

AGENDA

Cumberland Town Council Meeting

West Cumberland Hall

115 Blackstrap Road

MONDAY, November 11, 2019

7:00 P.M. Call to Order

I. CALL TO ORDER

II. APPROVAL OF MINUTES

October 28, 2019

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

19 – 131 To consider and act on amending the Conservation Easement to add additional land to Rines Forest.

19 – 132 To authorize the Town Manager to enter into a 6-year lease agreement for golf carts at Val Halla.

19 – 133 To award the bid for construction of a new compost pad and salt shed area.

VI. NEW BUSINESS

VII. BUDGET REPORT

VIII. ADJOURNMENT

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, October 28, 2019

6:30 P.M. Workshop with United Way re: FY'20 Non-Profit Budget Allocations

7:00 P.M. Call to Order

Present: Councilors Copp, Edes, Gruber, Stiles, Storey-King, Turner and Vail

I. APPROVAL OF MINUTES

Motion by Councilor Gruber, seconded by Councilor Stiles, to accept the October 14, 2019 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

Motion by Councilor Copp, seconded by Councilor Gruber, to accept October 16, 2019 special meeting minutes as presented.

VOTE: 6-0-1 (Edes abstained) MOTION PASSES

II. MANAGER'S REPORT

There will be a flu shot clinic on Tuesday, November 5th at Central Fire Station on Tuttle Road from 3-6 p.m. If you have an insurance card, please bring it with you. If not, the flu shots will be free.

Maine Department of Transportation has been helping us with road stripping around Town.

The fire department responded to a brush fire incident on Saturday where the homeowner did have a permit to burn, but a gust of wind caused the fire to spread. It was a good call on the part of the homeowner to call the fire department for assistance.

The 4-H auction that Bill Stiles raises money for every year was another huge success this year. We were able to fill the Food Pantry freezer with 38 boxes of meat. Protein is an important part of the diet, and being able to help with that at our Food Pantry is amazing. We serve over 85 families every month at our Food Pantry.

III. PUBLIC DISCUSSION

Cathy Wright of Skillin Road asked if the Aging in Place program could update the list of vendors that provide services to the seniors and post it on the Town website and Crier. It hasn't been updated since 2016.

She read in the Press Herald that the Downeaster was adding to their passenger rail service. Cumberland is particularly well situated for a train depot. She would like the Council to consider this.

IV. LEGISLATION AND POLICY

19 – 124 To appoint Elizabeth Manning as Assistant Library Director.

Chairman Storey-King asked for a motion to table. Elizabeth could not be present this evening due to a death in her family.

Motion by Councilor Stiles, seconded by Councilor Gruber, to table.

VOTE: 7-0 UNANIMOUS

19 – 125 To hear a report from the Finance Director re: End of Year and 1st Quarter Financials. Finance Director, Helene DiBartolomeo, presented the following:



Town of Cumberland FY2019 Final Results

General Fund FY2019 Revenues & Expenditures

	FY19 Budget	FY19 Actual	Over (Under) Budget
TOTAL REVENUES	\$ 5,080,358	\$ 5,569,308	\$ 488,950
			<i>Over Budget</i>
Controllable Expenses	\$ 8,432,295	\$ 8,548,105	\$ 115,810
Fixed Expenses	\$ 21,525,079	\$ 21,522,017	\$ (3,062)
TOTAL EXPENSES	\$29,957,374	\$30,070,122	\$ 112,748

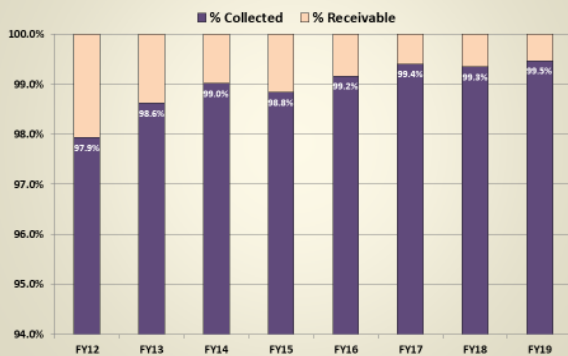
General Fund FY2019 Selected Revenues

	FY19 Budget	FY19 Actual	Over (Under) Budget	FY19 %	FY18 %
Excise Tax	\$ 1,964,000	\$ 2,146,834	\$ 182,834	9.3%	25.1%
State Revenue Sharing	\$ 453,207	\$ 468,849	\$ 15,642	3.5%	1.1%
Permits & Impact Fees	\$ 177,174	\$ 191,868	\$ 14,694	8.3%	10.8%
EMS Billing	\$ 172,600	\$ 180,581	\$ 7,981	4.6%	-6.3%
Val Halla - Golf Revenues	\$ 572,921	\$ 569,946	\$ (2,975)	-0.5%	-5.5%
Recreation	\$ 818,116	\$ 1,040,272	\$ 222,156	27.2%	22.9%

General Fund FY2019 Selected Expenses

	FY19 Budget	FY19 Actual	Over (Under) Budget	FY19 %	FY18 %
Police	\$ 1,408,565	\$ 1,367,289	\$ (41,276)	-2.9%	-0.6%
Fire	\$ 986,342	\$ 962,014	\$ (24,328)	-2.5%	6.3%
Public Services	\$ 1,985,742	\$ 1,981,046	\$ (4,696)	-0.2%	4.5%
Val Halla Golf Club	\$ 759,782	\$ 789,671	\$ 29,889	3.9%	0.6%
Recreation	\$ 1,030,498	\$ 1,112,919	\$ 82,421	8.0%	8.0%

Tax Collections in First Year



Current Balance

Actual Balance @ 6/30/2019	\$ 2,729,584
	<i>9% of Revenues</i>
July & August Operating Costs	\$ (1,320,000)
July & August Revenues	\$ 900,000
July & August School Assessment	\$ (3,156,292)
Balance before September Property Tax Receipts	\$ (846,708)

Questions?



Town of Cumberland FY2020 Q1 Results

General Fund FY2020 Q1 Overview

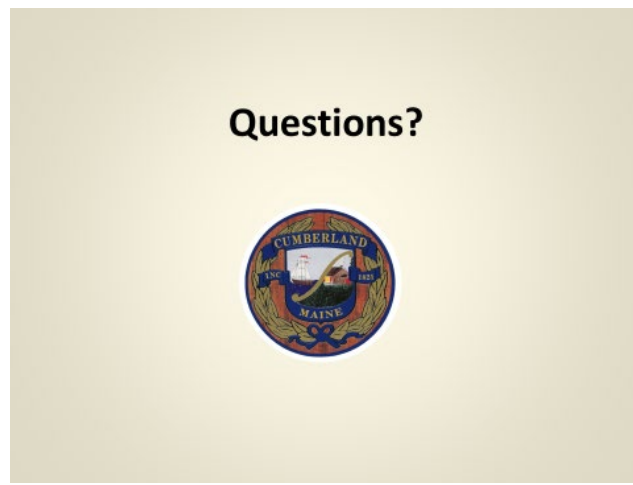
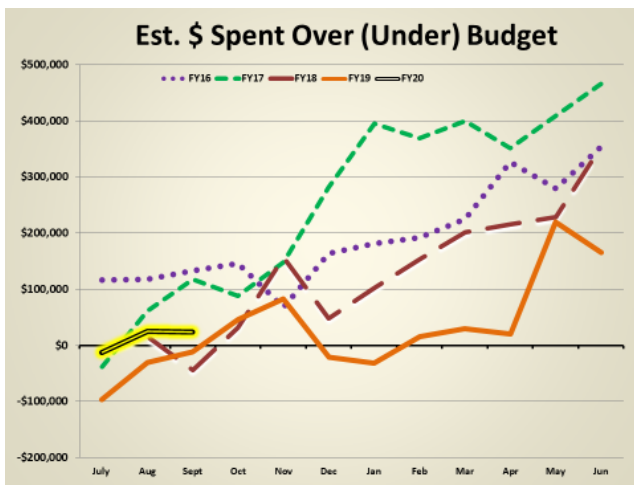
	FY20 Budget	FY20 YTD Actual	FY20 %	FY19 %
TOTAL REVENUES	\$ 5,246,134	\$ 1,355,895	25.8%	26.8%
Controllable Expenses	\$ 8,826,793	\$ 2,289,804	25.9%	25.6%
Fixed Expenses	\$ 21,846,172	\$ 5,699,045	26.1%	25.9%
TOTAL EXPENSES	\$30,672,965	\$ 7,988,849	26.0%	25.8%

General Fund FY20 Q1 Selected Revenues

	FY20 Budget	FY20 YTD Actual	FY20 %	FY19 %
Excise Tax	\$ 1,950,000	\$ 649,248	33.3%	31.3%
State Revenue Sharing	\$ 603,207	\$ 180,251	29.9%	25.2%
Permits & Impact Fees	\$ 177,174	\$ 42,373	23.9%	23.1%
EMS Billing	\$ 160,000	\$ 15,362	9.6%	21.0%
Val Halla - Golf Revenues	\$ 572,921	\$ 216,159	37.7%	38.8%
Recreation - After School	\$ 269,836	\$ 54,549	20.2%	18.0%
Recreation - All Other	\$ 648,280	\$ 171,470	26.4%	26.5%

General Fund FY2020 Q1 Selected Expenses

	FY20 Budget	FY20 YTD Actual	FY20 %	FY19 %
Police	\$ 1,412,547	\$ 323,991	22.9%	21.8%
Fire	\$ 1,032,324	\$ 229,866	22.3%	21.8%
Public Services	\$ 2,127,425	\$ 413,519	19.4%	22.0%
Val Halla Golf Club	\$ 761,933	\$ 311,927	40.9%	40.7%
Recreation	\$ 1,048,508	\$ 337,493	32.2%	33.0%



19 – 126 To hold a Public Hearing to consider and act on a Graveyard/Junkyard permit for Cumberland Salvage.

Town Manager Shane said that staff is recommending approval.

Chairman Storey-King opened the Public Hearing.

Public discussion: none

Chairman Storey-King closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Stiles, to approve the Graveyard/Junkyard permit for Cumberland Salvage.

VOTE: 6-0-1 (Copp abstained) MOTION PASSES

19 – 127 To hold a Public Hearing to consider and act on amendments to Chapter 48 (Coastal Waters) of the Cumberland Code, as recommended by the Ordinance Committee.

Mike Schwindt, Vice-Chairman of the Coastal Waters Commission reviewed the amendments, which are included in the meeting materials.

Chairman Storey-King opened the Public Hearing.

Public discussion: none

Chairman Storey-King closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Stiles, to amend Chapter 48 (Coastal Waters) of the Cumberland Code, as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

19 – 128 To hold a Public Hearing to consider and act on amendments to Chapter 84 Fees and Fines), Section 12 (Mooring) of the Cumberland Code, as recommended by the Ordinance Committee.

Mr. Schwindt explained that this amendment will add a \$20 transient mooring fee.

Chairman Storey-King opened the Public Hearing.

Public discussion: none

Chairman Storey-King closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Turner, to amend Chapter 84 (Fees and Fines), Section 12 (Moorings) of the Cumberland Code, as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

19 – 129 To consider and act on a request from the Yarmouth Water District for a right of first refusal on the sand pit in North Yarmouth.

Town Manager Shane explained that several month ago, the Council asked him to reach out to the Yarmouth Water District to see if they were interested in a land swap of the Greely Road land next to Val Halla, in exchange for our land in North Yarmouth, which is in the aquifer protection district. The response from the Yarmouth Water District was that they were not interested in selling or swapping their land, but would request a right of first refusal on our land. We recently sold parcels of similar size and use for \$225,000 and this would be his estimation of the value of this land. He feels that instead of putting this land out to auction, he would recommend setting a starting price. It is the decision of the Council on how to proceed.

Chairman Storey-King asked for any public comment on this item.

Public comment: none

Councilor Vail said that the minute you give someone the right of first refusal, you are diminishing the value of the property.

Councilor Turner wondered if there are other parties who may be interested in the property, will their interest be affected by the presence of a right of first refusal.

Councilor Copp said he is not in favor of giving a right of first refusal.

Councilor Edes said that he is not in favor.

Councilor Stiles said that we want to sell it for the best price that we can get for it, with no strings attached. He is not in favor.

Motion by Councilor Edes, seconded by Councilor Copp, to deny the request from the Yarmouth Water District for a right of first refusal on the sand pit in North Yarmouth.

VOTE: 7-0 UNANIMOUS

19 – 130 To amend the Power Purchase Agreement with Revision Energy investors, as recommended by the Finance Committee.

Town Manager Shane explained that the energy laws in Maine have changed with our new governor, and the new laws are extremely beneficial to us. We have an agreement with Revision Energy investors to supply us with power and after 5 years of service, we can buy the solar field and take full advantage of the power production for ourselves. The windfall that has occurred has added between 4 and 5 cents per kilowatt hour. The investors have requested that the Town participate in the windfall and consider sharing some of the savings with them over the next 5 years. The Finance Committee recommended a share of 15%, which is approximately \$4,000 to \$5,000 per year for the next 5 years. It is a goodwill gesture to share the windfall with the investors, because as Councilor Stiles put it, it is new found money that we were not expecting.

Chairman Storey-King asked for any public comment on this item.

Public comment: none

Motion by Councilor Copp, seconded by Councilor Turner, to amend the Power Purchase Agreement with Revision Energy investors, as recommended by the Finance Committee.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Vail – a few meetings ago, he brought up the fact that we need a nursing home in this community. He would like to continue that discussion. He would be willing to find somebody to come talk to the Council about this.

There was an item on the agenda this evening to appoint an Assistant Library Director that was tabled. He would like to set a benchmark on approving new positions. When the Town of North Yarmouth had Wescustogo Hall, there was not a staff person. Now they have a new facility and a full time person to be the director. The S.A.D. had an auditorium that had no staff person for the past 50 years. They built a new auditorium and now have a new full time person. He would like to discuss what the appropriate number of public employees is based on population, number of households, revenues, etc. compared to other communities of the same size.

Chairman Storey-King responded that the Council has discussions on staffing every budget year.

Town Manager Shane added that our staffing numbers are where they were 16 years ago, and we have had a lot of growth in 16 years.

Councilor Gruber – the walk-in freezer in the Food Pantry is almost full thanks to the efforts of Councilor Stiles collecting money for the Town Manager to purchase meat at the 4-H auction.

The annual Stuff-the-Bus campaign for the Food Pantry will be happening soon. It is a great event that the Middle School sponsors.

Last Saturday, the Land Trust had an event at the Rines Forest that was very well attended.

Last week, he attended an event at USM about Frances Perkins. There will be a documentary released soon.

He asked people to keep Roger Young in their thoughts and prayers. Roger is one of his very best friends and he is nearing the end of his life.

The Library/Historical Building Fundraising Committee will meet later this week. They are making some good progress.

There was a presentation last Sunday by Denny Gallaudet on proper efforts of forest management and reducing our carbon footprint. It was very well attended and interesting.

He will participate in Challenge Day again this year. It is a very moving and rewarding experience with the Greely sophomores.

The annual Aging in Place forum will be held at the Performing Arts Center on Saturday, November 9th beginning at 9:00 a.m.

Councilor Edes – earlier this evening, the Council had a workshop with the United Way to discuss allocating our non-profit budget money to them to distribute. They are a great organization, but he prefers to keep doing it as we have been. The problem becomes that those organizations that we choose to give to think that it is a lifetime gift. He would be more comfortable making our donations as a Town a one-time gift and rotating the organizations that we give to. That way, we can spread it out and help more people.

Councilor Stiles – we are starting a new year of fundraising for the 4-H auction that benefits the Food Pantry.

Chairman Storey-King – in regard to fundraising organizations, please beware of phone calls asking for donations. They are frequently scams.

The Land Trust presented the Town with a plaque in recognition of our outstanding efforts to protect land in our community. The Land Trust does amazing work and they have a great event last Saturday at Rines Forest.

Congratulations to the Boys and Girls Greely Cross Country Teams who placed first in the regional meet at Twin Brook. The State meet will be held next Saturday at Twin Brook. We made history with the first ever wheelchair division cross country race.

Hunting season begins on Saturday, so please be careful when you are out on the trails in the Town Forest. Hunting is allowed on some Town owned properties.

Happy 86th birthday to Harland Storey.

Councilor Copp – the joint meeting with the Cumberland Town Council, North Yarmouth Select Board and School Board has been postponed to January.

He thanked Fire Chief Small and Captain Copp who came to his assistance last week.

Councilor Turner – in regard to the non-profit budget requests, anything that we contribute as a Town is a contribution by every resident of this Town that pays taxes. Therefore, we should be careful that the organizations are vetted to the best of our ability, where that money goes and how much of it goes to overhead, etc.

He thinks that we could do a huge favor to the citizens of this Town by moving one of the barriers at Broad Cove Reserve and allow people to walk out on the pier.

Town Manager Shane said that it is a safety issue. They put it up on October 15th because of frost and ice making it a slippery surface. Perhaps in the future, we could hold off until early November so the public can enjoy the pier a little longer.

Town Manager Shane – our November 11th Council meeting will be held at the West Cumberland Hall.

We will be receiving a U.S. Forestry grant soon and with that we are required to update our forest management plan within 120 days. This will come under the purview the Lands & Conservation Commission. At the November 11th Council meeting, we will need to amend the Conservation Easement for Rines Forest to add the second piece recently purchased.

VI. ADJOURNMENT

Motion by Councilor Gruber, seconded by Councilor Stiles, to adjourn.

VOTE: 7-0 UNANIMOUS

TIME: 8:22 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

ITEM 19-131

To consider and act on amending the Conservation Easement to
add additional land to Rines Forest

Brenda Moore

From: Mike Schwindt <applewoodacres@hotmail.com>
Sent: Thursday, November 7, 2019 6:08 AM
To: Shirley Storey-King
Cc: Thomas Gruber; Brenda Moore; Ellen Hoffman; Sam York; Jennifer Grasso; Jennifer Taylor; David Young; Steven Knowles; John Jensenius; Denny Gallaudet; William Shane
Subject: [External] Rines Conservation Easement amendment

Chair Story-King: Last night the Lands and Conservation Commission endorsed the amendment to a conservation easement adding additional land onto Rines Forest. We understand this amendment to the easement between the Town and the Chebeague & Cumberland Land Trust will be on a Town Council agenda in the very near future.

Please call if there are questions.

Mike Schwindt, Chair
Lands and Conservation Commission

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[External]

**AMENDMENT TO A CONSERVATION EASEMENT
ADDING ADDITIONAL LAND ONTO RINES FOREST
TOWN OF CUMBERLAND, CUMBERLAND COUNTY, MAINE**

THIS AMENDMENT TO A CONSERVATION EASEMENT made this _____ day of _____, 2019, by the **TOWN OF CUMBERLAND**, a duly organized Maine municipal corporation, located in Cumberland County, Maine and having an office at 290 Tuttle Road, Cumberland, ME 04021; (hereinafter referred to as “Grantor”) and the **CHEBEAGUE & CUMBERLAND LAND TRUST**, a nonprofit corporation organized and operating under the laws of the State of Maine, having a mailing address of 371 Tuttle Road, #2, Cumberland, ME 04021 (hereinafter referred to as the “Holder”) hereby adds an additional 51.5 acres described in Exhibit A and depicted in Exhibit B (hereinafter referred to as the “Additional Protected Property”) to the Rines Forest Conservation Easement (hereinafter referred to as “Original Protected Property”).

This conveyance and Conservation Easement Amendment shall only become effective and enforceable upon the conveyance by Elizabeth B. Rines of the underlying fee interest in the Protected Property to the Town of Cumberland. In the event the underlying fee interest in the Protected Property is not conveyed to the Town of Cumberland, this instrument shall not burden the property. The Additional Protected Property includes all of the conservation attributes of the Original Protected Property and is subjected to the same requirements protected by the original Rines Forest Conservation Easement.

The Additional Protected Property was also purchased by Grantor, in part, with grant funds from the United States Forest Service to effect the Community Forest Program authorized by Section 8003 of the Food, Conservation and Energy Act of 2008 (16 U.S.C. 2103d) with the purpose of establishing community forests that provide community benefits by acquiring and protecting private forestlands. This authority continues indefinitely. Program delivery is guided by the Community Forest Program regulations (36 CFR 230 Subpart A, published 10/20/2001; 76FR 65121). A Notice of Grant Requirements (“NOGR”), signed by Grantor, is attached hereto as Exhibit C and incorporated herein by reference.

WITNESSETH:

WHEREAS, Grantor holds title to a parcel of real estate comprising approximately 216 acres on Range Road under a deed from Dale S. Rines to the Grantor, dated _____, and recorded in the Cumberland County Registry of Deeds at Book _____, Page _____, said real estate is the Original Protected Property;

WHEREAS, the Original Protected Property is subject to a Conservation Easement held by Chebeague & Cumberland Land Trust (formerly Cumberland Mainland and Islands Trust, Inc.), under a conservation easement granted by Grantor to Cumberland Mainland and Islands Trust, dated October 17, 2005, and recorded in the Cumberland County Registry of Deeds at Book 75302, Page 83; hereinafter referred to as “Conservation Easement,” and

WHEREAS, Grantor also holds title to a parcel of real estate comprising approximately 51.5 acres on Range Road in Cumberland, Maine being described in a deed from Elisabeth B. Rines to the Town of Cumberland dated _____, 2019 and recorded in the Cumberland County Registry of Deeds in Book _____, Page _____; and more particularly described in Exhibit A and depicted in Exhibit B attached hereto and made part hereof known as Additional Protected Property.

WHEREAS, Grantor wishes to amend the Conservation Easement to add the Additional Protected Property to the Original Protected Property, and thereby better assure the coordinated management and conservation protection of approximately 267.5 contiguous acres on Range Road; and

WHEREAS, the Original Protected Property and Additional Protected Property are so similar in character that the conservation values of both are adequately described by the purpose and recitals in the Conservation Easement, and by the Conservation Easement Baseline Documentation; and the parties hereto have prepared an Amended Baseline Documentation, on file with Holder, adding separate information on the Additional Protected Property alone, incorporated into the Conservation Easement by this reference, and certified this day by Grantor and Holder as an accurate description of the conservation values of the Additional Protected Property; and

WHEREAS this Easement Amendment is created pursuant to Title 33, Maine Revised Statutes, Sections 476 through 479-C, inclusive, as amended; and

NOW, THEREFORE, for and in consideration of the facts above recited and of the provisions herein contained, the Grantor grants to the Holder, its successors and assigns, this Amendment to a Conservation Easement, as a gift, as follows:

1. The Additional Protected Property, described in Exhibit A and depicted in Exhibit B, is hereby added to the Original Protected Property, and to the terms and conditions of the Conservation Easement, which shall be interpreted as though both parcels are part of the Original Conservation Easement.
2. In all other respects, the parties hereby ratify and confirm the Conservation Easement.

TO HAVE AND TO HOLD the said Conservation Easement Amendment unto the said Holder, its successors and assigns forever.

AND THE GRANTOR DOES COVENANT with the Holder, its successors and assigns that they are lawfully seized in fee of the Additional Protected Property, that it is free of all encumbrances except as listed in Exhibit C, that they have good right to convey this Amendment to a Conservation Easement to the said Holder to hold as aforesaid, and that the Grantor shall and will WARRANT and DEFEND the same to the said Holder and its successors and assigns, forever, against the lawful claims and demands of all persons.

SIGNATURES FOLLOW

IN WITNESS, WHEREOF, the Town of Cumberland has caused its acknowledgement and corporate seal to be hereto affixed and these presents to be signed by William R. Shane, its Town Manager in its name and on its behalf this ____ day of _____, 2019.

TOWN OF CUMBERLAND

Witness

William R. Shane, Town Manager

STATE OF MAINE
COUNTY OF CUMBERLAND, ss _____, 2019

Personally appeared the above named, William R. Shane, Town Manager of the **TOWN OF CUMBERLAND**, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the **TOWN OF CUMBERLAND**.

Before me, _____
Notary Public

Print name of Notary

My commission expires _____

HOLDER ACCEPTANCE

The above foregoing Conservation Easement Amendment being duly authorized to be accepted by the **CHEBEAGUE & CUMBERLAND LAND TRUST, INC.** Holder, hereby accepts this Conservation Easement Amendment by and through Penny Asherman, its President, hereunto duly authorized, this _____ day of _____, 2019.

**CHEBEAGUE & CUMBERLAND
LAND TRUST, INC.**

Witness

Penny Asherman, President

Personally appeared Penny Asherman, President and authorized representative of the **CHEBEAGUE & CUMBERLAND LAND TRUST, INC.** and acknowledged the acceptance of the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of the **CHEBEAGUE & CUMBERLAND LAND TRUST, INC.**, a Maine non-profit corporation.

Before me,

Notary Public

Print name of Notary

My commission expires _____

EXHIBIT A
The Additional Protected Property
Legal Description

Beginning at a point marked by a capped 5/8-inch rebar marked PLS 1137, set on the northeasterly sideline of Range Road at the southerly corner of land recently conveyed by Dale S. Rines to Robert J. Crawford and Sarah S. Stockwell;

Then running in the following courses along land of Crawford and Stockwell:

North 52° 55' 02" East a distance of 229.47 feet to a capped 5/8-inch rebar,

North 07° 57' 43" East a distance of 116.43 feet to a capped 5/8-inch rebar,

North 37° 02' 17" West a distance of 220.00 feet to a 1-inch iron rod set in a stone wall at land now or formerly of Thomas A. and Lisa K. Judd as described in Book 18025, Page 116 at the Cumberland County Registry of Deeds.

Then turning and running North 52° 55' 02" East a distance of 1014.47 feet along Judd land and the stone wall to a point marked by a capped 5/8-inch rebar inscribed PLS 586 at land now or formerly of Andrew R. Berube as described in Book 18060, at Page 237.

Then continuing North 52° 55' 02" East a distance of 300 feet along Berube land and continuing along the stone wall to a point marked by a drill hole in an 8-inch by 16-inch stone standing 2 feet tall at the corner of the stone wall and at land recently conveyed by Dale S. Rines to the Town of Cumberland as described in Book 20109, Page 82.

Then turning and running along land of the Town of Cumberland:

South 37° 00' 00" East a distance of 999.88 feet to a point marked by a drill hole in a 6-inch by 6-inch granite monument,

South 02° 34' 55" East a distance of 777.89 feet to a point marked by a drill hole in a 6-inch by 6-inch granite monument,

South 53° 12' 39" West a distance of 1046.54 feet to a point marked by a drill hole in a 6-inch by 6-inch granite monument set on the northeasterly sideline of Range Road,

Then turning and running northwesterly along the northeasterly sideline of Range Road approximately 1225 feet to the point of beginning.

EXHIBIT B

Map of Additional Protected Property



EXHIBIT C
Notice of Grant Requirement
on Additional Protected Property

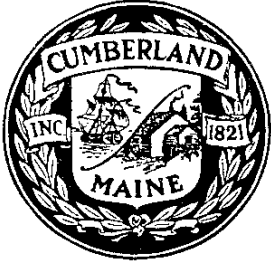
The Additional Property described herein was acquired pursuant to a monetary grant awarded to the Town of Cumberland, Maine. The purpose of this acquisition is to effect the goals of the U.S. Department of Agriculture (USDA) Forest Service's Community Forest and Open Space Conservation Program (CFP) in accordance with the provisions of Section 8003 of the Food, Conservation, and Energy Act of 2008 (16 U.S.C. 2103d) for the purposes of establishing community forests that provide community benefits by acquiring and protecting private forestlands. Program delivery is guided by the Community Forest Program regulations (36 CFR Part 230 Subpart A) (published 10/20/2011; 76 FR 65121).

In accordance with these regulations the Grant Recipient acknowledges that:

- 1) This Additional Property was purchased in part with federal funds in accordance with the Community Forest Program (36 CFR Part 230 Subpart A) (published 10/20/2011; 76 FR 65121);
- 2) The legal description of the Additional Property is set forth in Exhibit A;
- 3) The address of the Grant Recipient and authorized title holder listed above is: Town of Cumberland, 290 Tuttle Road, Cumberland, ME 04021.
- 4) This Additional Property is designated with the USDA Forest Service is agreement number 19-DG11420000-172 and it is kept on file at: U.S. Forest Service, Eastern Region State & Private Forestry, 626 E. Wisconsin Ave., Milwaukee, WI 53202
- 5) The Grant Recipient shall ensure that for all land acquired pursuant to this grant is held in perpetuity by an eligible entity as defined by 36 CFR Part 230 (published 10/20/2001; 76 FR 65121) and that the Community Forest will be (i) managed pursuant to the grant, the Community Forest Plan, and the purpose of the CFP; (ii) will not be conveyed or encumbered, in whole or in part, to another party without written permission and instructions from the awarding agency; and (iii) will be managed consistent with the purposes of the CFP.
- 6) In the event that the Community Forest is sold or converted to nonforest uses or a use inconsistent with the purpose of the CFP, the Grant Recipient or subsequent Community Forest landowner shall: (1) pay the United States an amount equal to the current sale price or the current appraised value of the parcel, whichever is greater; and (2) not be eligible for additional grants under the CFP.

ITEM 19-132

To authorize the Town Manager to enter into a 6-year lease agreement for golf carts at Val Halla



MEMORANDUM

Town of Cumberland, Maine
290 Tuttle Road
Cumberland, ME 04021
Telephone (207) 829-2205 • Fax (207) 829-2214

To: Town Council
From: William Shane, Town Manager
Date: November 7, 2019
Re: 19-132 Golf Cart Lease

We are in the process of soliciting new bids for our golf carts at Val Halla. The carts generate approximately \$25,000 (net) of annual revenue. This year, we are recommending working with EZ-Go (Club Car was the former vendor).

The lease will be \$87,300 annually for six years and cart rentals and advertising have consistently exceeded \$105,000 annually. We are increasing the cost of cart rentals with the new fleet by approximately 10%.

I am recommending that you authorize the Town Manager to execute a 6-year lease agreement for golf carts at Val Halla.

BUDGET REPORT

REVENUES



11/07/2019
10:24:19

TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1
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FOR PERIOD 05 OF 2020

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
0011 Other Tax Revenues					
0011 0303 Motor Vehicle Excise Tax	-846,674.32	-951,609.73	-967,300.04	-890,839.47	-1,950,000.00
0011 0304 Boat Excise Tax	-1,868.20	-2,840.74	-2,360.00	-2,424.70	-14,000.00
0011 0325 Supplemental Taxes	-14,130.35	.00	.00	.00	.00
0011 0328 Outer Islands Property Tax	-21,676.03	-21,887.03	-22,020.50	-23,513.74	-42,000.00
0011 0329 Payment in Lieu of Taxes	-14,902.00	-15,344.00	-15,959.00	-16,061.48	-31,000.00
TOTAL Other Tax Revenues	-899,250.90	-991,681.50	-1,007,639.54	-932,839.39	-2,037,000.00
0012 License & Permit Revenues					
0012 0311 Hunting/Fishing Lic Agent Fees	-115.00	-117.50	-156.50	-89.25	-541.00
0012 0312 Marriage Lic & Vital Records	-1,351.86	-1,191.80	-1,552.00	-1,398.00	-2,436.00
0012 0313 Birth Certificates	-725.60	-756.80	-697.40	-509.60	-1,361.00
0012 0314 Death Certificates	-806.80	-936.20	-870.00	-730.80	-1,713.00
0012 0315 Clerk Licenses	-805.00	-895.00	-1,965.00	-985.00	-4,608.00
0012 0316 Shellfish Licenses	-227.42	-36.06	-35.70	-14.28	.00
0012 0317 Conservation Fees	-22.58	-13.94	-14.30	-5.72	.00
0012 0334 Snowmobile Reg. Agent Fees	-34.00	-11.00	-41.00	-10.00	.00
0012 0361 Motor Vehicle Reg. Agent Fees	-8,789.00	-9,615.00	-9,408.00	-10,439.00	-21,406.00
0012 0362 Boat Reg. Agent Fees	-121.00	-115.00	-135.00	-156.00	-1,098.00
0012 0366 Building Permits	-75,747.78	-32,934.87	-36,615.95	-32,567.06	-75,000.00
0012 0367 Electrical Permits	-10,887.55	-14,259.45	-8,740.75	-9,014.15	-21,634.00
0012 0368 Plumbing Permits	-9,500.00	-11,330.00	-7,170.00	-5,367.50	-18,789.00
0012 0369 Other Permits	-879.00	-349.00	-628.00	-300.00	-1,751.00
0012 0383 ATV Reg. Agent Fees	.00	-37.00	-64.00	-52.00	-37.00
0012 0398 Application Fee	-100.00	-1,000.00	-650.00	-200.00	-1,300.00
0012 0401 Dog Reg. Clerk Fees	-453.00	-434.00	-442.00	-154.00	-2,800.00
0012 0404 Commercial Haulers License	-100.00	.00	.00	.00	-500.00
TOTAL License & Permit Revenue	-110,665.59	-74,032.62	-69,185.60	-61,992.36	-154,974.00
0013 Intergovernmental Revenues					
0013 0331 State Revenue Sharing	-175,033.19	-191,896.30	-198,978.14	-259,982.65	-503,207.00
0013 0335 DOT Block Grant	.00	.00	-68,644.00	.00	-68,000.00
0013 0341 North Yarmouth Recreation Shar	-10,934.00	-8,344.00	-4,730.00	.00	3,485.00

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FOR PERIOD 05 OF 2020

ACCOUNTS FOR:	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001 General Fund					
0013 0342 North Yarmouth Library Share	-36,100.00	-38,856.00	-40,018.00	.00	-169,361.00
0013 0347 North Yarmouth Channel 2	-668.00	-737.00	.00	.00	.00
0013 0348 ACO Sharing Payments	.00	.00	.00	-7,725.00	.00
TOTAL Intergovernmental Revenue	-222,735.19	-239,833.30	-312,370.14	-267,707.65	-737,083.00
0015 Other Revenues					
0015 0305 Interest & Penalties	-6,618.17	-7,202.31	-8,321.16	-5,818.54	-30,000.00
0015 0306 Over/Short	-303.31	591.08	6,569.31	3.81	-100.00
0015 0364 Growth Permits	-12,000.00	-1,900.00	-1,300.00	-1,400.00	-2,000.00
0015 0365 Board of Appeals	.00	-200.00	-100.00	-200.00	.00
0015 0379 Investment Earnings	-74.05	.00	.00	.00	.00
0015 0390 Misc. Revenue	-36,438.61	-33,772.60	-31,057.95	-656.41	-25,000.00
0015 0399 Staff Review Fee	-5,000.00	-9,300.00	-3,500.00	-1,500.00	-14,117.00
0015 0403 Mooring Fees	-300.00	-1,300.00	-150.02	-1,280.00	-1,500.00
0015 0410 Private Ways	-200.00	-200.00	-600.00	.00	-400.00
0015 0432 Workers Compensation Dividend	-3,294.00	.00	.00	.00	.00
0015 0508 Impact Fees	-138,717.60	-33,055.40	-42,281.40	-41,309.80	-60,000.00
TOTAL Other Revenues	-202,945.74	-86,339.23	-80,741.22	-52,160.94	-133,117.00
0021 Police Related Revenues					
0021 0351 Police Issued Permits	-807.00	-757.00	-1,140.00	-549.00	-2,000.00
0021 0353 Police Insurance Reports	-152.00	-240.00	-160.00	-190.00	-500.00
0021 0390 Miscellaneous Police Revenue	-39.00	-273.15	-27.00	-150.00	-648.00
0021 0427 Parking Tickets	.00	-300.00	.00	-300.00	-100.00
0021 0431 Outside Detail	-23,425.54	-18,784.08	737.52	.00	.00
0021 0536 Dog Licenses ACO Revenue	-737.00	-1,111.00	-933.00	-444.00	-1,800.00
0021 0540 MSAD #51 SRO Reimbursement	.00	-24,000.00	-24,500.00	.00	.00
0021 0546 Court Reimbursements	.00	-300.00	46.00	-3,296.28	-2,200.00
TOTAL Police Related Revenues	-25,160.54	-45,765.23	-25,976.48	-4,929.28	-7,248.00
0022 Fire Related Revenues					
0022 0390 Misc. Revenue	-2.50	-300.00	.00	.00	-100.00

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ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
0022 0431 Outside Details	-19,082.54	-17,742.00	.00	.00	.00
0022 0504 Rescue Billing	-71,687.57	-67,616.56	-70,480.65	-28,812.56	-160,000.00
0022 0505 Non Emergency Transports	-39,701.38	-6,392.67	.00	.00	-12,000.00
0022 0507 Paramedic Intercepts	.00	-300.00	.00	.00	-600.00
TOTAL Fire Related Revenues	-130,473.99	-92,351.23	-70,480.65	-28,812.56	-172,700.00
0031 Public Services Revenues					
0031 0390 Misc. Revenue	-78.00	-234.00	-3,116.00	-3,834.00	-20,500.00
0031 0391 Field Usage Fees	-4,774.00	-1,440.00	-4,613.20	-2,806.80	-10,000.00
0031 0431 Outside Details	-549.10	720.00	-752.95	.00	.00
0031 0517 Bags/Universal Waste	-107,391.00	-144,837.50	-133,317.50	-46,372.50	-286,015.00
0031 0539 Brush Passes	-1,621.00	-1,556.00	-1,519.00	-1,411.00	-8,277.00
0031 0617 Twin Brooks Donations	.00	-18.00	.00	.00	-92.00
TOTAL Public Services Revenues	-114,413.10	-147,365.50	-143,318.65	-54,424.30	-324,884.00
0035 VH Other Revenues					
0035 0329 Payment in Lieu of Taxes	.00	.00	.00	-4,000.00	-5,000.00
0035 0378 Soda Sales	-1,724.94	-1,644.50	-2,016.60	-1,594.40	-2,500.00
0035 0560 Rental Income	-11,589.47	-2,790.51	-8,948.23	-6,750.00	-14,000.00
0035 0565 Cell Tower Land Lease	-9,000.00	-9,000.00	-9,000.00	-9,000.00	-21,600.00
TOTAL VH Other Revenues	-22,314.41	-13,435.01	-19,964.83	-21,344.40	-43,100.00
0037 VH Golf Revenues					
0037 0306 Over/Short	-10.68	3.23	-6.89	506.39	.00
0037 0357 Golf Memberships	-111,665.88	-92,497.00	-115,856.40	-93,968.60	-230,000.00
0037 0358 Greens Fees	-69,412.70	-78,852.45	-87,624.14	-70,967.44	-120,000.00
0037 0359 Golf Cart Rentals	-51,364.07	-59,243.63	-46,983.36	-43,912.45	-88,000.00
0037 0416 Practice Range	-5,346.75	-6,316.50	-4,911.75	-768.25	-10,000.00
0037 0417 VH Program Revenues	-19,655.00	-27,491.52	-46,365.70	-42,284.00	-56,529.00
0037 0419 Advertising Sales	-2,250.00	-800.00	-5,600.00	.00	-23,392.00
0037 0522 Outing Golf	-56,391.43	-36,180.00	-41,978.43	-63,999.00	-45,000.00
0037 0617 Donations Received	.00	-845.00	.00	.00	.00

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ACCOUNTS FOR:	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001 General Fund					
TOTAL VH Golf Revenues	-316,096.51	-302,222.87	-349,326.67	-315,393.35	-572,921.00
0041 Recreation Related Revenues					
0041 0440 41100 After School Programs	-93,997.22	-111,869.40	-112,969.09	-101,107.00	-269,836.00
0041 0441 41110 Youth Enrichment Programs	-26,147.51	-38,918.60	-47,136.60	-53,882.00	-148,607.00
0041 0442 41120 Youth Sports Programs	-37,889.00	-40,360.50	-44,248.75	-42,029.00	-93,052.00
0041 0443 41130 Skiing Programs	-35,960.00	-41,182.50	-48,994.00	-51,244.00	-45,020.00
0041 0444 41140 Day Camps	-44,802.05	-33,700.18	-29,100.65	-29,548.93	-180,160.00
0041 0445 41150 Swimming Programs	-7,591.00	-8,736.00	-8,787.29	-8,370.00	-54,052.00
0041 0446 41160 Adult Enrichment Revenue	-11,990.50	-14,196.24	-11,585.34	-10,277.29	-39,515.00
0041 0447 41170 Adult Fitness Revenue	-26,957.10	-23,885.84	-24,398.13	-22,430.70	-42,743.00
0041 0448 41190 Special Events/Trips Reven	-1,026.00	-1,337.00	-952.00	-881.00	-2,243.00
0041 0449 41190 Recreation Programs	-2,595.55	-2,040.00	-675.00	-3,805.00	-6,971.00
0041 0570 41190 Rec Soccer Revenue	-11,760.00	-16,120.00	-18,175.00	-20,190.00	-20,245.00
0041 0571 41190 Rec Ultimate Frisbee Reven	.00	.00	.00	.00	-15,672.00
0041 0606 41190 CPR/First Aid Revenues	-300.00	2,215.60	-650.00	-600.00	.00
TOTAL Recreation Related Reven	-301,015.93	-330,130.66	-347,671.85	-344,364.92	-918,116.00
0045 Library Related Revenues					
0045 0392 Library Fines	-1,544.13	-1,293.69	-1,192.60	-1,971.04	-3,500.00
0045 0394 Misc. Library Revenue	-931.10	-442.50	-465.80	-518.60	-1,000.00
TOTAL Library Related Revenues	-2,475.23	-1,736.19	-1,658.40	-2,489.64	-4,500.00
0211 Police- Salaries & Bens					
0211 0431 Outside Details	.00	.00	-16,406.23	-15,902.52	-22,491.00
TOTAL Police- Salaries & Bens	.00	.00	-16,406.23	-15,902.52	-22,491.00
0221 Fire- Salaries & Benefits					
0221 0431 Outside Details	.00	.00	-14,279.32	-14,303.60	-18,000.00
TOTAL Fire- Salaries & Benefits	.00	.00	-14,279.32	-14,303.60	-18,000.00

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ACCOUNTS FOR:
001 General Fund

PRIOR YR3
ACTUALS

PRIOR YR2
ACTUALS

LAST YR
ACTUALS

CURRENT YR
ACTUALS

CY REV
BUDGET

TOTAL General Fund	-2,347,547.13	-2,324,893.34	-2,459,019.58	-2,116,664.91	-5,146,134.00
TOTAL REVENUES	-2,347,547.13	-2,324,893.34	-2,459,019.58	-2,116,664.91	-5,146,134.00
GRAND TOTAL	-2,347,547.13	-2,324,893.34	-2,459,019.58	-2,116,664.91	-5,146,134.00

EXPENSES

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ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
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10 General Government					
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130 Administration	282,459.25	281,570.60	267,515.25	248,550.32	621,818.00
140 Assessor	36,347.90	27,308.50	46,819.08	35,665.15	102,534.00
150 Town Clerk	89,705.31	85,710.80	101,574.56	101,641.08	265,989.00
160 Technology	110,041.03	110,587.76	99,459.50	101,090.43	212,517.00
165 Elections	7,872.89	1,664.75	5,509.85	25.50	16,026.00
170 Planning	25,902.24	28,108.48	25,713.60	21,247.69	73,802.00
190 Legal	15,304.17	22,224.85	13,265.40	18,067.24	47,500.00
TOTAL General Government	567,632.79	557,175.74	559,857.24	526,287.41	1,340,186.00
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20 Public Safety					
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210 Police	599,816.96	575,992.40	558,456.59	486,915.08	1,412,547.00
220 Fire	405,040.51	382,687.29	399,636.97	336,421.29	1,032,323.91
240 Code Enforcement	36,414.67	60,172.26	56,433.71	49,536.90	140,977.00
250 Harbor Master	.00	2,190.53	2,647.39	9,099.61	12,000.00
260 Animal Control	17,647.54	17,542.13	16,455.39	26,816.06	32,875.00
TOTAL Public Safety	1,058,919.68	1,038,584.61	1,033,630.05	908,788.94	2,630,722.91
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30 Public Services					
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310 Public Works	372,470.70	367,117.89	383,182.32	288,939.62	1,236,087.00
320 Waste Disposal	193,685.09	167,598.27	202,463.16	172,415.34	565,635.00
430 Parks	134,836.67	167,688.56	174,355.63	135,580.57	311,112.00
440 West Cumberland Rec	1,086.47	1,341.93	1,438.01	1,361.69	7,427.00
470 Historical Society Building	840.86	1,439.91	2,937.01	1,130.04	7,164.00
TOTAL Public Services	702,919.79	705,186.56	764,376.13	599,427.26	2,127,425.00
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37 Val Halla Golf Club					
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350 Valhalla-Club	17,865.18	19,513.27	17,862.85	9,072.27	27,100.00
360 Valhalla-Course	250,430.86	248,790.98	304,117.66	225,712.11	509,259.00

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ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
370 Valhalla-Pro Shop	149,421.07	158,050.11	190,754.67	139,274.27	225,574.00
TOTAL Val Halla Golf Club	417,717.11	426,354.36	512,735.18	374,058.65	761,933.00
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40 Recreation					
410 Recreation	420,849.64	450,759.65	480,889.62	466,249.65	1,048,508.00
420 Aging in Place	.00	.00	9,235.54	5,773.74	86,793.00
TOTAL Recreation	420,849.64	450,759.65	490,125.16	472,023.39	1,135,301.00
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45 Library					
450 Library	171,649.70	175,566.21	200,001.81	173,261.73	497,303.00
TOTAL Library	171,649.70	175,566.21	200,001.81	173,261.73	497,303.00
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90 Other					
580 General Assistance	14,378.08	21,520.88	9,877.55	17,966.91	35,000.00
590 Health Services	11,639.55	11,639.55	11,639.55	15,341.45	17,875.00
620 Cemetery Association	27,925.00	26,700.00	28,450.00	26,700.00	26,700.00
630 Conservation	2,750.00	2,176.04	4,122.45	1,293.27	13,000.00
800 Fire Hydrants	26,587.65	31,570.53	25,806.17	27,330.68	78,924.00
810 Street Lighting	14,572.78	13,898.72	9,881.99	10,381.06	45,000.00
830 Contingent	7,262.74	.00	-247.20	2,500.00	10,000.00
840 Municipal Building	31,745.27	32,781.49	37,699.80	26,664.16	104,523.00
850 Abatements	29,915.44	22,336.23	4,969.70	20,965.43	2,900.00
TOTAL Other	166,776.51	162,623.44	132,200.01	149,142.96	333,922.00
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96 Fixed Expenses					
650 Debt Service	565,020.80	692,833.99	528,987.24	361,209.26	995,000.00
750 Insurance	149,795.59	152,679.54	217,269.58	226,961.12	263,400.00
910 Capital Reserves	1,038,598.00	693,000.00	699,300.00	771,061.00	771,061.00
TOTAL Fixed Expenses	1,753,414.39	1,538,513.53	1,445,556.82	1,359,231.38	2,029,461.00

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ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
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98 Assessments					
860 MSAD #51	6,691,864.20	7,170,044.70	7,787,612.85	6,312,585.64	18,937,756.87
890 County Tax	775,374.00	813,904.00	878,954.00	910,761.00	878,954.00
TOTAL Assessments	7,467,238.20	7,983,948.70	8,666,566.85	7,223,346.64	19,816,710.87
TOTAL General Fund	12,727,117.81	13,038,712.80	13,805,049.25	11,785,568.36	30,672,964.78
TOTAL EXPENSES	12,727,117.81	13,038,712.80	13,805,049.25	11,785,568.36	30,672,964.78
GRAND TOTAL	12,727,117.81	13,038,712.80	13,805,049.25	11,785,568.36	30,672,964.78