AGENDA
Cumberland Town Council Meeting
Town Council Chambers
MONDAY, August 27, 2018
7:00 P.M. Call to Order

I. CALL TO ORDER

II. APPROVAL OF MINUTES
   August 13, 2018

III. MANAGER’S REPORT
   Swearing in of new Police Officer, Jacob Lachance

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

18 – 112 To hold a Public Hearing to consider and act on setting sewer user fees for FY2019.

18 – 113 To hold a Public Hearing to authorize the issuance of Senior Property Tax Assistance Program payments.

18 – 114 To hold a Public Hearing to consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 315 (Zoning), Section 38 (Animals) of the Cumberland Code, as recommended by the Ordinance Committee.

18 – 115 To hold a Public Hearing to consider and act on a Mass Gathering Permit Maine’s Ultimate Yard Sale to be held on September 8th (rain date September 9th) from 9:00 a.m. to 2:00 p.m. at the Cumberland Fairgrounds.

18 – 116 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Cumberland County Fair to be held from September 23rd – September 30th at the Cumberland Fairgrounds.

18 – 117 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Vintage Bazaar New England to be held on October 6th from 8:30 a.m. to 4:00 p.m. and October 7th from 10:00 a.m. to 4:00 p.m. at the Cumberland Fairgrounds.

18 – 118 To consider and act on an application for a Non-Profit Temporary Victualer’s License for North Yarmouth Congregational Church Men’s Club for FY2019.
VI. **NEW BUSINESS**
   Road closures at Railroad Crossings:
   Wednesday, August 29th – Muirfield Road (8AM to 8PM)

VII. **ADJOURNMENT**
7:00 P.M. Call to Order  
Present: Councilors Bingham, Copp, Edes, Gruber, Stiles, Storey-King and Turner

I.  **APPROVAL OF MINUTES**  
Motion by Councilor Bingham, seconded by Councilor Gruber, to accept the July 23, 2018 meeting minutes as presented.  
VOTE: 7-0 UNANIMOUS  

Motion by Councilor Bingham, seconded by Councilor Gruber, to accept the August 2, 2018 special meeting minutes as presented.  
VOTE: 7-0 UNANIMOUS  

II.  **MANAGER’S REPORT**  
None  

III.  **PUBLIC DISCUSSION**  
Robert Storey of Range Way said that he understands that the Town plans to intervene on CMP’s Brightline project. 95% of the towns involved support the project. Are we jeopardizing tax revenue by intervening? We are supposed to be a business friendly community. He urged the Council to think it before intervening and he hopes that it will not waste taxpayer money by doing so.  

Cathy Merrill of Tammy Lane said that she would like to see a sidewalk on Blackstrap Road. She has been noticing a lot of children walking on Blackstrap Road heading to the playground or sports field. There is also a lot of construction traffic going back and forth on Blackstrap Road. She would also like to see public access to Forest Lake for canoeing and kayaking.  

Bob Maloney of Maloney’s Ridge Way thanked the Council for holding their meeting in West Cumberland. He would also like to see the Town become more pedestrian and bike friendly by adding sidewalks on Skillin Road, Gray Road at Morrison’s Hill and Blackstrap Road.  

Cathy Wright of Skillin Road emailed the following comments:

- Spend money in West Cumberland for its residents. We have nothing here other than the recreation field, which has been here since before my son played baseball. He is 46. Yes, it is now a football field with a small playground, but really is that the best you can do? We have the Payson waterfront, Knights Pond, Twin Brooks, school playgrounds, Rines Forest, Town Forest and tons of sidewalks with more being constructed. West Cumberland needs Forest Lake access for fishing, canoeing and kayaking with at least parking for five. We really don't need more gravel pits!  
- Sidewalk up Morrison Hill to Board Barn to allow people safe walking to support local business. And no, the access thru a working sandpit in summer and unplowed in winter does not suffice.  
- Install a stove in the West Cumberland rec hall. I was shocked to find out it had none when I was going to rent it for a reunion. Seems like money well spent to me.  
- Widen Orchard Road which currently is unsafe for pedestrians like me.
• Install green arrow for left hand turn from Main Street to Blanchard Road. There currently is a left hand arrow for left hand turn from Main to Tuttle which is a safer turn.
• Better vigilance of speed limits and texting while driving. We see little police presence other than at top of Morrison Hill, which seems like a speed trap to me anyway. With all the gravel trucks on Blackstrap and Skillin it is difficult to safely cross the road. Texters are another matter with the sharp corners particularly on Skillin.
• Property Tax Relief for us older residents (over 50% of Cumberland residents are retired). We have to balance fixed income with rising costs of medication, copays, insurance, taxes etc. Both the municipal and school budgets need to be controlled.

IV. LEGISLATION AND POLICY

18 – 106 To hear an overview of the Conservation Subdivision Ordinance from the Planning Board Chairman and the Conservation Subdivision Committee Chairman.

Planning Board Chairman, Steve Moriarty explained that in May of 2014, the Land Use Advisory Committee was formed and given several charges by the Town Council, such as looking at the boundaries of the Rural Residential Zones, the Office Commercial Zones, and study of the three growth areas. Another committee charge was to consider if a Conservation Subdivision Ordinance should be adopted. The committee gave its final report to the Town Council in June of 2015. One of the recommendations at that time was that a separate independent Conservation Subdivision Subcommittee be appointed to study the issue and bring a fresh perspective to that topic. In November of 2015, a Council charge was adopted for the Conservation Subdivision Committee.

Mr. Moriarty said that the Planning Board met in workshop sessions with members of the Conservation Subdivision Committee and some of the Town Council to review the new ordinance. On June 19th the Planning Board voted to approve the new subdivision ordinance. The new ordinance was presented to the Town Council on July 9th and a lot of public input was received. It was determined that there was more work to do on the ordinance. Since the July 9th Council Meeting, Mr. Moriarty met with Mike Schwindt, Chairman of the Conservation Subdivision Committee, Town Planner Carla Nixon, and Town Manager Shane to review all the comments. There will likely be another workshop meeting in September to review the newest amendments.

Mr. Moriarty explained that the conservation subdivision is a little different than traditional subdivision, in which the lots are as large as existing zoning will allow. We also have the cluster option with allows smaller lots where 25% of the land is preserved for open space. Conservation subdivision takes that one step further and provides for 50% open space within the parcel to be developed. In addition, a 75 foot buffer around the perimeter of the subdivision would be required. There are certain permitted uses for the open space for passive recreation.

Conservation subdivisions are only allowed in the RR1 and RR2 zones and the Planning Board will look at both traditional and conservation subdivision plans and determine which plan best suits the needs and goals of the Town.

Chairman Copp asked for public comment.

Chris Neagle of Orchard Road said that he hopes that the conservation subdivision ordinance achieves the subtraction of undevelopable land first, and then make conservation rules for the developable land. First, you would determine the net residential density for the site after taking away wetlands, etc., just as happens for a traditional subdivision. Then, set aside the percentage of the non-developable land as open space, and allow slightly smaller lots than would otherwise be allowed. If you want to call it a conservation subdivision, then you have to consider the percentage of only the developable land.
18 – 107 To hold a Public Hearing to consider and act on a speed limit reduction request to MDOT for Orchard Road.
Assistant Town Manager Bolduc explained that the Town received a request from a couple of different residents to reduce the speed limit on Orchard Road from 35 to 25. MDOT sets the speed limit on all Town and State roads. Approximately 10 years ago, we requested a reduction from 35 to 30 mph on Orchard Road. MDOT did an assessment of the road and determined that 35 mph was correct, but the portion of Orchard Road near Whitney Road should be increased to 40 mph. The area has developed significantly over the past year and now is a good time to make the reduction request.

Chairman Copp opened the Public Hearing.
Public discussion: Elizabeth Tarantino of Daffodil Lane said that she grew up on Orchard Road. As a child, she was able to walk and bike on Orchard Road. She raised her children there and she did not allow her son to ever ride his bike on that road. Children can’t do this anymore because of the speed and amount of traffic on Orchard Road.

Paul Alberghini of 14 Orchard Road said that he asked Police Chief Rumsey to do a speed detail on Orchard Road. The report indicated that the average speed is 33.89, the 50th percentile speed is 33.37, the 85th percentile speed is 38.66 and the maximum speed that was captured was 57 mph. He does not feel that the speed sign that the police department uses is accurate and the average speed is higher. There are a lot of children in that area and hopefully MDOT will do the right thing.

Pat Fischer of Orchard Road said that her children used to play kickball on Orchard Road. There are a lot of housing developments in that area now and Orchard Road has become a commuter route. The stretch of road in front of her house is a speedway. She can’t walk on Orchard Road anymore, it’s too dangerous.

Bill Fischer of Orchard Road said that it is very dangerous to maneuver his farm equipment on Orchard Road and the dump trucks that use Orchard Road go very fast.

Dorothy Riddle of 13 Orchard Road said that her family would like to be able to walk on Orchard Road, but it is just too dangerous.

Motion by Councilor Storey-King, seconded by Councilor Gruber, to authorize the Town Manager to request a speed limit reduction to MDOT for Orchard Road.
VOTE: 7-0 UNANIMOUS

18 – 108 To set a Public Hearing date of August 27th to consider and act on setting sewer user fees for FY2019.
Motion by Councilor Stiles, seconded by Councilor Edes, to set a Public Hearing date of August 27th to consider and act on setting sewer user fees for FY2019.
VOTE: 7-0 UNANIMOUS

18 – 109 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Cumberland Soccer Club’s Labor Day “Just for Fun” Tournament to be held on September 1st and 2nd from 7:00 a.m. to 7:00 p.m. at Twin Brook Recreational Facility.
Assistant Town Manager Bolduc said that staff has met with the organizers of the event and is recommending approval.
Chairman Copp opened the Public Hearing.
Public discussion: none
Chairman Copp closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Bingham, to approve the Mass Gathering Permit for the Cumberland Soccer Club’s Labor Day “Just for Fun” Tournament to be held on September 1st and 2nd from 7:00 a.m. to 7:00 p.m. at Twin Brook Recreational Facility.
VOTE: 7-0 UNANIMOUS

18 – 110 To consider and act on setting the following household waste disposal events:
   - Confidential Shredding, Saturday, October 6th from 9:00 a.m. to 1:00 p.m.
   - Bulky Item Pick-up Week, October 8th through 12th
   - Universal Waste Collection, Saturday, October 13th from 9:00 a.m. to 1:00 p.m.
Motion by Councilor Storey-King, seconded by Councilor Stiles, to set the following household waste disposal events:
Confidential Shredding, Saturday, October 6th from 9:00 a.m. to 1:00 p.m.
Bulky Item Pick-up Week, October 8th through 12th
Universal Waste Collection, Saturday, October 13th from 9:00 a.m. to 1:00 p.m.
VOTE: 7-0 UNANIMOUS

18 – 111 To appoint a member to the Planning Board.
Motion by Councilor Bingham, seconded by Councilor Turner, to appoint Ann Sawchuck to the Planning Board.
VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS
Councilor Bingham – none

   Councilor Gruber – we had 120 applicants sign up for assistance with the application process for the Senior Property Tax Assistance program.

   There will be an article in the Forecaster regarding proceeds from the sale of reusable bags from Hannaford in Yarmouth going to our Food Pantry during the month of August.

   Councilor Edes – he has received a lot of messages from people with “sticker shock” after receiving their tax bill. He feels that the Town did their part in trying to not increase property taxes through our budget process.

   Councilor Storey-King – some sports started for Greely athletics today.

   A portion of Greely Road will be closed on August 15th while the Railroad works on the crossing there.

   Chairman Copp – he has also received a lot of calls since tax bills were mailed out. The contact number for the superintendent is printed on the tax bill.
Councilor Stiles – he reminded everyone that his efforts continue in raising money for the 4-H auction at the Cumberland Fair that will benefit our Food Pantry.

Councilor Turner – none

VI. ADJOURNMENT
Motion by Councilor Gruber, seconded by Councilor Bingham, to adjourn.
VOTE: 7-0 UNANIMOUS
TIME: 8:44 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary
ITEM
18-112

To hold a Public Hearing to consider and act on setting sewer user fees for FY2019
August 14, 2018

Re: Sewer User Fee – 2% Increase - Proposed September 2018

Dear Cumberland Sewer User:

A Public Hearing has been set for 7:00 PM, Monday, August 27, 2018 at the Town Hall on 290 Tuttle Road to discuss the sewer user fees as proposed in the table below.

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<tr>
<td>Consumption 6 HCF or</td>
<td>6.00</td>
<td>6.00</td>
<td>6.00</td>
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<tr>
<td>150gallons/day</td>
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<tr>
<td>Charge per HCF</td>
<td>$5.29 x 6 = $31.74</td>
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<td>$5.29</td>
<td>$5.52</td>
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<td>Base Fee- Ready to Serve</td>
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<td>$36.92</td>
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<td>$68.66</td>
<td>$68.66</td>
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<tr>
<td>$ Increase</td>
<td>$1.32</td>
<td>$1.34</td>
<td>$0</td>
<td>$1.38</td>
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<tr>
<td>% Increase</td>
<td>2%</td>
<td>2%</td>
<td>0%</td>
<td>2%</td>
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Please contact my office if I can be of any further assistance to you regarding this matter.

Sincerely,

William R. Shane, P.E.
Town Manager
wshane@cumberlandmaine.com
ITEM
18-113

To hold a Public Hearing to authorize the issuance of Senior Property Tax Assistance Program payments
ITEM 18-114

To hold a Public Hearing to consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 315 (Zoning), Section 38 (Animals) of the Cumberland Code, as recommended by the Ordinance Committee.
To: Town Council
From: William R. Shane, Town Manager
Date: July 17, 2018
Re: 18-104 Animals

The Ordinance Committee is recommending changes to the Animals Ordinance. The current ordinance is in conflict to the development in the smaller sized lot districts. I believe it will require additional tweaking in the future, but is a great start in trying to deal with growth and unforeseen impacts.
Chapter 315. Zoning
Article VI. General Regulations
§ 315-38. Animals.

A. Household pets are allowed in all districts. Household pets shall not include horses or any animals kept for purposes of commercial or noncommercial agriculture or animal husbandry, or any uses related thereto, and shall not include any animals that are considered a public nuisance or are otherwise unlawful to possess under state or federal law.

B. Horses may be kept in all districts, provided that there shall be at least one acre of containment area for the first horse to be kept on the premises and 10,000 square feet of containment area for each horse thereafter.

C. Animals other than horses and household pets, including chickens or household pets, may be kept for personal use and enjoyment, noncommercial purposes, provided that the minimum lot size for keeping such animals shall be two acres in all districts, except that the minimum lot size for keeping such animals on properties within the Village Mixed Use (VMU) District, Low Density Residential (LDR) District and the Medium Density Residential (MDR) District as designated in the Town of Cumberland’s Comprehensive Plan shall be ten acres for purposes of this Chapter.

D. The free range of poultry beyond the borders of an owner's property is prohibited.

E. No chicken house and no piggery shall be permitted nearer than 100 feet to any property line.

F. It shall be a violation of this Chapter to keep an animal or animals on any property within the Town that results in an unreasonable use of the property, unreasonably injures another’s land, interferes with the use of another’s land, alters the flow of surface water, or negatively impacts the drinking water of any property through any noise, odor, storage or disposal of materials, animal byproducts or carcasses that are related to the keeping of such animal or animals on the property.

G. Any violation of this Chapter shall constitute a nuisance, and the owner, person or firm having control or use of the property on which animals are being kept in violation of this Chapter shall be fined as established by order of the Town Council for each day such violation is permitted to exist after notification in writing from the Town; provided, however, that a farm operation shall not be considered a nuisance if it is in compliance with applicable state and federal laws, rules and regulations.
Chapter 315. Zoning
Article VI. General Regulations
§ 315-38. Animals.

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**Lots Under Common Ownership? – Town Attorney**

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G. Any violation of this Chapter shall constitute a nuisance, and the owner, person or firm having control or use of the property on which animals are being kept in violation of this Chapter shall be fined as established by order of the Town Council for each day such violation is permitted to exist after notification in writing from the Town; provided, however, that a farm operation shall not be considered a nuisance if it is in compliance with applicable state and federal laws, rules and regulations.
ITEM 18-115

To hold a Public Hearing to consider and act on a Mass Gathering Permit for Maine’s Ultimate Yard Sale to be held on September 8th (rain date September 9th) from 9:00 a.m. to 2:00 p.m. at the Cumberland Fairgrounds.
TOWN OF CUMBERLAND
MASS GATHERING EVENT PUBLIC SAFETY SIGN-OFF

Date of event: September 8, 2018
Name of event: Fall Ultimate Yard Sale
Location of event: Cumberland Fairgrounds
Estimated attendance: 5,000

Police Chief recommendation for event coverage: 12 hrs coverage $61.00/hr

Police event coverage cost: $747.00

Fire Chief recommendation for event coverage: Use of staff on duty

This was done effectively in June.

Fire Department event coverage cost: $0

Total safety cost for event coverage: $747.00

*This is a cost estimate based on the numbers you provided. If the event changes & additional staff is required, costs will increase.

Event Coordinator Signature: Michael Timmons
MEMORANDUM

To: William Shane, Town Manager

From: Tamara O’Donnell, Town Clerk

Re: Maine’s Ultimate Yard Sale

I have held discussions, on Tuesday, April 3, 2018, with Police Chief Rumsey, Lt. Dave Young, Fire Dept. Representative Patty Murphy, and Mr. Mike Timmons, President of the Cumberland Farmers Club, in which we discussed the Spring/Fall Ultimate Yard Sale, at the Cumberland Fairgrounds. I reviewed in detail the requirements of the Mass Gathering Ordinance. The following represents our mutual understanding:

- Event participators will register online through the ultimateyardsale.com site.
- Registration levels have been increased to 300 from the previous level of 250.
- Exact attendance levels are unknown, however, it was determined that 5,000 is likely. Therefore, the organizers will pay the Major Mass Gathering fee of $500.00.
- Registration cost will be $30.00 per 12 x 12 foot booth.
- Entrance fee for attendee is $2.00 per person.
- No parking fee will be charged.
- The event will be held Saturday, Saturday, September 8, 2018, with a rain date of September 9, 2018.
- There will be no collection of the entrance fee at the gate. Vehicles will be flagged from the entrance to the parking area and the entrance fee will be paid after parking and at the gate of the fenced vendor area.
- If the event is to be cancelled for any reason, a 24 hour notice will be provided by email to all participants and to the public through the broadcasting agency’s seven radio stations.
- Registrants are required to set up between 5:00 a.m. and 8:00 a.m.
- Additional staff (6) have been hired by “At Work” flaggers to control parking.
- There will be 1 Paramedic, 1 EMT, and 1 Supervisor from the Fire Department on site.
- There will be 1 Fire Engine on site.
- There will be 2 police officers on duty at the event.
- Communication between parties will be by two way radio and cell phone.
- Food Vendors will be handled exclusively through the Farmers’ Club.
- A copy of the contract with Blow Brothers as well as a copy of the event insurance coverage naming the town as an additional insured is attached to the application.
- Binne Media will have approximately 25 employees in attendance throughout the event.
Police - $737.00
Fire/EMS- $Used on duty staff in June, so no additional fee.

I believe we have covered all areas related to the Mass Gathering Permit application. I anticipate that this event will be very successful and well managed, as it has in the past. I hope the weather cooperates and they have a wonderful turnout. Thank you.
Mass Gathering Application – Major Outdoor Event
(5,000 or more persons)

This application must be filed with the Town Clerk not less than 60 days before the date of the event. Application must be accompanied by a non-refundable fee of $500.

Name of applicant: Binnie Media
Address of applicant: 477 Congress St. 3A Portland Tel. # 797-0780
Name of event: Maine’s Ultimate Yard Sale
Facility where the event will be held: Cumberland Fair Grounds
Is the facility owned by the applicant: ________ yes; ________ no, (if no, attach a copy of the contract with the owner which allows use of the property)
Name of promoter (if different from above): __________________________
Telephone number: __________________________

Will any food vendors be serving at the event? ________ yes, ________ no (if yes, how many, and what types) ________________

These are Contracted Through Cumberland Farmers Club

Will any alcohol vendors be serving at the event? ________ yes, ________ no (if yes, list name and attach a copy of the vendors license to sell alcohol, describe alcohol will be served) ________

Date of event: Sept. 8th 2018 Rain Date: Sept. 9th
Time (start and finish times): 9A-2P
Number of tickets available: ________________
Expected attendance: 4,800
Description of event: Large Community Yard Sale
Describe the three most recent outdoor performances of the group, performer, or event being proposed. Include location, date(s), number in attendance, promoter or sponsoring person or organization.

1. June 2018 Spring Yard Sale 5,000

2. Sept 2017 Fall Yard Sale 4,800

3. June 2017 Spring Yard Sale 5,200

Description of facility:

A. Seating capacity: _______________ permanent; _______________ temporary

B. Other seating capacity: _______________ festival; _______________ standing room only

C. Number of toilets available: _______________ permanent; 17 portable

D. Number of parking spaces available: 3,000 on-site; _______________ off-site

E. Are all parking lots lighted (applicable only if event runs into evening hours) yes; _______________ no, if no, which lots are not lighted _______________

F. Source of potable water: _______________

G. Refuse containers available, number and size: 15 plus dumpster

From Casella Waste

H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse)

Casella Waste Attached

I. When will refuse be picked up? Monday Sept. 10th

Public Safety:

J. Describe first aid facilities:

Cumberland Fire & EMT

K. Describe emergency facilities: Cumberland EMT
L. Describe communication facilities: **16 TWO WAY Radio's**

M. Number of certified police officers: **Cumberland Police**

N. Other security personnel (include company name and qualifications):
   **Mark Marion, Sergeant Cumberland County Sheriff**

O. Describe fire personnel: **Cumberland Fire**

Traffic Plan

P. Description of routes persons attending the event are likely to take, include number of traffic controllers and deployment descriptions. **6 Traffic Parking Personal From Blanchard Rd. To Bruce Hill Rd.**

Q. Describe methods used to publicize alternate routes of reaching the scene of the event.

R. Attach statement of availability of private towing firms to remove disabled vehicles.

Crowd Management

S. Plan for discouraging those not holding tickets for the event from not coming to the event site.

T. Plan for preventing trespassing on private property in the area. **PRIVATE SECURITY From Sheriff's Dept.**

U. Will all publicity stop as soon as it is apparent that the event is sold out? **YES; NO Marketing ends on Sept. 7th**

V. Description of how the event will be publicized, include how a sell-out will be publicized.

Other

W. Name of liability insurance _____________________________________________________________________

X. Amount of coverage ______________; amount of property insurance ______________

Preferred type of performance guarantee (i.e., escrow account, irrevocable letter of credit)

Authorized signature

On ___________________________________________________________________________(date), I received a copy of the Cumberland Mass Gathering Ordinance. _______________________________________________________________________ (authorized signature)
Good afternoon,

Per our recent conversation today, 6 Traffic Controller/Flaggers have been requested for the up coming event on Saturday, September 8th from 6 am to 1 pm.

If you need any thing further, please contact me any time.

Regards,

Sue Richards
Account Manager
358 Main Street
Gorham, ME 04038
207-839-5060 Office
207-839-9060 Fax
207-281-3193 ER Cell
suer@atwork.com
<table>
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<tr>
<th>Container Size</th>
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<tr>
<td>30 yd. Roll-off</td>
<td>197 BLANCHARD RD</td>
<td>Cumberland, ME 04110</td>
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<table>
<thead>
<tr>
<th>Delivery Date</th>
<th>Pickup Date</th>
<th>We include</th>
<th>You can go up to...</th>
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<tbody>
<tr>
<td>Friday, Sep. 7, 2018</td>
<td>Monday, Sep. 10, 2018</td>
<td>5 days of free rental ($5.00 per day thereafter)</td>
<td>2 tons of Trash ($88.50 per additional ton)</td>
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**Please note:** We can not guarantee time requests.

**Pricing Agreement:**

- Haul price: $261.00
- Estimated disposal cost: $177.00
- Rental cost: $0.00
- Delivery quote: $75.00
- Total base amount: $513.00
- Estimated Enviro Fee: $20.52
- Total Taxes and Fees: $20.52
- Order total: $533.52

Quoted on Monday, Aug. 13, 2018

*I have read and agree to the Terms and Conditions stated on the attached agreement.*

Signed: ___________________________ Date: ___________________________

Print Name: ___________________________
# Certificate of Liability Insurance

**Producer:** Ellis Agency Inc  
**Address:** 196 York Street  
P.O. Box 189  
York, Maine 03909

**Insured:** Carlisle Capital Corporation  
**Address:** 126 Daniel St Suite 200  
Portsmouth, NH 03801

**Certificate Number:** ZDINAS190410  
**Policy Number:**  
**Issue Date:** 12/31/2016  
**Effective Date:** 12/31/2017

**Coverages**

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<tr>
<th>Type of Insurance</th>
<th>Addendum</th>
<th>Policy Number</th>
<th>Policy Expiry</th>
<th>Policy Limit</th>
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<td>COMMERCIAL GENERAL LIABILITY</td>
<td>SQMMAK</td>
<td>ZDINAS190410</td>
<td>12/31/2016</td>
<td>1,000,000</td>
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<td>AUTOMOBILE LIABILITY</td>
<td>ANY AUTO</td>
<td>OCCUR</td>
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<td>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</td>
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**Description of Operations:** Yard Sale at the Cumberland Fair Grounds on June 10, 2017

**Certificate Holder:** Cumberland Farmers Club  
**Address:** 197 Blanchard Rd  
Cumberland, ME 04021

**Cancellation:** Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.
August 13, 2018

TO: Binnie Media
Attn: Stan Bennett
Phone: 207-344-8007
Email: sbennett@binradio.com

RE: Portable Toilet Rentals for Ultimate Yard Sale at Cumberland County Fairgrounds on 9/8/18

We hereby submit specifications and estimates for:
14 Standard Portable Units ($ 80.00 per unit) $ 1,120.00
3 Barrier Free Portable Units ($ 100.00 per unit) $ 300.00
TOTAL $ 1,420.00

*****DELIVERY TO BE THURSDAY/FRIDAY BEFORE EVENT, PICKUP TO BE MON/TUES AFTER EVENT


We propose hereby to furnish material and labor—complete in accordance with the above specifications:

TERMS AND CONDITIONS

1. The customer agrees to pay all invoices related to the service of the portable sanitation facilities, including extra and overtime charges for any service rendered over and above normal servicing schedule. Customer authorizes use of credit card number on file for all charges incurred in accordance with terms and conditions cited above. Blow Bros. reserves the right to prosecute any customer who intentionally issues a credit card or negotiating a worthless instrument knowing that it will not be honored by the maker or drawee in accordance with State of Maine Law.
2. The customer agrees to pay for any and all damage to or loss of the portable sanitation facilities as an insurer of cause or fault, except for reasonable wear and tear, while the portable sanitation facilities are at the site address.
3. Blow Bros. reserves the right to NOT remove, pump dry and lock the unit until account is paid in full. If lock is destroyed or continued use of unit occurs the customer will be subject to additional charges.
4. The customer agrees not to sell, rent, lease, or otherwise give up possession of the portable sanitation facilities listed herein without prior consent from BLOW BROS.
5. The customer agrees to keep the portable sanitation units clear and accessible for service trucks at all times and to assume any and all law charges resulting from substandard site conditions.
6. The customer acknowledges that Blow Bros. will not be liable for any damages to pavement, curbing, lawns or any other property resulting from trucks servicing units placed at customer request.
7. The customer agrees to pay a late charge of 1.5% per month on the unpaid balance for all invoices over 30 days. This is an Annual Percentage Rate of 18%. The customer also agrees to pay costs of collection including attorney fees.

Payment to be made as follows:

Due prior to delivery
All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon such, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker’s Compensation Insurance.

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

*Must sign and fax back to (207) 934-1723. A representative from Blow Bros. will contact you for completion of your detailed order.

Date of Acceptance: 8/13/14

Authorized Signature: [Signature]

Note: We may withdraw this proposal if not accepted within 30 days.

Signature: [Signature]
Margi Brown, Office Manager
ITEM
18-116

To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Cumberland County Fair to be held from September 23rd – September 30th at the Cumberland Fairgrounds
TOWN OF CUMBERLAND
MASS GATHERING EVENT PUBLIC SAFETY SIGN-OFF

Date of event: Sept 23 - Sept 30, 2018

Name of event: 2018 Cumberland Fair

Location of event: Cumberland Fairgrounds

Estimated attendance: 50,000 - 100,000

Police Chief recommendation for event coverage: 248 Coverage hours x $41.21/hr.

Option 3 -

Police event coverage cost: $15,180.08

Fire Chief recommendation for event coverage: 437 Coverage hours x $26.20/hr.

Fire Department event coverage cost: $11,400.30

Total safety cost for event coverage: $26,580.40

*This is a cost estimate based on the numbers you provided. If the event changes & additional staff is required, costs will increase.

Event Coordinator Signature: Michael Tanmons
MEMORANDUM

To: William Shane, Town Manager

From: Tamara O’Donnell, Town Clerk

Re: 2018 Cumberland Fair, September 23 – September 30, 2018

I held a meeting at 10:00 a.m., on Tuesday, April 3, 2018, with Cumberland Farmer's Club President Mike Timmons, Cumberland Farmers Club Treasurer Jerry Prevost, Police Chief Rumsey, Lt. Dave Young, and Fire Dept. Representative Patty Murphy.

I reviewed in detail the requirements of the Mass Gathering Ordinance with Mr. Timmons. The following represents our mutual understanding:

1. There will be Harness Racing this year. There will be fireworks scheduled for Saturday night. The Fire Chief is prepared and the necessary permits will be in place. There will be tractor pulling on Friday and Saturday nights.

2. Exact attendance levels are unknown, however, it was determined that up to 50,000 is likely, therefore, the organizers will pay the Major Mass Gathering fee of $500.00.

3. Entrance fee for attendees is $9.00 per person.

4. There will be no parking fee this year.

5. There will be parking attendants for the parking areas. The parking is being handled by the American Legion Group from New Gloucester.

6. The Medical and Fire staff will be set up at the First Aid Booth.

7. Police coverage will be consistent with years past, as will Fire/EMS coverage. Coverage for both departments was discussed by both parties at length and agreed to subject to changes in events.

8. The Certificate of Liability Insurance is forthcoming.

9. Communication between parties will be by two way radio and cell phone.

10. Food Vendors will be handled exclusively through the Farmers' Club. There are approximately 50 food vendors that will be signed up.

11. A copy of the contract with Troiano Waste Services is on file with the Town Office.
12. Contact person for this event is Mr. Mike Timmons. Contact number is 653-9783.

Approximate fees for this event are as follows:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>$15,180.00</td>
</tr>
<tr>
<td>Fire &amp; Rescue</td>
<td>$11,146.00</td>
</tr>
</tbody>
</table>

I believe we have covered all areas related to the Mass Gathering Permit application. I anticipate that this event will be very successful and well managed. I hope the weather cooperates and they have a wonderful turnout. Thank you.
Mass Gathering Application – Major Outdoor Event (5,000 or more persons)

This application must be filed with the Town Clerk not less than 60 days before the date of the event. Application must be accompanied by a non-refundable fee of $500.

Name of applicant: Cumberland Farmers Club

Address of applicant: 400 Bruce Nicie Rd, Cumb Tel. # 207-653-9783

Name of event: Cumberland County Fair

Facility where the event will be held: Cumberland Fairgrounds

Is the facility owned by the applicant: ☑ yes; ☐ no, (if no, attach a copy of the contract with the owner which allows use of the property)

Name of promoter (if different from above): Same as above

Telephone number: 207-653-9783

Will any food vendors be serving at the event? ☑ yes, ☐ no (if yes, how many, and what types) Variety = 40+ ☐

Will any alcohol vendors be serving at the event? ☑ yes, ☐ no (if yes, list name and attach a copy of the vendors license to sell alcohol, describe alcohol will be served) Copy will be sent.

Date of event: Sept 23 - Sept 30, 2018 Time (start and finish times): 9 AM - 10 PM

Number of tickets available: 50,000

Expected attendance: 50,000

Description of event: County Fair - Mid-way - Vendors - Entertainment - Horse Racing
Describe the three most recent outdoor performances of the group, performer, or event being proposed. Include location, date(s), number in attendance, promoter or sponsoring person or organization.

1. Cumberland Fair - 2016

2. Cumberland Fair - 2015

3. Cumberland Fair - 100 years

Description of facility:

A. Seating capacity: 5,000 permanent; 2,000 temporary
B. Other seating capacity: _________ festival; _________ standing room only
C. Number of toilets available: 50 permanent; 15 portable
D. Number of parking spaces available: 7000 on-site; _________ off-site
E. Are all parking lots lighted (applicable only if event runs into evening hours) __________ yes; _________ no, if no, which lots are not lighted

F. Source of potable water: Public Town
G. Refuse containers available, number and size: 3 - 40 yard containers
   400 - 55 barrel drums

H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse) 
   Triano

I. When will refuse be picked up? Daily 5:30 AM

Public Safety:

J. Describe first aid facilities: Cumberland Rescue unit
   w/ staff on grounds building

K. Describe emergency facilities: Cumberland Fire Police
   Rescue on site entire week
L. Describe communication facilities: Public Address System - Whole Facility

M. Number of certified police officers: Cumberland Police Staff

N. Other security personnel (include company name and qualifications): Cumberland Fire, Police, Rescue Volunteers

O. Describe fire personnel: Same as above

Traffic Plan
P. Description of routes persons attending the event are likely to take, include number of traffic controllers and deployment descriptions.

Q. Describe methods used to publicize alternate routes of reaching the scene of the event.

R. Attach statement of availability of private towing firms to remove disabled vehicles.

Crowd Management
S. Plan for discouraging those not holding tickets for the event from not coming to the event site.

T. Plan for preventing trespassing on private property in the area.

U. Will all publicity stop as soon as it is apparent that the event is sold out? Yes; No

V. Description of how the event will be publicized, include how a sell-out will be publicized. (TV, Newspaper)

Other
W. Name of liability insurance: Cross Insurance

Amount of coverage: $10 Million; amount of property insurance

X. Preferred type of performance guarantee (i.e., escrow account, irrevocable letter of credit)

Michael Commons
Authorized signature
President

On ___________________________ (date), I received a copy of the Cumberland Mass Gathering Ordinance. ___________________________ (authorized signature)
ITEM
18-117

To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Vintage Bazaar New England to be held on October 6th from 8:30 a.m. to 4:00 p.m. and October 7th from 10:00 a.m. to 4:00 p.m. at the Cumberland Fairgrounds
TOWN OF CUMBERLAND
MASS GATHERING EVENT PUBLIC SAFETY SIGN-OFF

Date of event: Oct 6 & 7, 2018
Name of event: Fall Vintage Bazaar New England
Location of event: Cumberland Fairgrounds
Estimated attendance: 10,000

Police Chief recommendation for event coverage: 27 hrs @ $11.00/hr

Police event coverage cost: $1,659.00

Fire Chief recommendation for event coverage: 32 hrs @ $20.00/hr

Fire Department event coverage cost: $640.00

Total safety cost for event coverage: $2,299.00

*This is a cost estimate based on the numbers you provided. If the event changes & additional staff is required, costs will increase.

Event Coordinator Signature: Michael Timmons
MEMORANDUM

To: William Shane, Town Manager

From: Tamara O'Donnell, Town Clerk

Re: Fall Vintage Bazaar New England, October 6 & 7, 2018

I held a meeting at 9:00 a.m., on Tuesday, April 3, 2018, with Cumberland Farmer's Club President Mike Timmons, Police Chief Rumsey, Lt. Dave Young, Fire Dept. Representative Patty Murphy, and Deputy Town Clerk Eliza Porter.

I reviewed in detail the requirements of the Mass Gathering Ordinance with Mr. Timmons. The following represents our mutual understanding:

1. The hours for the Bazaar will be Saturday, 8:30 a.m.-4 p.m., and Sunday 10:00 a.m.-4:00 p.m.

2. There will be approximately 200 vendors.

3. Exact attendance levels are unknown, however, it was determined that up to 10,000 is likely, therefore, the organizers will pay the Major Mass Gathering fee of $500.00.

4. There will be no parking fee this year.

5. There will be parking attendants for the parking areas. The parking is being handled by the Bazaar staff.

6. The Medical and Fire staff will be set up at the First Aid Booth.

7. Police coverage will be 2 officers each day. Fire/EMS coverage will be 2 staff members on both days.

8. The Certificate of Liability Insurance is forthcoming.

9. Communication between parties will be by two way radio and cell phone.

10. Food Vendors will be handled exclusively through the applicant. There are approximately 10-20 food vendors that will be signed up.

11. A copy of the contract with Troiano Waste Services is on file with the Town Office.

12. Contact person for this event is Mr. Mike Timmons. Contact number is 653-9783.
Approximate fees for this event are as follows:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Police</td>
<td>$1,659.96</td>
</tr>
<tr>
<td>Fire &amp; Rescue</td>
<td>$  572.00</td>
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</tbody>
</table>

I believe we have covered all areas related to the Mass Gathering Permit application. I anticipate that this event will be very successful and well managed. I hope the weather cooperates and they have a wonderful turnout. Thank you.
Mass Gathering Application-Major Outdoor Event
(5,000 or more persons)

This application must be filed with the Town Clerk not less than 60 days before the date of the event. Application must be accompanied by a non-refundable fee of $500.00.

Name of Applicant: **DEVON CHOLINARD & BRIAN MULVANY**

Address of Applicant: **P.O. BOX 126 WELLS MAINE 04090**

Name of Event: **VINTAGE BAZAAR NEW ENGLAND**

Facility where the event will be held: **CUMBERLAND FAIRGROUNDS**

Is the facility owned by the applicant: **yes; ✓ no** (if no, attach a copy of the contract with the owner which allows use of property)

Name of promoter (if different from above): **N/A**

Telephone number: **978-518-0128 or 978-270-4527**

Date of Event: **Oct 6, Oct 7, 2018**

(start and finish times): **8am-4pm-SAT
10am-4pm-SUN**

Number of tickets available: **25,000**

Expected attendance:

Description of event: **VINTAGE BAZAAR NE is a hybrid festival that mixes vintage/antiques with crafts/handmade goods + music + food.**

Will any food vendors be serving at the event: **✓ yes, no** (if yes, how many, and what types) **An approximate range is 10-20.**

Licensed & Insured Food Trucks from Maine and N.H./N.Y. selling fresh variety of food:

Will any alcohol vendors be serving at the event: **✓ yes, ✓ no** (if yes, list name and attach a copy of the vendors license to sell alcohol, describe what alcohol will be served) **no alcohol.**
We were established in 2011 and have run 17 VINTAGE BAZAARS.

Describe the three most recent outdoor performances of the group, performer, or event being proposed. Include location, date(s), number in attendance, promoter or sponsoring person or organization.

1. 2017 - Dec - Thompson's Point Portland (INDOORS) - 80+ VENDORS, 8,000+ people
2. 2017 - Oct - 200 VENDORS, FOOD TRUCKS, LIVE MUSIC - RAITH FARM
3. 2017 - June - 200 VENDORS, FOOD TRUCKS, LIVE MUSIC

Description of facility:
2011 - 2016 - VINTAGE BAZAAR - RAITH FARM
SPALSBURY MA

A. Seating capacity: permanent; __________ temporary
B. Other seating capacity: ________ festival; ________ standing room only (sq. ft.)
C. Number of toilets available: ________ permanent; ________ portable
D. Number of parking spaces available: ________ on-site; ________ off-site
E. Are all parking lots lighted (applicable only if event runs into evening hours): __________ yes; ________ no, if no, which lots are not lighted_________

F. Source of potable water: __________

G. Refuse containers available, number and size: Traiano - 40 yds, 50 - barrels

H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse): Traiano - Pick-up Monday night

I. When will refuse be picked up? Monday Oct 8, 2018

Public Safety:

J. Describe first aid facilities: Cumberland

K. Describe emergency facilities: Cumberland

L. Describe communication facilities: Radio's 2 Police

M. Number of certified police officers:

N. Other security personnel (include company name and qualification): Vets

O. Describe fire personnel: Cumberland -
Traffic Plan

P. Description of routes persons attending the event are likely to take, include number of traffic controllers and deployment descriptions. Blanchard Rd / Bracknell

Q. Describe methods used to publicize alternate routes of reaching the scene of the event.

R. Attach statement of availability of private towing firms to remove disabled vehicles.

Crowd Management

S. Plan for discouraging those not holding tickets for the event from not coming to the event Site. Those that did not purchase tickets online or at ticket booths will not be allowed into the bazaar. This has never been an issue.

T. Plan for preventing trespassing on private property in the area.

U. Will all publicity stop as soon as it is apparent that the event is sold out? Yes: ____________________________ No: ____________________________

V. Description of how the event will be publicized, include how a sell-out will be publicized. We promote in various ways: see above

Other:

W. Name of liability insurance. R.V. Nuccio and Associates Insurance P.R.

Amount of coverage: $1,000,000 each; amount of property insurance: $2,000,000 general aggregate

X. Preferred type of performance guarantee (i.e. escrow account, irrevocable letter of credit)

We can adjust amounts at anytime

Authorized Signature: Devon Chownard

On _______________ (date), I received a copy of the Cumberland Mass Gathering Ordinance.

Authorized Signature: ____________________________
ITEM
18-118

To consider and act on an application for a Non-profit Temporary Victualer's License for North Yarmouth Congregational Church Men's Club for FY2019
TOWN OF CUMBERLAND
APPLICATION FOR TEMPORARY VICTUALER'S LICENSE

Business or Trade Name: North Yarmouth Congregational Church Men's Club
Business Address: 43 The Lane, North Yarmouth ME 04097, (Cumberland Fair)
Name of Manager: Norman Smith
Date of Event of New License: Aug 22, 2018 - June 30, 2019
Signature of Authorized Person: Janny O'Donnell for Norman Smith

Establishment operated by Non-Profit organization - No Fee

Please return application to Town of Cumberland, 290 Tuttle Road, Cumberland, Maine, 04021.