AGENDA
Cumberland Town Council Meeting
Town Council Chambers
Monday, June 23, 2008
6:00 p.m. Workshop
7:00 p.m. Call To Order

6:00 p.m. WORKSHOP re: Rescue Department Defibrillator Training

I. APPROVAL OF MINUTES
   June 16, 2008

II. MANAGER'S REPORT

III. PUBLIC DISCUSSION

IV. LEGISLATION AND POLICY

08 - 093 Rescue Department presentation and swearing in of Officers: Peter Volk, Deputy Rescue Chief; John Wallace, Captain; Amy Baker, Captain; Tim Nangle, Captain; Evariste Bernier, Captain.

08 - 094 To consider and act on establishing a charge for the Cool Cities Committee.

08 - 095 To hold a Public Hearing to authorize the Town Manager to submit a grant application for testing wind generation capabilities at the town garage site.

08 - 096 To consider and act on request by Time Warner Cable for Resolution supporting its spin-off from Time Warner, Inc.

08 - 097 To hold a Public Hearing to authorize the Town Manager to transfer inter-departmental operating funds.

08 - 098 To hold a Public Hearing to consider and act on annual Victualer's Licenses for the period of July 2008 - July 2009.

08 - 099 To hold a Public Hearing to consider and act on a recommendation from the Planning Board re: setback requirement changes to the Val Halla Overlay District. TABLED
08 - 100 To hold a Public Hearing to consider and act on award of a $3.3 million dollar Tax Anticipation Note. **TABLED TO 07/14/08**

V. NEW BUSINESS

VI. EXECUTIVE SESSION

VII. ADJOURNMENT
MINUTES
Cumberland Town Council Meeting
Town Council Chambers
MONTDAY, JUNE 16, 2008
6:00 p.m. Workshop
7:00 p.m. Call To Order

6:00 p.m. WORKSHOP re: F.O.I.A. (Freedom of Information Act) Training

I. APPROVAL OF MINUTES
May 26, 2008
Motion by Councilor Perfetti, seconded by Councilor Moriarty, to approve the May 26, 2008 minutes as presented.

VOTE: UNANIMOUS PASSAGE 7-0

II. MANAGER’S REPORT

- Town Manager Shane asked the Council to consider setting a Public Hearing on June 23rd to authorize the Town Manager to submit an application for a grant to test wind generation possibilities on behalf of the Cool Cities Committee.
- Motion by Councilor Perfetti; seconded by Councilor Moriarty, to setting a Public Hearing on June 23rd to authorize the Town Manager to submit an application for a grant for testing wind generation possibilities on behalf of the Cool Cities Committee.

VOTE: UNANIMOUS PASSAGE 7-0

- The Cool Cities Committee will be working on a committee charge to reduce the carbon footprint of the town, look at energy savings/conservation throughout the town, and look at the compatibility of our neighbors while doing this.
- Reconstruction of the snowmobile bridge located at the end of Turkey Lane is ready to begin. Public Works and Storey Brothers will begin this project with completion, hopefully by Labor Day.
- On June 30th, there will be a neighborhood meeting at Town Hall to discuss the reconstruction of Range Road. This meeting will be televised. Notices will be sent to residents this week.
- Last week, bids were opened for the Route 100 waterline project. A.H. Grover was the low bidder at just under 1.3 million dollars. Work is scheduled to begin in the fall and completed by June 1, 2009.
- Request for Council consideration for amendment to the Silent Second Mortgage that presently exists in Crossing Brook. An interesting proposal has been submitted and should be looked at by a Council sub-committee then brought to the Council for action or no action at that point.
- Becky O’Brien just broke the State shot-put record and possibly javelin record. She is an amazing female athlete whom we all should be very proud.

III. PUBLIC DISCUSSION
NONE

IV. LEGISLATION AND POLICY

08 – 081 To swear in newly elected Councilors Jeffrey Porter & William Stiles.

Deputy Town Clerk, Tamra O’Donnell, administered the oath of office to Councilors Porter and Stiles.

08 – 082 Election of Council Chair and Vice-Chair.

Councilor Moriarty nominated Councilor Turner as Council Chair; seconded by Councilor Stiles.

VOTE: UNANIMOUS PASSAGE 7-0

Councilor Moriarty nominated Councilor Copp as Council Vice-Chair; seconded by Councilor Storey-King.
08 – 083   To hear a report from MDOT re: improvements of I-295 ramps at Exit 15.

Town Manager Shane introduced John Duncan, Executive Director of PACTS, Ed Hanscome and Shawn Smith from MDOT. Mr. Hanscome gave a presentation regarding the reconfiguration of the Exit 16 off-ramps to create a full service interchange. They explained that presently, Exit 16 does not have a northbound on-ramp and the new project will allow entrance and exit off the Interstate in all four directions. The estimated construction time for the Exit 16 southbound ramp is 2010-2011. Attached to the minutes are the slides that were presented by MDOT. This was a preliminary presentation by the MDOT at the request of Chairman George Turner. Shawn Smith of MDOT explained a more formal public hearing will be scheduled as the project start date comes closer.

08 – 084   To hold a Public Hearing to consider and act on a Wharfing Out Permit for Peter & Donna Verrill, 7 Broad Cove Way.

Town Manager Shane explained that this matter is required by the Shore Land Zoning Ordinance. The applicant has gone before the Coastal Waters Commission, who has inspected the site and now makes a recommendation to the Council for the Wharfing Out Permit. The application is complete and after Council approval, the applicant will go before the Planning Board for approval of the site plan application.

Councilor Perfetti commented that through the Coastal Waters Commission process, the applicants were very accommodating and there is no reason not to allow them to go forward.

Motion by Councilor Porter; seconded by Councilor Moriarty to authorize a Wharfing Out Permit for Peter & Donna Verrill, 7 Broad Cove Way.

VOTE: UNANIMOUS PASSAGE 7-0

Councilor Porter asked that instead of reading the letter submitted by Mr. Weiss, it instead be added as part of the public record. The Council agreed.

08 – 085   To hold a Public Hearing to consider and act on a Consent Decree for property located at 15 Aspen Crest Road, Map R04, Lot 35/C.

Town Manager Shane explained that Mr. Risley came forward, willing to take care of this matter, the Town Attorney has approved the document and the action of the Council will authorize the Code Enforcement Officer to sign the Consent Decree. 

Councilor Moriarty asked who sets the penalty and why is there a penalty.

Town Manager Shane said that the penalty is to cover legal fees in matters such as this. Councilor Perfetti suggested that going forward, changing the dollar amount of the penalty to “reasonable attorney’s fees” so there is no disincentive for property owners to come forward and clearing these matters up.

Motion by Councilor Stiles; seconded by Councilor Perfetti to authorize the Code Enforcement Officer to sign a Consent Decree between the Town and Christopher A. Risley, for property located at 15 Aspen Crest Road, Map R04, Lot 35/C.

Motion by Councilor Moriarty; seconded by Councilor Porter to amend the original motion to include the agreed upon fee of $500.00 to be paid by Mr. Risley.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 086   To hold a Public Hearing to consider and act on a Mass Gathering Permit and Victualer’s Licenses for the United Maine Craftsman’s 39th Annual Cumberland Arts & Craft Show, August 7, 8, 9 & 10, 2008 @ the Cumberland Fairgrounds.

Town Manager Shane said that the application is in order and staff is recommending its approval.
Motion by Councilor Stiles; seconded by Councilor to approve a Mass Gathering Permit and Victualer’s License for the United Maine Craftsmen’s 39th Annual Cumberland Arts & Craft Show, to be held August 7, 8, 9 & 10, 2008 @ the Cumberland Fairgrounds.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 087 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Penobscot Valley Kennel Club Dog Show, June 20, 21 & 22, 2008, @ the Cumberland Fairgrounds.

Motion by Councilor Stiles; seconded by Councilor Copp to approve a Mass Gathering Permit for the Penobscot Valley Kennel Club Dog Show, to be held June 20, 21 & 22, 2008, @ the Cumberland Fairgrounds.

VOTE: UNANIMOUS PASSAGE 7-0

Town Manager Shane requested to add setting a Public Hearing date of July 14, 2008 to consider and act upon a Mass Gathering Permit for the Cumberland Fair to be held from September 21 – 28, 2008.

Motion by Councilor Moriarty; seconded by Councilor Copp to set a Public Hearing date of July 14, 2008 to consider and act upon a Mass Gathering Permit for the Cumberland Fair to be held from September 21 – 28, 2008.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 088 To set a Public Hearing date (June 23rd) to authorize the Town Manager to transfer inter-departmental operating funds.

Finance Chair, Councilor Stiles explained that at the end of the fiscal year, funds have to be transferred. The excess will be reserved for the next budget year to help fund the Senior Circuit Breaker and heating assistance programs.

Motion by Councilor Copp; seconded by Councilor Stiles to set a Public Hearing date of June 23rd to authorize the Town Manager to transfer inter-departmental operating funds.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 089 To set a Public Hearing date (June 23rd) to authorize the increase of sewer user fees as recommended by the Town Manager.

Town Manager Shane requested that this item be moved to July 14, 2008 in order to allow time to get notices out to the public and finalize the rate adjustment for next year.

Motion by Councilor Stiles; seconded by Councilor Storey-King to set a Public Hearing date of July 14th to authorize the increase of sewer user fees as recommended by the Town Manager.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 090 To set a Public Hearing date (June 23rd) to consider and act on award of a $3.3 million dollar Tax Anticipation Note.

Town Manager Shane explained that money is borrowed annually to “level off our peaks” especially during the summer months when construction projects are underway, to get ahead before taxes are actually collected in September and March. This will be similar to a line of credit as opposed to a loan, which will reduce the interest rate.

Motion by Councilor Stiles; seconded by Councilor Moriarty to set a Public Hearing date of June 23rd to consider and act on award of a $3.3 million dollar Tax Anticipation Note.

VOTE: UNANIMOUS PASSAGE 7-0
08 – 091  To set a Public Hearing date (June 23rd) to consider and act on annual Victualer’s Licenses for the period of July 2008 – July 2009.

Town Manager Shane explained that this is the annual renewal and most of the businesses have returned their applications and paid the fee. There are 5-7 who have yet to return their application. They have received reminder calls and will hopefully have their paperwork in by the June 23rd meeting.

Motion by Councilor Stiles; seconded by Councilor Moriarty to set a Public Hearing date of June 23rd to consider and act on the 2008 Victualer’s Licenses.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 092  To award the Engineering Contract for the Route 100 / Range Road Water Line & Reconstruction Project.

Town Manager Shane explained a subcommittee (consisting of Councilor’s Storey-King and Stiles and two residents, Bob Waterhouse and Andrew Black) conducted interviews of three engineering firms (Oak Engineering, Sevee & Mahar, and Gorrill-Palmer Engineers) for the reconstruction of Range Road. The subcommittee unanimously selected Gorrill-Palmer Engineers of Gray. Their contract price was $275,000 for the reconstruction of just over three miles of Cross and Range Roads, new water line and drainage improvements. The price includes inspection for 3 years as well. The first neighborhood meeting is scheduled for June 30th.

Chairman Turner asked if Gorrill-Palmer was the low bidder.

Town Manager Shane said no, that 45% of the engineering criteria was based on the bid proposal; the other 55% was based on detail and level of service. The low bidder had about 1/3 less hours of design time placed on their bid.

Councilor Stiles explained that the subcommittee reviewed five bids and immediately eliminated two based on cost. There was a formula used on rating the remaining three: cost, knowledge, presentation.

Motion by Councilor Storey-King; seconded by Councilor Copp to award an Engineering Contract for the Route 100 / Range Road Water Line & Reconstruction Project to Gorrill-Palmer Consulting Engineers, Inc of Gray, ME.

VOTE: UNANIMOUS PASSAGE 7-0

V. NEW BUSINESS

Councilor Copp: None

Councilor Perfetti: None

Councilor Storey-King: Attended graduation, it was very nice. No word on school consolidation in some time. Thank you for putting up the flags on Main Street for Flag Day. It allowed the opportunity to teach the young people in the community about Flag Day.

Councilor Porter: Referred to a letter from Brita Bonichi referencing ordinance 402.4 regarding free range of poultry, which is prohibited in RR1 & RR2. She would like to see that changed. Councilor Porter requested that this item be put on a future Council Agenda for discussion.

Chairman Turner: The committee/board nominating committee interviewed Mr. Val Hart for the Cool Cities Committee and discussed Jock McDonald’s interest in the Coastal Waters Commission. Motion by Councilor Porter; seconded by Councilor Stiles to appoint Val Hart to the Cool Cities Committee and Jock McDonald to the Coastal Waters Commission.

VOTE: UNANIMOUS PASSAGE 7-0
Councilor Stiles: Thanked the voters for their votes. Referenced a letter from Bob King regarding the construction of the storage/snack shed at the West Cumberland field which will support the football boosters. Rescue Dept. has a shortage of staff, urged the public to volunteer.

Councilor Moriarty: None

VI. EXECUTIVE SESSION – pursuant to 1 M.R.S.A., § 405(6)(C) re: real property acquisition.

Motion by Councilor Stiles; seconded by Councilor Porter to recess to Executive Session pursuant to 1 M.R.S.A., § 405(6)(C) re: real property acquisition.
VOTE: UNANIMOUS PASSAGE 7-0
TIME: 8:52 p.m.

Motion by Councilor Stiles; seconded by Councilor Moriarty, to return from Executive Session.
VOTE: UNANIMOUS PASSAGE 7-0
TIME: 9:17 p.m.

VII. ADJOURNMENT

Motion by Councilor Copp; seconded by Councilor Moriarty, to adjourn.
VOTE: UNANIMOUS PASSAGE 7-0
TIME: 9:19p.m.

Respectfully submitted,

Brenda L. Stiffler
Executive Assistant
ITEM
08-093

Rescue Department presentation and swearing in of new officers

There are no materials for this item
ITEM
08-094

To adopt a charge for the Cool Cities Committee
TO: George Turner, Chairman Cumberland Town Council

FROM: William Shane, Town Manager

SUBJECT: Cool Cities Committee Charge

DATE: June 19, 2008

Background:

Begun in 2005, the Cool Cities campaign empowers municipalities and their citizens to implement smart energy solutions to save money and build a cleaner, safer future. For most municipalities, the first step toward becoming a "cool city" is to make a commitment to curb global warming by signing the U.S. Mayors' Climate Protection Agreement. Cool Cities not only brings real solutions to local levels, but it also showcases solutions for others to model, and builds leadership to ensure solutions are implemented at state levels and nation-wide. Hybrid cars, energy efficient buildings, and renewable energy are just a few of the many ways to make this real.

Committee Charge:

The Cumberland Town Council hereby directs the Cool Cities Committee to explore and make recommendations for policies and initiatives related to the reduction of carbon emissions and energy conservation, and more specifically directs the committee to develop policies to:

1. Reduce the carbon footprint and emissions for the Town of Cumberland.
2. Explore, inventory, and recommend policies to the Town Council for energy savings and efficiencies.
3. Work with surrounding communities to collaborate on regional energy savings and carbon reduction and emissions.
4. Explore life-cycle costs for recommended policies or initiatives, including pay-back costs.
ITEM 08-095

To hold a Public Hearing to authorize the Town Manager to submit a grant application for testing wind generation capabilities at the town garage site.
REQUEST FOR PROPOSALS
WIND TURBINE SITE SURVEY

RFP Issued by:
UNIVERSITY OF MAINE
UNDER AN AGREEMENT WITH:

EFFICIENCY MAINE – A PROGRAM OF THE
MAINE PUBLIC UTILITIES COMMISSION

DATE ISSUED: April 30, 2008

APPLICATION DEADLINE: June 30, 2008

RFP CONTACT: Mr. Paul L. Villeneuve, P.E.
5708 Barrows Hall, Room 9
University of Maine
Orono, ME 04469-5708
(207) 581-2271
Paul.villeneuve@umit.maine.edu

Efficiency Maine invites applications for a Wind Turbine Site Survey from qualified applicants with proposed sites within the State of Maine. The Site Survey provides qualified applicants with a preliminary assessment of the potential for wind generation at a specific site including average wind speed and expected capacity factor. The goal of the Wind Site Survey is to assist applicants to determine if sites are appropriate for a wind project. The Wind Turbine Site Survey assesses the potential for small wind projects designed primarily to serve on-site load, as well as larger multi-turbine projects intended to export power. In either case, the facility should have a nameplate capacity of at least 500kW. Eligible participants include Maine-based schools, communities, non-profit organizations and businesses. Residential applications are not eligible.
PRELIMINARY ASSESSMENT:

This is the first step in deciding whether an applicant is qualified to receive Wind Site Survey. The University will perform a preliminary desktop assessment analyzing available wind resource data of the area to determine site viability. Applicants must pass the minimum requirements of this survey in order to qualify to go forward to other elements which will be rated in the decision-making process.

The preliminary assessment, which is conducted by the University of Maine includes:
- A desk-top analysis to determine whether the applicant owns sites of sufficient size and windiness to warrant a detailed site survey.
- If warranted, a site visit may be conducted to gather additional information regarding the site.
- This assessment is pass/fail.

Eligible Applicants/Projects
- Maine-based schools, communities, non-profit organizations and businesses. Residential applications are not eligible. Sites to be surveyed should have an estimated wind speed of 13.4 mph (6.0 m/s) or greater at a 70 meter height based on True Wind measurements. For wind speeds lower than 13.4 mph, presence of a large local electrical load is preferable.
- In either case, the facility should have a nameplate capacity of at least 500kW.
- Applicant must show that they have the intention and the means to establish a working wind turbine at the location if the study proves the site to be of sufficient wind capacity.
- The applicant must appoint a primary contact to coordinate and accompany University staff on the site visit.

Instructions
Complete all requested information on following pages. Use additional sheets if necessary. Note that applications will not be examined until all sections are complete.

- Submit all required documentation with this application.
- Do not submit confidential information as part of this application. Efficiency Maine will treat all Wind Turbine Site Survey applications as public documents.
- Mail (6) hard copies and (1) electronic copy on a disk (in Microsoft Word format) of the survey application and all supporting documentation to:

  Mr. Paul L. Villeneuve, P.E.
  5708 Barrows Hall, Room 9
  University of Maine
  Orono, ME 04469-5708
  (207) 581-2271
  Paul.villeneuve@umit.maine.edu
• All proposals must be typewritten. The person making any change must initial changes or corrections.
• Proposals must be signed by a person legally authorized to bind the applicant.
• The State of Maine (University of Maine and/or Efficiency Maine) will not accept responsibility for any costs incurred by a bidder in the preparation of their proposal.
• Applicants should direct written questions regarding these specifications to:
  Mr. Paul L. Villeneuve, P.E.
  5708 Barrows Hall, Room 9
  University of Maine
  Orono, ME 04469-5708
  (207) 581-2271
  Paul.villeneuve@umit.maine.edu

• All applicants will receive copies of responses to relevant questions raised by other bidders. **Deadline for written questions is May 30, 2008.** Phone inquiries, except for an initial request for a copy of the RFP, will not be accepted and such calls may deem a proposal invalid. Copies of all questions and answers will be posted on the Efficiency Maine website: [www.efficiencymaine.com](http://www.efficiencymaine.com)
• Proposals should be prepared simply and economically to provide a concise yet complete description of the proposed project and capabilities for satisfying the requirements outlined in this RFP. All proposals must be complete and address all grant requirements.
• All proposal information must be contained in the proposal. Links to sites with additional information are not acceptable and will not be reviewed as part of the application.
• Eligible projects will be reviewed on a competitive basis. A review team with expertise in the energy field will evaluate applications for surveys according to the following criteria:
• The competitive bidding process involves the following steps and timetable:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
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<tbody>
<tr>
<td>RFP Issued</td>
<td>April 30, 2008</td>
</tr>
<tr>
<td>Question Period Closes</td>
<td>May 30, 2008</td>
</tr>
<tr>
<td>Proposals Due</td>
<td>June 30, 2008</td>
</tr>
<tr>
<td>Awards Announced</td>
<td>July, 2008</td>
</tr>
</tbody>
</table>

Wind Turbine Site Survey RFP
Selection will be based on the following criteria:

<table>
<thead>
<tr>
<th>SCORING CATEGORY</th>
<th>AVAILABLE POINTS</th>
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</thead>
<tbody>
<tr>
<td><strong>FUNDING NEED</strong> – Project would not be possible without this grant</td>
<td><strong>PASS/FAIL</strong> – applicants who fail this scoring category will be considered ineligible</td>
</tr>
<tr>
<td><strong>DESKTOP ANALYSIS OF PROPOSED SITE</strong> – site meets basic minimum qualifications – presumed wind speed of 13.4 mph or greater estimated annual average, with appropriate terrain</td>
<td><strong>PASS/FAIL</strong> – applicants who fail this scoring category will be considered ineligible.</td>
</tr>
<tr>
<td>Technical / scientific merit/viability – includes:</td>
<td>40</td>
</tr>
<tr>
<td>- Commercial feasibility</td>
<td></td>
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<tr>
<td>- Projected wind speeds compared with other applicants</td>
<td></td>
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<tr>
<td>- Amount of energy likely to be produced</td>
<td></td>
</tr>
<tr>
<td>Ability and resources to establish energy producing turbine on-site – includes:</td>
<td>35</td>
</tr>
<tr>
<td>- Demonstrated competence and experience</td>
<td></td>
</tr>
<tr>
<td>- Demonstrated Applicant resources</td>
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<tr>
<td>Societal benefits include:</td>
<td>25</td>
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<tr>
<td>- Geographic diversity</td>
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<tr>
<td>- Educational and demonstration benefit</td>
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- The University/Efficiency Maine reserves the right to reject any proposal that in its sole determination does not meet the requirements and specifications of this RFP, Maine law, or generally accepted business practices. We may seek clarifications of applicants’ proposals, including inviting any, or all, applicants to a face-to-face meeting, and may, at its sole discretion, allow applicants to conform proposals to the required specifications.
- All submissions by applicants will be considered available for public view following the grant award(s), subject to the Freedom of Access Laws of the State of Maine (1 MRSA 401). Confirm your understanding of this requirement by including the statement “I understand that my bid will be available for public view following the bid award.” in your proposal.

**Liability Statement**

- If the selection committee determines that installation of an anemometer tower is warranted and sufficient funding exists, the installation of the equipment will be supervised by the University. Once the equipment is installed, it will be the owner’s responsibility to maintain security of the installation. By applying for a
grant, the applicant accepts all liability of the installation of the turbine. Liability includes damage to the tower and/or components.

- The applicant agrees to execute a Property Loan Agreement.
WIND TURBINE SITE SURVEY APPLICATION
COVER PAGE

Applicant’s Contact Information
Applicants must identify a single project contact authorized to speak on behalf of applicant on matters relating to the application and/or anemometer loan. Additionally, the contact must be available to accompany the University on site visit as needed.

<table>
<thead>
<tr>
<th>Organization Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Organization:</td>
</tr>
<tr>
<td>Contact Name:</td>
</tr>
<tr>
<td>Street address:</td>
</tr>
<tr>
<td>Town, state, ZIP:</td>
</tr>
<tr>
<td>Federal Tax ID #:</td>
</tr>
<tr>
<td>Phone number(s):</td>
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<tr>
<td>Contact E-mail address:</td>
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<tr>
<td>Fax number:</td>
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Application and Attachments
Please make sure the following documentation is provided. Place a check in the appropriate box once attached.

☐ Wind Turbine Site Survey Application
☐ TrueWind’s detail sheet for each site offered for consideration
☐ Other Documents (if applicable). Please list:

____________________________________

____________________________________

____________________________________

____________________________________

Wind Turbine Site Survey RFP
Application Approval
This application must be read and signed by an individual authorized to represent the applicant. In the case the applicant is a Town, the application must be signed by an elected official. By signing this application, the applicant accepts services offered from Efficiency Maine through the Wind Turbine Site Survey Program as described on the first page of the RFP. The applicant understands that application and application assessment is intended, in part, to help applicants determine whether it is reasonable to pursue a wind project. Efficiency Maine or the University shall have no liability to the applicant for failure to provide an anemometer loan under this program. Should the applicant be awarded an anemometer loan, this is not an implied or express commitment by Efficiency Maine or the University to provide subsequent funding, services or other support for wind development under any Efficiency Maine program. In addition, the applicant accepts full responsibility for damage to the tower or resulting from the tower.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Title:</th>
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<tbody>
<tr>
<td>Signature:</td>
<td>Date:</td>
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</table>
**Site Information**

Use this space to identify potential sites for a wind project. A potential site should have open or clearable space sufficient to support the construction and operation of a tall piece of machinery, and should have strong winds, a sizable on-site load, or both. Please provide all the information requested for each site. You may wish to consult with local municipalities, conservation commissions, historic commissioners, etc. for information on each site.

<table>
<thead>
<tr>
<th>Applicant Corporate / Town name:</th>
<th>Property Owner (if different from applicant):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant Contact:</td>
<td>Property Owner Contact:</td>
</tr>
<tr>
<td>Applicant Contact Number, email and physical address:</td>
<td>Property Contact Number, email and physical address:</td>
</tr>
</tbody>
</table>

☐ Please check this box if the Applicant has included additional site information request forms. Attach all documents at the end of the application.

Who will be responsible for the periodic exchange of data cards and regularly checking on the equipment?

<table>
<thead>
<tr>
<th>Name:</th>
<th>Contact Number, email and physical address:</th>
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<table>
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<tr>
<th>Proposed Site:</th>
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<tbody>
<tr>
<td>Site Name:</td>
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<tr>
<td>Town:</td>
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<tr>
<td>General site description &amp; current land use:</td>
</tr>
<tr>
<td>Latitude:</td>
</tr>
<tr>
<td>Longitude:</td>
</tr>
<tr>
<td>Elevation (Feet):</td>
</tr>
<tr>
<td>Elevation of surrounding areas (feet): (Is the land higher than the surroundings?)</td>
</tr>
<tr>
<td>Predicted annual mean wind speed at 70m height, from TrueWind Solutions map. See <a href="http://truewind.teamcamelot.com/ne/">http://truewind.teamcamelot.com/ne/</a>:</td>
</tr>
<tr>
<td>Print out the detail sheet</td>
</tr>
<tr>
<td>Cleared area (approx. acres or sq. ft.):</td>
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<tr>
<td><strong>Amount of space available for clearing:</strong></td>
</tr>
<tr>
<td><strong>(Clearing to be done by participant)</strong></td>
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<tr>
<td><strong>Soil type (ledge, rocky, clay, soil, etc.):</strong></td>
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<tr>
<td><strong>Describe road access to proposed site:</strong></td>
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<tr>
<td><strong>Distance from Property line:</strong></td>
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<tr>
<td><strong>Nearest neighbor:</strong></td>
</tr>
<tr>
<td><strong>Nearest structure and distance:</strong></td>
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<tr>
<td><strong>Describe any obstacles that may influence the wind flow:</strong></td>
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<tr>
<td><strong>Proximity to airports (names and distances):</strong></td>
</tr>
<tr>
<td><strong>Proposed method of protecting equipment from vandal or animal damage:</strong></td>
</tr>
<tr>
<td><strong>Site Description:</strong></td>
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</tbody>
</table>

### Additional Information about the Proposed Site:

| **High voltage transmission lines (not local distribution) Distance, voltage, & line owner:** |  |
| **Other available wind data nearby:** |  |
| **Local restrictions on structure height or other requirements that may impact the tower or the eventual turbine installation:** |  |

### Project Status

Describe to what extent the following has been determined or discussed. All of these should be evaluated by the applicant early in the process

| **Tower permitting status, discussions with town, discussions with neighbors, etc:** |  |
| **Town and other requirements, i.e., zoning, variances, building permits, height, property line set-back requirements, noise, FAA, etc:** |  |
| **Discussions with local utility:** |  |
| **Name of utility contact and phone number (if applicable):** |  |
| **Substantiation of Need: Show why this site survey is not possible without this grant** |  |
| **What financing is available to move this project on to energy production** |  |

Wind Turbine Site Survey RFP
if the study shows wind feasibility – Please be specific regarding amounts and sources

Who is the proposed turbine owner:

List other parties already involved (if any):

Other information:

Wind Turbine Project Interest

To the extent possible, please identify the community’s wind energy development goals and the type of project(s) it envisions. This information will help the University assess each site’s potential for development of a wind project consistent with the community’s goals and interests.

<table>
<thead>
<tr>
<th>Describe why the local municipality is interested in wind</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>What kind of a project does the applicant envision?</td>
<td></td>
</tr>
<tr>
<td><em>Power used onsite or sold into the electric grid?</em></td>
<td></td>
</tr>
<tr>
<td><em>One or multiple turbines?</em></td>
<td></td>
</tr>
<tr>
<td><em>250 kW(</em>\leq<em>180 ft, generating energy for about 80 households), 600 kW(</em>\geq<em>240 ft, about 200 households), 1.5 MW (</em>\geq<em>350 ft, about 500 households).</em></td>
<td></td>
</tr>
<tr>
<td>Are you considering partial public ownership or private ownership? If considering public ownership, describe likely financing options</td>
<td></td>
</tr>
<tr>
<td>Describe public</td>
<td></td>
</tr>
<tr>
<td>input/outreach relating to local municipality wind to date</td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Does the local municipality have a by-law governing wind energy projects? If yes, please attach copy.</td>
<td></td>
</tr>
</tbody>
</table>
ITEM
08-096

Time Warner Cable is requesting a resolution supporting its spin-off from Time Warner, Inc.
June 12, 2008

Mr. William Shane
Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Dear Mr. Shane:

As you may know, Time Warner Cable Inc. ("Time Warner Cable") is the managing parent of the Franchisee providing cable television service in your community. Time Warner Cable is a publicly-traded corporation, with approximately 84% of its common stock currently indirectly held by Time Warner Inc. ("TWX"), itself a publicly-traded corporation, with the remainder widely held by public shareholders.

On May 21, 2008, TWX and Time Warner Cable announced a plan to effect a complete separation of Time Warner Cable from TWX (the "Spin-Off"). The end result of the Spin-Off will be the divestiture by TWX of its entire ownership in Time Warner Cable either through (i) an exchange offer whereby TWX stockholders may exchange some or all of their shares of TWX common stock for shares of Time Warner Cable common stock or (ii) a dividend by TWX to its stockholders of the shares of Time Warner Cable common stock held by TWX, or some combination of these mechanisms. Upon completion of the Spin-Off, which we hope to occur before the end of this year, 100% of the common stock of Time Warner Cable will be publicly traded.

The Spin-Off will not affect the ownership interests held by Time Warner Cable in the Franchisee or any of its other direct or indirect subsidiaries or affiliates, and Time Warner Cable will retain management authority over the Franchisee in your community. The Spin-Off will not result in the assignment or transfer of any of the Franchisee’s assets, including the franchise. Moreover, ultimate control of Time Warner Cable will rest with the same public shareholders both immediately before and after completion of the Spin-Off.

Based on all of the circumstances, we do not believe that the Spin-Off requires your approval. Nevertheless, if you would like to grant approval, we would appreciate the consideration and prompt adoption of the accompanying Resolution. We are also enclosing the required number of copies of FCC Form 394, which contains the information regarding the Spin-Off and Time Warner Cable, along with contact information if you should have additional questions.
June 12, 2008
Page 2

I would like to assure you that this Spin-Off will have absolutely no impact on our cable system or its operations. In particular:

- There will be no transfer of the franchise, which will continue to be held by the current Franchisee.

- There will be no change in the local management and staff as a result of the Spin-Off.

- Time Warner Cable will continue to be solely and exclusively responsible for the day-to-day management and operation of the cable system.

- There will be no change in our commitment to provide our customers with the best variety and quality in entertainment and information services, all at competitive rates and with excellent customer care.

- This Spin-Off will have no impact on our business policies or practices.

We look forward to continuing our valued relationship with your community.

Sincerely,

William R. Goetz, Jr.
Executive Vice President
Northeast Region

Enclosures
RESOLUTION NO.___________

A RESOLUTION PROVIDING APPROVAL FOR THE SPIN-OFF OF TIME WARNER CABLE INC.

WHEREAS, the Town of Cumberland, ME ("Franchising Authority") has granted a cable television franchise (the "Franchise") to an entity (the "Franchisee") which is a subsidiary or affiliate of Time Warner Cable Inc. ("Time Warner Cable"); and

WHEREAS, Time Warner Cable is a publicly-traded corporation, with approximately 84% of its common stock currently held indirectly by Time Warner Inc.; and

WHEREAS, Time Warner Cable and Time Warner Inc. have entered into an agreement to effect a complete separation of Time Warner Cable from Time Warner Inc. (the "Spin-Off"); and

WHEREAS, upon closing of the Spin-Off, one hundred percent (100%) of the stock of Time Warner Cable will be publicly traded; and

WHEREAS, Time Warner Cable and Time Warner Inc. have filed FCC Form 394 providing details regarding the Spin-Off; and

WHEREAS, the Franchising Authority wishes to grant its approval for the Spin-Off as described above.

NOW, THEREFORE, BE IT RESOLVED BY FRANCHISING AUTHORITY:

Section 1. The Franchising Authority hereby approves the Spin-Off.

Section 2. Upon the closing of the Spin-Off, the Franchisee shall remain bound by the obligations under the Franchise.

Section 3. This Resolution shall become effective immediately upon passage by the Franchising Authority.

PASSED, ADOPTED AND APPROVED this _____ day of __________, 2008.

By:____________________

ATTEST:

____________________
ITEM
08-097

To hold a Public Hearing to authorize the Town Manager to transfer inter-departmental operating funds
To: William Stiles, Finance Committee Chairman

From: William R. Shane, Town Manager

Date: June 13, 2008

Re: Budget Transfers FY 08
Charter Section 7 & 8- Expenditures & Transfers pages 12 and 13

All transfers will result in no increase in taxes and represents monies not spent from operating accounts and excess revenues. All additional unspent funds will be applied to the Fund Balance at the end of the fiscal year (June 30, 2008).

Town Charter Article VI. Section 7. Expenditures and departmental revenue

The budget for all departments shall include all proposed expenditures; and the Council shall make a gross appropriation for each department for the ensuing fiscal year. The gross appropriation for each department shall not be exceeded except by consent of the Council.

Town Charter Article VI. Section 8. Transfers of appropriations

At the request of the Town Manager and within the last three (3) months of the budget year, the Council may by resolution transfer any unencumbered appropriations, balance or portion thereof between general classification of expenditures within a department. Following the close of the fiscal year the Council may also continue unexpended balances in capital accounts and prepaid items.

Anticipated Order for June 23rd:

Be it ordered: That the Town Manager is authorized to transfer revenues and unexpended operating funds from the 2008 fiscal year budget to cover unanticipated overages in the FY 2008 Operations Budget. Be it further ordered that the Town Manager is hereby authorized to transfer

- $100,000 to the Senior Circuit Breaker Fund and
- $15,000 to the Heating Assistance Fund from FY 2008 revenues.

Be it further ordered that all remaining unexpended revenues be transferred to Fund Balance.
<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>Projected</th>
<th>(Over)</th>
<th>% Spent</th>
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<td>$ 490,425</td>
<td>($17,997)</td>
<td>104%</td>
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<tr>
<td>140 Assessor</td>
<td>$ 95,427</td>
<td>$ 97,495</td>
<td>($2,068)</td>
<td>102%</td>
</tr>
<tr>
<td>160 Technology</td>
<td>$ 181,327</td>
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<td>165 Elections</td>
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<td>$ 12,794</td>
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<td>170 Planning Board</td>
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<td>$ 80,256</td>
<td>($827)</td>
<td>106%</td>
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<tr>
<td>190 Legal</td>
<td>$ 44,000</td>
<td>$ 53,427</td>
<td>($9,427)</td>
<td>121%</td>
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<td>$ 1,086,302</td>
<td>($40,473)</td>
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<tr>
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<td>$ 472,829</td>
<td>$ 529,086</td>
<td>($56,257)</td>
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<tr>
<td>430 Parks</td>
<td>$ 155,458</td>
<td>$ 165,991</td>
<td>($10,533)</td>
<td>107%</td>
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<tr>
<td>440 West Cumberland Rec</td>
<td>$ 9,514</td>
<td>$ 11,524</td>
<td>($2,010)</td>
<td>121%</td>
</tr>
<tr>
<td>450 Library</td>
<td>$ 368,453</td>
<td>$ 365,938</td>
<td>($17,465)</td>
<td>105%</td>
</tr>
<tr>
<td>020 Cemetery Association</td>
<td>$ 22,300</td>
<td>$ 22,370</td>
<td>($70)</td>
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<tr>
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<td>$ 10,894,169</td>
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<td>890 County Tax</td>
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<td>$ 685,529</td>
<td>-</td>
<td>100%</td>
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<tr>
<td>910 Capital Imp. Plan</td>
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<td>$ 206,000</td>
<td>-</td>
<td>100%</td>
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<tr>
<td>150 Town Clerk-HR-Tax Collect</td>
<td>$ 321,527</td>
<td>$ 307,507</td>
<td>$ 14,020</td>
<td>96%</td>
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<tr>
<td>160 Engineering</td>
<td>$ 2,000</td>
<td>$ 708</td>
<td>$ 1,293</td>
<td>35%</td>
</tr>
<tr>
<td>220 Fire</td>
<td>$ 366,724</td>
<td>$ 341,125</td>
<td>$ 25,599</td>
<td>93%</td>
</tr>
<tr>
<td>230 Rescue</td>
<td>$ 575,707</td>
<td>$ 537,702</td>
<td>$ 38,005</td>
<td>93%</td>
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<tr>
<td>240 Code Enforcement</td>
<td>$ 90,751</td>
<td>$ 77,529</td>
<td>$ 13,222</td>
<td>85%</td>
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<td>$ 40,285</td>
<td>$ 180</td>
<td>100%</td>
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<td>$ 77,711</td>
<td>90%</td>
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<td>580 General Assistance</td>
<td>$ 13,275</td>
<td>$ 8,871</td>
<td>$ 4,404</td>
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<tr>
<td>590 Health Services</td>
<td>$ 6,031</td>
<td>$ 5,771</td>
<td>$ 260</td>
<td>95%</td>
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<tr>
<td>30 Conservation Comm</td>
<td>$ 2,000</td>
<td>$ 1,000</td>
<td>$ 1,000</td>
<td>50%</td>
</tr>
<tr>
<td>550 Debt Service</td>
<td>$ 585,187</td>
<td>$ 587,315</td>
<td>$ 872</td>
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<td>800 Fire Hydrants</td>
<td>$ 52,000</td>
<td>$ 50,750</td>
<td>$ 1,250</td>
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</tr>
<tr>
<td>810 Street Lighting</td>
<td>$ 35,000</td>
<td>$ 33,217</td>
<td>$ 1,783</td>
<td>95%</td>
</tr>
<tr>
<td>830 Contingent</td>
<td>$ 20,000</td>
<td>$ 19,277</td>
<td>$ 723</td>
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</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td>$ 18,891,217</td>
<td>$ 19,145,202</td>
<td>($253,985)</td>
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<tr>
<td>Revenues</td>
<td>$ 19,083,875</td>
<td>$ 19,361,721</td>
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<td>Overlay</td>
<td>$ 352,082</td>
<td>$ 23,862</td>
<td>$375,943</td>
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<tr>
<td>State Homestead Reimb</td>
<td>$216,519</td>
<td></td>
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</table>
## TOWN OF CUMBERLAND
### YEAR-TO-DATE BUDGET REPORT

**FOR 2008 12**

<table>
<thead>
<tr>
<th>Original Approp</th>
<th>Revised Bud</th>
<th>YTD Expended</th>
<th>MTD Expended</th>
<th>ENC/REQ</th>
<th>Available Bud</th>
<th>% Used</th>
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<td>140 Assessor</td>
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<td>95,427</td>
<td>94,495.09</td>
<td>4,689.20</td>
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<td>280,226.52</td>
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<tr>
<td>160 Technology</td>
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<td>184,298.72</td>
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<td>12,301.72</td>
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<td>83,772.24</td>
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<td>366,724</td>
<td>326,081.89</td>
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<td>515,098.16</td>
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<td>75,518.40</td>
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<td>250 Harbor Master</td>
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<td>.00</td>
<td>.00</td>
<td>.00</td>
<td>.0%</td>
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<td>260 Canine Control</td>
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<td>8,529.95</td>
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<td>64.3%</td>
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**MUNIS FINANCIAL MANAGEMENT SOLUTIONS**  
**TOWN OF CUMBERLAND**  
**YEAR-TO-DATE BUDGET REPORT**  

**FOR 2008 12**

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<th>590</th>
<th>Health Services</th>
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<th>6,031</th>
<th>8,743.70</th>
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<th>.00</th>
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<td>.00</td>
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<td>1,000.00</td>
<td>.00</td>
<td>.00</td>
<td>1,000.00</td>
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<td>.00</td>
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<td>Fire Hydrants</td>
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<td>213,578.85</td>
<td>1,253.44</td>
<td>.00</td>
<td>-51,422.85</td>
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<td>52,000</td>
<td>46,559.67</td>
<td>4,232.01</td>
<td>.00</td>
<td>5,440.33</td>
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<tr>
<td>830</td>
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<td>35,000</td>
<td>35,000</td>
<td>30,474.53</td>
<td>2,575.94</td>
<td>.00</td>
<td>4,525.47</td>
<td>87.1%</td>
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<td>.00</td>
<td>.00</td>
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<td>.00</td>
<td>-12,786.37</td>
<td>259.8%</td>
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<td>10,892,585</td>
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<td>.00</td>
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<td>100.0%</td>
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<tr>
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<td>Capital Imp. Plan</td>
<td>685,529</td>
<td>685,529</td>
<td>685,529.00</td>
<td>.00</td>
<td>.00</td>
<td>0.00</td>
<td>100.0%</td>
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**GRAND TOTAL**: 18,891,217  
18,791,896.35  
1,125,522.48  
14,096.00  
85,224.65  
99.5%

**END OF REPORT - Generated by William Shana**
MEMORANDUM

TOWN OF CUMBERLAND, MAINE
290 TUTTLE ROAD
CUMBERLAND, MAINE 04021
TEL: 207-829-2205  FAX: 829-2224

To: Town Council
From: William R. Shane, Town Manager
Date: January 9, 2008
Re: PROP Heating Supplement

The Town of Yarmouth contracts with PROP for a supplemental heating program. Its residents who qualify for the LIHEAP program receive an additional $300 benefit to essentially fill their tanks versus leaving them only half full.

The 30 families x $300 = $9,000. Last year 49 families received this benefit, but that did include Chebeague Island which I have estimated to be 19 of the 49 recipients.

The program is managed by PROP and requires minimal administration from my staff. My recommendation is that if you choose to fund the program that Local Circuit Breaker monies be used.

I am very concerned about the minimal request for assistance we have received this year. I am not naïve enough to believe the economy in Cumberland is booming. I will be meeting with the Chairman, our GA Staff person, local Church and Civic group leaders in February to discuss my concern and introduce them to our GA Director.

Update for FY 2008 Program

All monies were expended for fuel assistance. 30 families received an additional $300 this year toward heating fuel – 8 other families could have been served if more money was available. With the increase in fuel prices to match last year’s program we may wish to consider a $15,000 funding level. ($375 to $500 per family 30 to 40 homes)
ITEM
08-098

To hold a Public Hearing to consider and act on annual Victualer’s Licenses for the period of July 2008 – July 2009
2008 VICTUALER'S LICENSES

App & Fee Rec'd

- Afternoon Tea & Co.
  249 Main Street
- Allen's Country Store
  201 Gray Road
- Basil Provisions
  138 Main Street
- Big Apple
  174 Main Street
- Cranberry Island Kitchen Catering
  10 Corey Road
- City Brew Coffee/Janet Aker
  176 Gray Road
- Cumberland Fair-Village Farm LLC
  P.O. Box 810
  Turner, ME
- Cumberland House of Pizza
  P.O. Box 297
  Windham, ME
- D'Antonio's Baking Co.
  25 Pond Shore Drive
- Food Stop
  318 Main Street
- Gail Todd Catering
  (previously Chebeague Isl. Bakery)
  4 Grove Street
- HMS Host
  Maine Turnpike, Mile 58
- J. Brothers Variety
  42 Gray Road
- Mom's Kitchen of Maine
  P.O. Box 506
- Name Your Diet
  96 Range Road
- Northeast Ice Cream
  44 Ribgy Road
  So. Portland, ME
- Brenda Pitcher d/b/a Simply Sweet
  79 Woody Creek Lane
- Erin Pierce
  Double T Orchard
  Orchard Road
- Spring Brook Farm Store
  168 Greely Road
- Sweeney's Apple Barrel
  19 Blanchard Road
- Val Halla Golf Course
  60 Val Halla Road

2008 NON-PROFITS

- Cumberland/No.Yarmouth Lions Club
c/o Ken Snitger, 105 Tuttle Road
- Cumberland Soccer Club
  P.O. Box 352
- 4-H (Kelly Strout)
  30 Fowler Road, Cape Elizabeth
- Greely Football Boosters
  c/o Bob King, 32 Shirley Lane
- Suburban Little League
  P.O. Box 42
- Tuttle Road Methodist Church
  52 Tuttle Road
- W.Cumberland United Methodist Church
c/o Carol Myers, 268 Gray Road
ITEM 08-099

To hold a Public Hearing to consider and act on a recommendation from the Planning Board re: setback requirement changes to the Val Halla Overlay District
To: Town Council
From: William R. Shane, Town Manager
Date: March 28, 2008
Re: Planning Board Recommendation- Val Halla

The attached information allows for the sale of the Banquet Center to the MSGA and avoids creating a condominium association. Ken Cole will present this to the Planning Board as it may become a complex legal discussion because of the “Duplex versus Condo” like plan Ken has developed.
204.20 Val Halla Golf and Recreation Center Overlay District

204.20.1 The Val Halla Golf and Recreation Center, delineated as R04, Lot 41 on the official Town of Cumberland Tax Assessor’s Map dated April 1, 2001, is hereby designated as an overlay district within the Medium Density Residential District zone for the purposes designated herein.

204.20.2 All recreational uses listed below shall be allowed as permitted uses in the Val Halla Golf and Recreational Overlay District:

.1 Active recreational uses, including golf, tennis, cross-country skiing, sledding, and snowshoeing;

.2 Passive recreational uses, including walking trails and areas for bird and wildlife observation;

.3 Golf clubhouse, including a pro shop and food and beverage service;

.4 Banquet facilities and outdoor receptions including tables, tents, and chairs;

.5 Public Facility and Outdoor Recreational Facility; (as defined)

.6 Offices accessory to permitted uses;

.7 Offices for recreational services or recreational support services;

.8 Parking associated with permitted uses;

.9 Other uses determined by the Code Enforcement Officer to be similar in size, scope, type and impact to those uses permitted by this Section.

204.20.3 Notwithstanding the requirements of Section 206.2, accessory storage buildings up to 400 square feet in size shall not require site plan review.

204.20.4 Buildings in existence as of the date of adoption of this section 204.20.4 on May ___, 2008, shall meet the following lot size and setback requirements: [Amended, adopted]
Front: 5 feet
Rear: 5 feet
Side: 0 feet
Lot size: 20,000 square feet with sewer and 50 feet of frontage on a street, private way or existing driveway.
All new buildings exceeding 400 sq. ft. shall require Site Plan Review in accordance with Section 206.
All existing paved surfaces shall remain property of the Town of Cumberland. 20 spaces shall be designated as MSGA Parking.
204.3 Medium Density Residential District (MDR)

204.3.1 The following uses are permitted in the MDR district:

.1 Single family detached dwellings;
.2 Duplex dwellings and multiplex dwellings, so long as each such dwelling is connected to sewer facilities, and provided that multiplex dwellings are subject to the provisions of Sec. 406A; [Amended, effective 5/15/89]
.3 Timber Harvesting;
.4 Sewer pumping stations, subject to the provisions of Sec. 419.4;
.5 Antennas as defined in Sec. 100, subject to Site Plan Review, and Section 433; [Adopted, effective 12/13/99]
.6 Agriculture; [Adopted, effective 4/24/00]
.7 Uses and buildings accessory to those above;

204.3.2 The following uses are allowed as special exceptions in the MDR district, requiring the approval of the Board of Adjustment and Appeals:

.1 Home Occupations and Home Based Occupations; [Amended, effective 2/12/07]
.2 Above ground utility lines not located within public ways;
.3 Accessory structures of public utilities, subject to Site Plan Review;
.4 Municipal uses and buildings, subject to Site Plan Review;
.5 Religious institutions, subject to Site Plan Review;
.6 Cemeteries, subject to Site Plan Review;
.7 Private schools, subject to Site Plan Review;
.8 Extraction and/or bulk storage of ground water or spring water, subject to the provisions of Sec. 430;
.9 Residential Care Facilities (see Sec. 432); [Amended, effective 9/14/88]
.10 Day care centers and nursery schools for no more than 20 children, subject to the provisions of Section 408A and Site Plan Review; [Amended, effective 12/13/89, Amended, effective 4/12/99]
.11 Uses and buildings accessory to those above;

204.3.3 The following lot standards shall apply within the MDR district:

.1 2 acre minimum lot size, except that the minimum lot size for lots served by sewer shall be 1 acre; [Amended, effective 5/15/89]
.2 In the case of duplex or multiplex developments, the minimum lot area per dwelling unit for a lot served by sewer shall be .5 acres; [Amended, effective 5/15/89]
.3 There shall be no less than 150 feet of lot frontage. [Amended, effective 8/10/98]
204.3.4 The following minimum setbacks are required for all structures in the MDR district, except that sheds and driveways are permitted to a minimum setback of fifteen (15) feet from the side and rear lot lines:

.1 Front: 35 feet
.2 Rear: 50 feet
.3 Side: 20 feet - combined width at least 50 feet.

204.4 **VMDR — Village Medium Density Residential**

The purpose of the VMDR zone is to provide an area for medium density residential use with reduced lot standards to enable the development of affordable housing. [Adopted, effective 10/22/07]

204.4.1 The following uses are permitted in the VMDR district:

.1 Single family detached dwellings;
.2 Duplex dwellings and multiplex dwellings;
.3 Bed and Breakfasts & Inns;
.4 Daycare Homes;
.5 Municipal Uses and Buildings;
.6 Sewer pumping stations, subject to the provisions of Sec. 420.4;
.7 Uses and buildings accessory to those above;

204.4.2 The following uses are allowed as special exceptions in the VMDR district, requiring the approval of the Board of Adjustment and Appeals:

.1 Home Occupations and Home Based Occupations; [Amended, effective 2/12/07]
.2 Above ground utility lines not located within public ways;
.3 Accessory structures of public utilities, subject to Site Plan Review;
.4 Religious institutions, subject to Site Plan Review;
.5 Cemeteries, subject to Site Plan Review;
.6 Private schools, subject to Site Plan Review;
.7 Extraction and/or bulk storage of ground water or spring water, subject to the provisions of Sec. 430;
.8 Residential Care Facilities; (see Sec. 432); [Amended, effective 9/14/88]
.9 Day care centers and nursery schools for no more than 20 children, subject to the provisions of Section 408A and Site Plan Review; [Amended, effective 12/13/89, Amended, effective 4/12/99]
.10 Timber harvesting;
ITEM
08-100

To hold a Public Hearing to consider and act on award of a $3.3 million dollar Tax Anticipation Note

ITEM TABLED to 07/14/08