For each additional person add \$1.25 per week or \$5.00 per month.

**SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5**

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

**FOR MUNICIPAL USE ONLY**

## **AGENDA**

### **SCARBOROUGH TOWN COUNCIL WEDNESDAY – OCTOBER 20, 2010 REGULAR MEETING – 7:00 P.M.**

**Order No. 10-79.** The second reading to adopt the proposed new Chapter 1018 - Town of Scarborough - Secondhand Dealer Ordinance will be scheduled for Wednesday, November 3, 2010.

**CHAPTER 1018  
TOWN OF SCARBOROUGH  
SECONDHAND DEALER ORDINANCE  
DRAFT AS OF 9-10-2010**

BE IT HEREBY ORDAINED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that Chapter 1018 – the Town of Scarborough Secondhand Dealer Ordinance, is hereby adopted:

**ARTICLE I – TITLE, PURPOSE & DEFINITIONS**

**Section 1. Title.**

This Ordinance shall be known and may be cited as the Secondhand Dealer Ordinance of the Town of Scarborough, Maine.

**Section 2. Purpose.**

The purpose of this Ordinance is to ensure an establishment that is issued a Secondhand Dealer Permit by the town follows all local and State requirements.

**Section 3. Definitions.**

The following terms have the following meanings:

Secondhand Dealer. Every dealer that purchases used personal property with the intention of re-selling it.

**ARTICLE II - GENERAL**

**Section 1. Permit Required.**

No person shall conduct business as a pawnbroker or secondhand dealer without first obtaining a license for each business pursuant to the following provisions:

1. The Town Clerk shall issue license to conduct business as a secondhand dealer to any person over the age of 21 who demonstrates the following:
  - a. Has no record of criminal convictions for crimes of moral turpitude
  - b. Is not a convicted felon
2. A permit shall be obtained by the owner or duly authorized agent of the premises where the business is to be located by submitting a completed application(s) to the Town Clerk's office upon forms provided for such purposes.
3. The fee for such permits shall be set from time to time and a schedule of such fees shall be on file and available in the Town Clerk's office.
4. Any permit issued pursuant to this provision shall be valid for one year only [January to December].

Applications for all secondhand dealer permits shall be made in writing to the municipal officers and shall state the name of the applicant; residence address; name of the business to be

conducted; business address; the nature of the business; the location to be used; whether the applicant has ever had a permit to conduct the business therein described either denied or revoked and, if so, the applicant shall describe those circumstances specifically; whether the applicant, including all partners or corporate officers, has ever been convicted of a felony and, if so, the applicant shall describe specifically those circumstances and any additional information as may be needed by the municipal officers in the issuing of the permit, including but not limited to a copy of the applicant's current liquor license.

No permit shall be issued for any thing, or act, or premises, if the premises and building to be used for the purposes do not fully comply with all ordinances, articles, by-laws, or rules and regulations of the municipality.

A new permit under this ordinance may be issued only by the Town Council. The Town Council conducts a public hearing on all new applications for permits under this Ordinance. Notice of the hearing shall be advertised in a local daily newspaper, at least seven (7) days prior to the meeting at the expense of the applicant.

The Town Council shall not take final action on an application for a new permit (including an application for a renewal permit filed after December 31<sup>st</sup>) until the Town Clerk has received and reviewed a criminal background check from the State Bureau of Investigation on the applicant and any persons working in the place of business.

### **Renewals**

An existing permit may be renewed by the Town Clerk, provided that the holder of the existing permit makes application for renewal on or before December 31<sup>st</sup>. If the holder applies for renewal on or before December 31<sup>st</sup>, the existing permit shall remain in effect until final action on the renewal application. Otherwise, the existing permit shall expire on December 31<sup>st</sup> and an application for a new permit must be filed. For renewal applications filed on or before December 31<sup>st</sup>, the Clerk shall process and issue renewal permits in the same manner as the Town Council processes and issues new permits, except that no public hearing is required for a renewal. The Clerk may renew a permit only if the Clerk is satisfied that the application meets all the requirements of this ordinance. If the Clerk is not satisfied that the application meets all the requirements of this ordinance, the Clerk shall refer the application to the Town Council, which shall process the application in the same manner as an application for a new permit.

Display of Permit, Laws by Pawnbroker and Secondhand Dealer; Occupation Sign. Every Pawnbroker and Secondhand Dealer shall post in a conspicuous location in his or her place of business a copy of the Permit, the Statutes of the State and this Ordinance as well as a business sign in the English language with his or her name and occupation legibly inscribed thereon in large letters.

### **Section 2. Account of Business Done and Disclosure to Consumer.**

Account Kept. Every secondhand dealer shall maintain records in which the secondhand dealer enters:

1. The date of the purchase;
2. The seller's name, address and **date of birth**; and;
3. A brief description of the property, including any identification numbers.

Before recording the information required by this subsection, a dealer shall require reasonable written proof of the seller's identification in the form of a motor vehicle operator's license, military identification card, adult liquor identification card or similar item.

The records required under this section must be kept for the purpose of complying with this section, maintained in order by date of purchase and contained either in a bound volume or ledger, a binder in which pages can be affixed, **or electronic records that can be viewed and printed.**

### **Section 3. Availability for Inspection.**

Upon request by any law enforcement officer or prosecuting attorney, a dealer in used personal property shall promptly make available for inspection at the dealer's principal place of business, the records required under the prior section.

### **Section 4. State Law to Apply.**

Except to the extent that this Ordinance contains a contrary provision, all provisions of Title 30-A M.R.S.A. §3971 shall be additional to the provisions of this ordinance.

### **Section 5. Suspension or Revocation of Permit.**

The municipal officers may, after a public hearing, preceded by notice to interested parties, suspend, or revoke any secondhand dealer permit, which have been issued under this Ordinance on the grounds that the business is considered a detriment to the public health, safety, or welfare, or violates any municipal ordinances, articles, by-laws, or rules and regulations.

Any licensee who has requested a permit and has been denied, or whose permit has been revoked or suspended, may, within 30 days of the denial, suspension or revocation, appeal the decision to the municipal board of appeals as defined in 30-A M.R.S.A. 2691. The municipal board of appeals may grant or reinstate the permit if it finds that the permitted activities would not constitute a detriment to the public health, safety or welfare, or that the denial, revocation or suspension was not based by a preponderance of the evidence on a violation of any ordinance, article, by-law, or rule or regulation of the municipality.

## **ARTICLE III - PENALTY AND SEPARABILITY.**

### **Section 1. Penalty**

Whoever violates any of the provisions of this Ordinance shall be punished by a fine of not more than one hundred dollars (\$100.00), to be recovered on complaint, to the use of the Town of Scarborough.

### **Section 2. Separability**

The invalidity of any provision of this Ordinance shall not invalidate any other part.

## **AGENDA**

### **SCARBOROUGH TOWN COUNCIL WEDNESDAY – OCTOBER 20, 2010 REGULAR MEETING – 7:00 P.M.**

**Order No. 10-84.** Move approval on the new request for a Food Handlers License from Kelly Roth, d/b/a Kelly's Seaglass Candy, located at 578 U.S. Route One and Dorothy E. Brezack, d/b/a Much Kneaded Bread, located at 15 Spruce Circle.

**TO:** Town Council Members

**FROM:** Yolande P. Justice, Town Clerk

**DATE:** October 15, 2010

**RE: Requests for Food Handlers License**

The following applicants are requesting approval of a new Food Handlers License:

Kelly Roth, d/b/a Kelly's Seaglass Candy, located at 578 U.S. Route One and Dorothy E. Brezack, d/b/a Much Kneaded Bread, located at 15 Spruce Circle.

The completed application is on file with Clerk's Office and it is recommended that these licenses be approved.

**AGENDA**

**SCARBOROUGH TOWN COUNCIL  
WEDNESDAY – OCTOBER 20, 2010  
REGULAR MEETING – 7:00 P.M.**

**Order No. 10-85.** Move approval on the new request for a Massage Therapist License from Kathleen B. Morin, working at Lucinda's Day Spa, located at 311 Beech Ridge Road.

**TO:** Town Council Members

**FROM:** Yolande P. Justice, Town Clerk

**DATE:** October 15, 2010

**RE: Requests for a Massage Therapist License**

The following applicant is requesting approval of a Massage Therapist License from:

Kathleen B. Morin, working at Lucinda's Day Spa, located at 311 Beech Ridge Road.

The completed application is on file with Clerk's Office and it is recommended that this license be approved.

## **AGENDA**

### **SCARBOROUGH TOWN COUNCIL WEDNESDAY – OCTOBER 20, 2010 REGULAR MEETING – 7:00 P.M.**

**Order No. 10-86.** Move approval on the request to establish a Public Works Inventory Special Revenue Fund, pursuant to the provisions of Title 30-A, §5801 and §5801 of the Maine Revised Statutes, as amended and supplemented to date as follows:

BE IT ORDERED, that the Public Works Inventory Special Revenue Fund is hereby established as a temporary, non-lapsing town account in the amount of \$67,670.84 - for the purpose of re-stocking the Public Works vehicle parts inventory if the Vendor Based Inventory Program is discontinued; and,

BE IT FURTHER ORDERED, that the funds received from the sale of the public works vehicle parts inventory, are hereby appropriated to the Public Works Inventory Special Revenue Fund; and,

BE IT FURTHER ORDERED, that this fund is to be dissolved when either the Vendor Based Inventory Program is discontinued or one year after the Vendor Based Inventory Contract has been renewed.

BE IT FURTHER ORDERED, that the investment earnings on the funds on the Public Works Inventory Special Revenue Fund be added to this Fund.

## **AGENDA**

### **SCARBOROUGH TOWN COUNCIL WEDNESDAY – OCTOBER 20, 2010 REGULAR MEETING – 7:00 P.M.**

**Order No. 10-87.** Move approval to set the date, time, and location of the Regular & Special Municipal Election, the Charter Election and the Special Election for the Portland Water District Trustee, for Tuesday, November 2, 2010; appoint the warden, set the hours for voter registration, and act on appointments of election/ballot clerks, pursuant to Chapter 200 – Article VIII. Nomination and Elections and authorize the Town Clerk to make additional appointments as necessary.

#### Election/Ballot Workers:

Annie Archibald	Roger Beeley – Warden
Normand Beliveau	Connie & Elwood Carlson
Jean-Marie Caterina – Deputy Warden	
Harold Clough	Beverley Dahms
Kimberly Diamond	Marie Downs
Janet Dumas	Sandra Elder
Barbara Fagnant	Charlene Fenlason
Connie Flaherty	June Gillis
Jackie Greenwood	Georgia Hanson
Donna Hazard	Carl & Sue Helms
Geraldine Holton	Ann Johnson
Sheila Johnson	Grace Kimball
Cindy Kueck	Lorraine LaChapelle
Kim Massa	Beverly Maxfield
Connie Meserve	JoAnne Nickerson
Marion O’Roak	Janice Paul
Shirley Piatt	Artemas & Mary Pickard
Julia Ranello	Lisa Saulle
Doris Smith	Dave & Cynthia Thompson
Mary Lou Wiley	Michael Wygant



WARRANT FOR

the Regular & Special Municipal Election, the Charter Election and the Special Election for the Portland Water District Trustee

TOWN OF SCARBOROUGH, MAINE

TUESDAY, NOVEMBER 2, 2010 DAY AND DATE OF ELECTION

County of Cumberland, ss

State of Maine

To: Robert A. Moulton, A Resident of Scarborough:

You are hereby required in the name of the State of Maine to notify the voters of the Town of Scarborough of the Regular Municipal & Referendum Election, as described in this warrant.

To the Voters of the Town of Scarborough:

You are hereby notified that an election for the purpose of a Regular & Special Municipal Election, the Charter Election and the Special Election for the Portland Water District Trustee, will be held on Tuesday, November 2, 2010, at the Scarborough High School Plummer Gymnasium:

Regular Municipal Election:

Table with 3 columns: FOR COUNCIL MEMBER, FOR BOARD OF EDUCATION MEMBER, FOR TRUSTEE OF SCARBOROUGH SANITARY DISTRICT. Includes names like CORTHELL, Kerry L., ROY, Judith L., WOOD, Michael J., ARMISHAW, William J., COLE, John D., HARDESTY, Aymie B., NELSON, David J., WALDRON, Herbert A.

SPECIAL MUNICIPAL ELECTION FOR COUNCIL MEMBER

To fill the vacancy created by the resignation of Shawn S. Babine Term to Expire in November 2011

Vote for ONE

BENEDICT, James E. CARLSEN, Iver R. SULLIVAN, Richard J. Jr.

SPECIAL MUNICIPAL ELECTION FOR PORTLAND WATER DISTRICT TRUSTEE

To fill the vacancy created by the resignation of Gary S. Lorfano Term to Expire in November 2013

Vote for ONE

McSORLEY, Robert A.

CHARTER REFERENDUM QUESTIONS

Referendum Question No. 1

Shall the Town approve the Charter amendment reproduced below?

The Council-Manager Charter of the Town of Scarborough, as amended through November 2, 2004, is further amended by adding the text in underscored type, as shown below:

Section. 402. Qualifications.

Members of the Board of Education shall be registered voters of the Town and shall reside in the Town during their term of office. No member of the Board of Education shall serve as a Trustee of the Scarborough Sanitary District. Members of the Board of Education shall not hold any other compensated Town office or Town employment, except as on-call emergency personnel, during their term of office. If a member of the Board of Education shall cease to possess any of these qualifications or shall be finally convicted of a crime punishable by imprisonment for more than six months, the office shall immediately become vacant.

Referendum Question No. 2

Shall the Town approve the Charter amendment reproduced below?

The Council-Manager Charter of the Town of Scarborough, as amended through November 2, 2004, is further amended by adding the text in underscored type and deleting the text in strikeover type, as shown below.

Section. 701. Planning Board.

There shall be a Town Planning Board, which shall consist of five (5) regular members and two (2) alternate members appointed by the Town Council. The Planning Board shall act as the Town's primary municipal development review authority and shall be appointed have such powers and perform such duties as are provided by the ordinances of the Town and the general laws of the State of Maine.

Section. 703. Board of Appeals.

There shall be a Board of Appeals, which shall consist of five (5) regular members and two (2) alternate members be appointed by the Town Council. The Board shall have such powers, and perform such duties as are provided by the ordinances of the Town and the general laws of the State of Maine.

**Referendum Question No. 3**

Shall the Town approve the Charter amendment reproduced below?

The Council-Manager Charter of the Town of Scarborough, as amended through November 2, 2004, is further amended by adding the text in underscored type, as shown below.

**Section 704. Long Range Planning Committee.**

There shall be a Long Range Planning Committee which shall consist of five (5) regular members and two (2) alternate members appointed by the Town Council. The regular members and alternate members must be either residents of the Town or owners of real property situated within the Town. The Long Range Planning Committee shall be advisory and shall act as the primary committee to develop and recommend plans for the growth and development of the Town in accordance with the Comprehensive Plan, the ordinances of the Town and the general laws of the State of Maine.

**Referendum Question No. 4**

Shall the Town approve the Charter amendment reproduced below?

The Council-Manager Charter of the Town of Scarborough, as amended through November 2, 2004, is further amended by adding the text in underscored type, as shown below.

**Section. 901. Petition for Overrule of Action by Town Council.**

The following shall be subject to overrule by referendum as follows:

- 901.1 All ordinances.
- 901.2 Orders or resolves appropriating one hundred thousand dollars (\$100,000) or more for a single capital improvement or capital equipment.
- 901.3 Orders or resolves authorizing bond issues of one hundred thousand dollars (\$100,000) or more for capital improvements or capital equipment.
- 901.4 Any order or resolve authorizing a conveyance of Town-owned real property, other than property acquired due to non-payment of taxes or assessments, if the value of the property listed in the Town Assessor's records at the time of enactment of the order or resolve, exceeds \$400,000.

**Referendum Question No. 5**

Shall the Town approve the Charter amendment summarized below?

**SUMMARY OF AMENDMENT**

This amendment creates a mechanism for recall of elected Town officials (members of the Town Council and members of the Board of Education). A recall petition could be initiated by 25 registered voters. Circulators would then have 20 days to obtain the signatures of a number of registered voters equal to at least 25% of the number of votes cast in Scarborough at the last gubernatorial election. Upon certification of the signatures by the Town Clerk, the Town Council would be required to call and hold a recall election. The town official would be recalled if the majority of votes cast were in favor of recall, as long as the total number of votes cast exceeded 30% of the votes cast in the Town in the last gubernatorial election. The amendment would also make related revisions to the provisions of Article IX of the Charter concerning procedures for referendum elections.

**Referendum Question No. 6**

Shall the Town approve the Charter amendment summarized below?

**SUMMARY OF AMENDMENT**

This amendment makes numerous grammatical and technical revisions throughout the Charter for the purposes of making certain provisions clearer and improving the Charter's organization and internal consistency without changing the meaning of the existing Charter.

=====

The polls shall be opened at 6:00 A.M. and closed at 8:00 P.M.

Absentee Ballots shall be processed the day before Elections on Monday, November 1, 2010, starting at 10:00 a.m. and going no later than 9:00 p.m. and at the Polls on Tuesday, November 2, 2010, after 8:00 A.M.

The Registrar of Voters will hold office hours during regular business hours of the Town Hall and at the polls to correct any error or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter in the Town of Scarborough may not vote in any Scarborough election.

Approved on Wednesday, October 20, 2010, by the Scarborough Town Council.

_____	_____
_____	_____
_____	_____

MUNICIPAL OFFICERS

Attest to a true copy:

\_\_\_\_\_  
Yolande P. Justice - Town Clerk/Notary Public