

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, November 9, 2020

6:15 P.M. Tour of New Ladder Truck

6:30 P.M. Council Photos

7:00 P.M. Call to Order

Seating will be available and will adhere to social distancing guidelines.

Face masks are required.

Due to renovations in the Council Chambers, the meeting will not be broadcast/live streamed.

I. CALL TO ORDER

II. APPROVAL OF MINUTES

October 26, 2020

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

Public discussion is for comments on items that are not on the agenda. Comments are limited to 5 minutes per person. Rebuttal comments will be limited to 2 minutes. Public discussion topics will be brought up again under New Business for further Council discussion.

V. LEGISLATION AND POLICY

20 – 098. To hold a Public Hearing to consider and act on accepting Fuller Road as a Town road.

20 – 099. Update on projects from Assistant Town Manager, Chris Bolduc.

20 – 100. To hear a report from Councilors Foster and Storey-King about how to facilitate community healing and support discussions related to social justice with respect and opportunity for all.

VI. NEW BUSINESS

Budget Report

VII. ADJOURNMENT

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, October 26, 2020

7:00 P.M. Call to Order

7:00 P.M. Call to Order

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

I. APPROVAL OF MINUTES

Motion by Councilor Vail, seconded by Councilor Storey-King, to accept the October 12, 2020 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

II. MANAGER'S REPORT

Assistant Town Manager, Chris Bolduc explained that the Police Chief is here this evening to review the process of harassment complaints and First Amendment Rights due to the recent issues that School Board members were experiencing.

Chief Rumsey explained that Maine Statute, Title 5, Section 4653, talks about the commencement of proceedings for harassment. The statute talks about how a victim of harassment can seek relief by filing a sworn complaint alleging harassment with the appropriate court. In order to do this, the person has to either have a copy of a notice to stop harassing the plaintiff issued to the defendant by law enforcement, or a good cause as to why the notice was not sought. The crime of harassment is described as a person being guilty of harassment if they engage in a course of conduct with the intent to harass, torment or threaten another person after having been notified in writing to not engage in such conduct by a law enforcement officer, or by the court by means of a protective order. The question that has come up recently is why the police haven't done anything to address the alleged harassment of School Board members, and specifically why haven't the police issued anyone a harassment warning. Frequently, when someone complains to the police about harassment, the police do not have the ability to talk to the other person, leaving them with only one side of the story. Often, if a harassment warning is issued it does not go into a statewide computer system that would allow other police departments to know this information. And lastly, there has been no judicial review of the facts and circumstance alleged in the case. His preference would be that when a person feels they are being harassed, they seek the harassment order from the court, which results in a hearing before a judge who is able to weed out if harassment existed, or if it was First Amendment expression, which is protected by law. He has prepared a document that someone can take with them to court that states that they are a victim of harassment, they went to the Cumberland Police and asked them to issue a harassment warning on their behalf, and they would not do that because it is not their practice. The letter states "if after consideration of the merits of your affidavit, the court issues you a protection from harassment order, the Cumberland Police Department stands ready to meet its responsibilities clearly delineated in Title 4, Section 4660(A)." When someone asks why the police have not done anything or issued a warning, it is simply not our practice not to do that. It is much better for a judge to listen to both sides of the story and issue a protection from harassment order. At that point, the Police Department stands ready to serve it and enforce it, fairly and swiftly.

III. PUBLIC DISCUSSION

Ann Maksymowicz of Tuttle Road said that she is here this evening to ask the Town Council to take a stand against the harassment, intimidation and abuse that she and other community members have been

the victim of, perpetrated by a fellow Cumberland resident. Since the beginning of June, this resident has engaged in a continuous, coordinated attack, with the assistance of an out of state resident, targeting mostly women who support social justice and who live, work and serve our community. This attack campaign has included slandering their names, sending inappropriate e-mails, sending texts well after business hours (including the middle of the night), disclosing personal records obtained through FOIA requests, including tax documents, and following board members to their cars after meetings. On October 5th, she did not stand for the Pledge of Allegiance as the resident's accomplice used his public comment time to lead the board and audience in a performance of the Pledge of Allegiance. Given the fact that not everyone in our country is treated equally and justly due to systemic racism and other forms of oppression, she does not participate in the Pledge. While the meeting was still in progress, the resident posted a photo of her seated, with her cell phone number, asking for people to call her. As an elected official, she has always recognized that something like this could happen to an extent, but she did not expect to have this be a continuous, coordinated attack. One which police and Town leadership have been aware of and allowed to continue with no intervention. She should not have to be standing here tonight. She should not have had to have her home address shared in a public forum with specific indicators as to which driveway is hers after spamming social media calling on people to confront her. This was meant to incite violence and further aggression against her at her home. Her home, where her 4 and 6 year old children love to cover the entire driveway with chalk drawings and play. Her home, where that same evening, her black lives matter sign was vandalized. She knows it was in retaliation to her expressing her first amendment right. This is not the community that she wants to raise her family in. This is not acceptable. This is not behavior we should tolerate. On October 19th, this resident and his accomplice disrupted the School Board meeting. The resident took over the meeting, including coming up on stage to the board members after he had already been instructed to stop talking and leave the meeting. It took 3 requests and a call to the Police Chief before he was removed for being disorderly. This is not the community she wants to raise her family in. This is not acceptable. This is not behavior we should tolerate. As soon as the resident was removed, he installed a sign, which he had brought with him to the meeting, of her seated during the pledge with a light shining on it at all hours. She left a note at his door the next day asking for the sign to be removed. The following day, she politely asked his wife to remove the sign, hoping she would be sympathetic to her personal request. After she left, the resident called the police and they issued her a criminal trespass warning. This was the first action that the department made after knowing about this resident's coordinated, escalating harassment. She feels that this resident is using the police to further harass her. Since the 21st, every time she leaves her house, she is anxious that the police will stop her for the smallest infraction. She does not feel safe. This resident has now installed a billboard-sized sign of her seated with a light shining on that at all hours. Cumberland Police and Town leadership have known about this coordinated, escalating attack on community members working towards social justice. The majority of people targeted have been women and we cannot lose sight of that power dynamic. She is asking the Town Council to denounce this behavior and is asking for the Town Council to hold the Police Department accountable and ensure they are policing without bias and discrimination. This is not the community that she wants to raise her family in. This is not acceptable. This is not behavior we should tolerate.

Mike Doyle, owner of Falmouthtoday.me and resident of Portsmouth, NH said that he previously lived in Falmouth for 40 years and has a lot of interest in this area. This might not be the community that she (Ann Maksymowicz) wants to live in, but this is the community that he wants to live in. This is the state he wants to live in. This is the country he wants to live in. He wants to live in a country where freedom of speech is respected at all levels, even if you're an elected official. A sign under *Read v. Gilbert, Arizona* was decided on by the United States Supreme Court. The Town has no legal authority to do anything with regard to the sign here. Whatever he chooses to put on that sign that is on his property is totally legal. The United States Supreme Court has made that decision. It is not questionable. If you want a freedom of speech reference, look at *Whitney v. California* (1927). That decision stated, "freedom to think as you will and speak as you think". Justice Brandeis was one of the writers of the decision. Are we going to

live in a free society, or not? If you don't like what someone is saying about you, then stop behaving in a way that will draw attention to you. The School Board doesn't pay attention to their own rules. They don't read their own rules, they swear that they are going to adhere to the Constitution of the State of Maine and the United States Constitution. If you did, you would read the first amendment and note that if you're a government official, people can contact you by phone, email, any way they choose to address grievances with you. If you don't want people to contact you, ask questions or confront you, don't be an elected official. What we have over there is a group of people who got bored sitting around the house and decided to play Board of Directors for the school department. They have no interest in reading their own rules or abiding by their own rules. This is what you see meeting after meeting. He is disgusted watching it. If the Town Council went over there and took an interest in the Board of Directors, running your 44-million-dollar school system (\$18,250 per student), you would also be disgusted. This person wants to run a communist country where the people in charge tell everybody else what to do and how to do it. He is not one of those people. He will fight to the death so this person can do whatever she wants, but if you're going to act like an a-hole, he's going to call you an a-hole. He was dedicating the Pledge of Allegiance to all the men and women serving in the United States Military all over the world, protecting our freedom of speech and our rights. She wouldn't even say the Pledge of Allegiance and respect those people. If you want to act like that, that's fine. That is your right, but don't expect him not to comment on it over and over again if he so chooses. This is not harassment. It is her behavior that draws attention to herself and he will not let up on it. He thought the Council meeting this evening would start with the Pledge of Allegiance. He wanted to see if she would remain seated here. He was in the military for 6 years and he would expect people in this town to respect people serving overseas and say the Pledge of Allegiance. It is respectful for people that are serving in our military service. He would expect the Town Council to support the guy with the sign in his yard. That is his right and that has been decided by the Supreme Court. Nobody has authority over the Supreme Court.

Councilor Vail said that he is a Vietnam Veteran. He did serve our country and there is no test for patriotism. If he were to make up a criteria for patriotism, he would probably fail it himself. To ask someone to follow somebody else's idea of what patriotism might be and then heap criticism upon them for lack of conformance, is not why he served. Let us not define patriotism by our own personal benchmark.

Sean McCloy of Cumberland said that he and his wife watched the last few School Board meetings and were dismayed by some of what they saw. He built his home and moved his business to Cumberland because of the strong sense of community that we all share here. People are engaged with each other and people care about what happens in our Town. His concern is for the members of the School Board, because recently they have not been able to do the work that they were elected to do because of unprecedented disruptions during their meetings. In addition, they've been targeted and attacked on social media and in the community. Since this summer's dialogue over equity, he has witnessed disturbing events in this community, which further inflame a difficult situation. He deeply appreciates the dedication and hard work done by the School Board. This is an unusually trying year for many reasons and he is humbled by the job the board performs week after week. All of Cumberland should be proud and thankful for their strong shoulders. We may not all agree on every decision that they make, but disagreement doesn't make it okay to attack them. We all enjoy the freedom of speech as Americans to express our opinions and to engage in civil dialogue with each other, but there are reasonable limitations to the freedom of rules, with rules clearly outlined by First Amendment scholars. Harassment and threats against our neighbors should not be tolerated. He challenged the Town Council with three simple action items: 1) to watch the October School Board meetings, especially the disruptions by members of the public, 2) to personally reach out to the School Board members and have a conversation with them regarding their recent experiences, and 3) to work with the Town Manager and perhaps directly with the Police Department regarding ensuring the safety of the Board members. He hopes that the Town Council can offer its full support to the School Board members as citizens and neighbors. He also encouraged the

Town Council to support the Police Department in reviewing its policies to protect and serve all members of our community in an equitable way.

Liza Batchelder expressed her support to the School Board, particularly those members who are currently being targeted with a campaign of harassment and intimidation. As a woman and mom of three girls, it is not lost on her that most of the people being targeted are women. She does not think that any of us want to live in a community where men feel entitled to bully and intimidate female community members and elected officials. She does not want her daughters growing up thinking that this kind of behavior is normal or acceptable. She calls on the Town Council and Police Department to stand in support of the School Board members and do everything in their power to put a stop to this harassment and ensure the safety of all community members. We all deserve to feel safe in this community. It should not matter whose politics you agree or disagree with. Harassment and intimidation are never okay.

Katie (no last name stated) thanked the Town Council for serving our Town. She is very grateful and supportive of the members of the M.S.A.D. 51 School Board, the Superintendent, and the Equity Committee. It's time for the Council to publicly state their support for fellow elected members of the community who are also volunteers working to make the community run smoothly like the Town Council, performing a civic duty giving up personal family time for our collective community. As of late, members of the School Board have been systematically and purposefully intimidated, harassed and threatened. Both the Council and Police Officers should condemn such behavior targeting public officials. She supports our School Board, our Equity Team, anti-racism and the work we all need to be doing to support equity and justice in this community. Whether or not you support everything our Equity Team has said and done, you must stand up and support your fellow elected leaders. Bullying is not tolerated in our schools and we teach our children not to do it. We shouldn't systematically support bullying of adults either.

Mike Williams, School Board Member, said that he appreciates the Town Council listening to the concerns this evening. He stands in complete solidarity with his colleagues on the School Board who are dealing with this disgusting behavior. It's been disappointing, it's an embarrassment to our community, and it is just not okay. We as a community should stand up and say that it is not okay to bully members of our community. People in public service don't serve so they can get personally attacked. Some of it is part of the job, but it can be done respectfully. He hopes that the Town Council will join him and others in saying that this is not okay.

Resident of Cumberland (name not stated) thanked the Council for their service and making decisions that make this Town a wonderful place to live. As citizens of this country, we all have a right to the First Amendment, which he is a big proponent of, and protecting it. There are, of course, limitations to that right such as, defamation, obscenity and clear and present danger, etc. He also believes that there is a social contract of human decency and respect that should be followed. This would obviously include freedom from harassment, intimidation, and personal threats. If you are against the School Board's equity statement, you should be able to say so, but in a way that is respectful and peaceful. He does not think the political views and affiliation of any of the board members or police department should be relevant in this situation. He thinks that we should put that all aside. He sincerely asked for the Council's impartiality and to do the right thing here.

Stacy (?) of North Yarmouth said that she stands here in solidarity with the members of the School Board, and asked that the Town Council, as Town leaders, stand with their fellow elected officials against harassment and intimidation. She believes that a strong democracy requires robust and open debate. She does not shy away from disagreements and instead, welcomes them as a pathway to more nuanced and effective policies. More open and vocal discussion and even disagreements over policies is a fundamental principal of our democratic form of government. It is incumbent upon all citizens to ensure that our

discourse does not devolve into harassment of individuals who hold different viewpoints. She asked that the Town Council promote the twin goals of allowing for open and difficult discourse, while maintaining the safety of all individuals involved, elected or not. To do nothing in the face of this concern is to enable this harassment to continue and potentially escalate. Our children are watching and they are asking questions. Please do right by them and by all members of our community.

Tammy Turner of Mill Road encouraged the Town Council to get involved and look at the Facebook forums and see what has been happening. If this were happening to her, she hopes that someone would speak up. If it were her friend, her sister, or her daughter, she would hope that someone would speak up. It is unacceptable what is being said on social media.

Liv, a Senior at Gray New Gloucester High School, is a student who works with the civil rights team and is disgusted by the actions taken by some community members. She stands in solidarity with the Board member. Especially for exercising her First Amendment right. She calls on the Town Council to denounce the actions taken by that community member.

Shawn McBreairty, of Cumberland, urged the Council to put this topic on their agenda at the next Town Council meeting. He represents the silent majority of our districts citizens who share the same perspective that M.S.A.D. 51 is working to indoctrinate students with your tax dollars. He represents those that are too afraid to speak up. That is what the left wing pushes back on. There will be dissenting opinions. He has lived here for over 20 years and has had a positive impact on this community. Many here tonight know him from his diligence, integrity, and honor. How many racial incidents of white supremacy and anti-blackness do you think M.S.A.D. 51 had last year? As a reminder, there are 2,200 students that attend our campus for 9 months. The answer is 4. Racism is indeed real. But it shouldn't be taught at Greely that a kid, parent, or any other member of the community needs to feel bad for being born. White guilt is a myth created by the left and supported by the Greely administration. Does that sound like the need for Superintendent, Jeff Porter to catapult off the tragedies of George Floyd and Brianna Taylor that M.S.A.D. 51 still stands with? But let's not let facts from a grand jury investigation get in the way of the narrative of race relations that somehow are intertwined here in our Town. There is a continued false narrative from the Equity and Inclusion Committee nearly entirely made up of democrats and the School Board, which is 80% democrat. Are you seeing a theme here? Political parties shouldn't matter, but all is being proven to matter, local, state and national. His goal has been to root out the hypocrisy of M.S.A.D. 51. The more he digs into it, the more he finds. He didn't want to bring any negative attention to this Town, and he told Jeff Porter that multiple times. Nor did he want to bring undue attention to himself, his wife, or his daughters who, although he's biased, are two of the nicest, well-rounded young women Greely has ever had the pleasure of walking those halls. On June 2nd, Jeff Porter split this community right down the middle with his white supremacy letter. Then, a few days later he doubled down on it. Since then, he has done nothing to heal this community. On June 6th, he provided Jeff Porter with the obscenity laden tweets of Shea Steward-Belay, the Executive Director of Community Change Inc. (CCI) (the company hired by M.S.A.D. 51 or their anti-racism equity work). Shea spewed hate speech-filled tirades on Twitter, inciting violence and more. He requested a personal sit-down meeting with Jeff Porter and it was attended June 18th with Town Councilor, Shirley Storey-King (thank you). CCI was hired from illegal an meeting involving Ann Maksymowicz, Kate Perrin and Tyler McGinley. Illegal because anytime there are 3 board members together discussing business, a public meeting notice must be published. That never happened and everything post-meeting can be deemed illegal. We gave Jeff Porter facts about CCI, the socialist and anarchist company, wishing to end capitalism, one in which they were building resistance wealth. Resistance wealth contributed to by all of you taxpayers. Jeff Porter then, only after he flooded social media on July 3rd with these facts, allegedly fired CCI. Allegedly because there is nothing in print about it. Jeff Porter stated on July 6th, "unfortunately, there is a narrative in the community that has drawn negative attention, and together this information has been circulated on social media. This narrative has become a distraction and an obstacle that would be challenging to overcome without considerable

defensive posturing and energy.” Even after all that, Jeff Porter is still willing to support CCI. School Board Chair, Tyler McGinley, on September 3rd went on to praise CCI’s efforts of building the foundation for equity training in the District. More like a foundation of socialism, anarchism and white guilt. With no public comment or School Board vote, Tyler McGinley has decided to partner with USM, the president of which wanted all students and faculty to sign the Marxist, black lives matter pledge. USM also partnered with Ibram Kendi, who recently Tweeted that the next Supreme Court Justice, Amy Coney-Barrett, is a white colonist and that her two black children, which she adopted from Haiti, are being civilized as props in their lifelong pictures of denial (referring to her alleged racism and white guilt). Senator Kennedy, a Washington, D.C. legislator from Louisiana, recently called Ibram Kendi “some butthead professor from Boston University”. What has happened is that the Equity Inclusion Committee now wants to include the Town and the Town Council in their equity piece. These folks essentially are social justice warriors, and they look for racism in every pocket of our community. Once justice is served, they cannot understand if justice is served because it doesn’t fit their narrative. Some of these people say “white silence is violence”. He asked the Council to bring together the community, for the Town Council and School Board to work this out. Until we do that, it is always going to be this way.

Kate Perrin said that she has served this community for 6 years. She has enjoyed difficult times on the School Board as well as good times. It has not always been easy, but she loves this community and what it stands for. She loves living here. Some of the things that were said tonight by an individual who lives in Cumberland were categorically untrue and it is difficult for her to continue to serve as a public official and be brutally slandered. There are a lot of things that the First Amendment protects against. Slander is not one of them. Nobody is teaching critical race theory to Cumberland and North Yarmouth children. Nobody is teaching Marxist theories. Nobody is doing anything close to what the individual here tonight is doing. What is happening at their board meetings is they are being intimidated. They are having their family members contacted to gain access to them. They are being called in the middle of the night. They are feeling unsafe to walk down the street where their children go to school. This is what is actually happening, and it is incredibly difficult. On Monday night, she felt incredibly unsafe at the board meeting. She has never experienced something like that. Since they have resumed in-person meetings, there have been 2 gentlemen that have attended every meeting and disrupted it. They have left the meeting, and when the police are gone, they would come back into the meeting and sit in the front row, staring at them, and then would follow them to their vehicles. It is her personal opinion that this man is dangerous. Dangerous for our campus and dangerous for our community. Our campus needs to be protected by the Town and its Police Department and so do our board members. She appreciates all the Town’s efforts and the Police Chief being here this evening, but they are not safe.

Peter Bingham of 19 Brook Road said that he has served this community for 36 years and he has never seen anything like this. He served in Vietnam and if Ann chooses to do what she wants to do, Mr. Doyle or anybody else chooses to do what they want to do, that is why we have a Constitution. We have had some debates but have always remained civil. The actions over the last few weeks are not who we are in this Town.

Patty McBreairty said that listening to these people say that her husband is going to hurt them is ridiculous. He has never laid a hand on anybody in his life. He has not been following them or harassing them, he has been stating the fact that they have not been following their own meeting guidelines. He is bringing to light what is wrong. They are not in danger. He would never hurt anybody. Ann came to her house twice. She did not appreciate that. She is not welcome on her property.

Margo Harrington, Cumberland resident and School Board member, said that it is very hard to hear some of the things that are being said about School Board members, that she does not believe to be true. The School Board has been working very hard and what is happening is a distraction at a time when they have

a lot of work to get done. She hopes that this can be resolved soon because the students deserve all that we are there to give them.

Corey (last name not stated) of Cumberland said that it is not okay for this to continue. She wonders where the line is. We have heard from Board members that they are afraid. Afraid for their children to play in their own driveway. Community members should be able to disagree. That is how society works. Society also depends on civility and not terrorizing people. She hopes that if Shawn's daughters are being obsessively targeted and harassed, that other people would stand up and support them.

Anneke Hohl of Cumberland said that she supports the School Board and what is happening in our community is absolutely not okay. We can and must do better. She wants to acknowledge and offer her gratitude in person for the pledge that the Town Council endorsed earlier in the summer. It is a commitment to stand in solidarity against racial and social injustice. Even independent with what is happening with the School Board, she would like to hear an update of what the Town is doing toward the pledge for social and racial justice.

IV. LEGISLATION AND POLICY

20 – 087 To hold a Public Hearing to consider and act on amendments to Chapter 48 (Coastal Waters), Section 7 (Personal Watercraft Storage), of the Cumberland Code, as recommended by the Coastal Waters Commission.

Mike Schwindt, Vice-Chair of the Coastal Waters Commission explained that these amendments add language to say that kayak storage spaces are non-transferable and may not be rented or otherwise assigned. The purpose of this change is to treat the storage spaces the same as the moorings. The harbormasters need to know whose crafts are stored in the spaces, and we don't want to see a lottery situation. These spaces are for Town residents only. The second amendment states that a violation in any portion of this section will result in immediate revocation of storage privileges and adds: *inability to rent a rack space in the following year and the owner will be subject to a fine.*

Chairman Gruber opened the Public Hearing.

Public discussion: none

Chairman Gruber closed the Public Hearing.

Motion by Councilor Edes, seconded by Councilor Turner, to amend Chapter 48 (Coastal Waters), Section 7 (Personal Watercraft Storage), of the Cumberland Code, as recommended by the Coastal Waters Commission.

VOTE: 7-0 UNANIMOUS

20 – 088 To hold a Public Hearing to consider and act on accepting Fuller Road as a Town road. **TABLED**

Councilor Vail explained that the necessary paperwork was turned in yet. This item will be tabled to the next meeting. When the Finance Committee met to discuss this, he asked for some specific language that shows that there was a willingness by the Town to take this on as a public road. He looked through the documents that the Town Planner provided, and he saw no mention that there was ever any discussion that Fuller Road would be accepted as a public road.

Motion by Councilor Vail, seconded by Councilor Turner, to table.

VOTE: 7-0 UNANIMOUS

20 – 089 To hear a report from the Finance Director re: 1st Quarter Financials.

Finance Director, Helene DiBartolomeo presented the following:



**Town of Cumberland
FY2021 Q1 Results**

**General Fund
FY2021 Q1 Overview**

	FY21 Budget	FY21 YTD Actual	FY21 %	FY20 %
TOTAL REVENUES	\$ 5,680,666	\$ 2,082,740	36.7%	30.0%
Controllable Expenses	\$ 9,043,364	\$ 2,416,570	26.7%	25.9%
Fixed Expenses	\$ 22,658,516	\$ 6,471,538	28.6%	30.1%
TOTAL EXPENSES	\$31,701,880	\$ 8,888,108	28.0%	25.8%

**General Fund
FY2021 Q1 Selected Revenues**

	FY21 Budget	FY21 YTD Actual	FY21 %	FY20 %
Excise Tax	\$ 1,735,000	\$ 737,785	42.5%	33.3%
State Revenue Sharing	\$ 500,000	\$ 226,093	45.2%	29.9%
Permits & Impact Fees	\$ 177,174	\$ 76,884	43.4%	23.7%
EMS Billing	\$ 160,000	\$ 15,424	9.6%	9.6%
Val Halla - Golf Revenues	\$ 572,921	\$ 264,766	46.2%	37.7%
Recreation - After School	\$ 270,000	\$ 78,301	29.0%	20.2%
Recreation - All Other	\$ 659,770	\$ 176,951	26.8%	26.4%

**General Fund
FY2021 Q1 Selected Expenses**

	FY21 Budget	FY21 YTD Actual	FY21 %	FY20 %
Police	\$ 1,494,752	\$ 382,058	25.6%	22.9%
Fire	\$ 1,088,962	\$ 234,311	21.5%	22.3%
Public Services	\$ 2,197,932	\$ 490,667	22.3%	19.4%
Val Halla Golf Club	\$ 781,125	\$ 329,001	42.1%	40.9%
Recreation	\$ 914,018	\$ 211,867	23.2%	32.2%

20 – 090 To hold a Public Hearing to consider and act on an Automobile Graveyard/Junkyard and Automobile Recycling Permit for Cumberland Salvage for the period of October 31, 2020 – October 31, 2025.

Assistant Town Manager Bolduc explained that the application is complete, the Code Enforcement Officer has inspected the facility, and staff is recommending approval.

Chairman Gruber opened the Public Hearing.

Public discussion: none

Chairman Gruber closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Vail, to approve the Automobile Graveyard/Junkyard and Automobile Recycling Permit for Cumberland Salvage for the period of October 31, 2020 – October 31, 2025.

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

20 – 091 To hold a Public Hearing to consider and act on an Automobile Recycling Permit for Copp Motors for the period of October 31, 2020 – October 31, 2025.

Assistant Town Manager Bolduc explained that the application is complete, the Code Enforcement Officer has inspected the facility, and staff is recommending approval. There was a miscommunication with the date of the Public Hearing on the abutter letters, but that was rectified by Mr. Copp.

Gordon Sprague lives in the condominiums behind Copp Motors. He was under the impression that there was to be a berm between the condos and Copp Motors property. There is no berm there yet. He approached Copp Motors and asked them if they would be willing to park some of their large vehicles in a different location, because it makes for a bit of an unsightly view from his condo. Mr. Copp could not have been more kind and gracious in responding to this request. He immediately moved those vehicles and he and the other condo owners are extremely pleased to have Mr. Copp as a neighbor.

Assistant Town Manager Bolduc explained that the Planning Board and Town Planner will be making sure that the berm is installed. The berm is the responsibility of the developer of the condos.

Tom (last name not audible), a current Saco resident who is moving into one of the condos in November, said that Mr. Copp has a very attractive and well-maintained establishment. His only objection is the lot on the north side of his building. As Mr. Sprague described, that portion of the lot was cleaned up by Mr. Copp. Normally, that side of the lot is in disarray. The Code Enforcement Officer visited the area and wrote in his memo to the Council, “the area appears to be adequately fenced and screened from public streets and the operation continues to be neat and organized”. In reality, there are no fences, no berms, no plantings of any kind, and the property and vehicles are clearly visible from all sides. West Cumberland is a very nice little community, and it is experiencing a growth spurt with the influx of new businesses and new residential development. Over time, communities grow and evolve and what may have been an appropriate use of a property 10 or 20 years ago, may not be appropriate today. For all those reasons, he urged the Council to reject Mr. Copp’s application, or at a minimum, require Mr. Copp to relocate the use on the north side and move it to the south side.

Ron Copp explained that this application is for a recycling license and nothing to do with a junkyard. He does not own a junkyard. He owns a recycling facility and he sells used cars. He is not required by any state law to have a fence. His business has been there for 50 years and he meets all of the criteria for this permit. He has been a good neighbor. When he tows in a totaled vehicle, he has to apply for ownership so he can dispose of the vehicle. This can take 6 to 8 weeks.

Motion by Councilor Vail, seconded by Councilor Turner, to approve the Automobile Recycling Permit for Copp Motors for the period of October 31, 2020 – October 31, 2025.

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

20 – 092 To forward to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 315 (Zoning), Section 2 (Purpose) and Section 4 (Word Usage and Definitions – Agriculture), as recommended by the Ordinance Committee.

Councilor Storey-King explained that the Ordinance Committee has been working on this for a couple of months and the purpose is to make things easier for our farmers in Town to help encourage the farming industry. This item and the next item will clarify definitions in regard to agriculture and the addition of site plan approval for farm based uses.

Chairman Gruber asked for any public comment.

No public comment.

Motion by Councilor Storey-King, seconded by Councilor Copp, to forward to the Planning Board for a Public Hearing and recommendation, amendments Chapter 315 (Zoning), Section 2 (Purpose) and Section 4 (Word Usage and Definitions – Agriculture), as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

20 – 093 To forward to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 229 (Site Plan Review) to add agriculture related language, as recommended by the Ordinance Committee.

Chairman asked for any public comment.

No public comment.

Motion by Councilor Storey-King, seconded by Councilor Turner, to forward to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 229 (Site Plan Review) to add agriculture related language, as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

20 – 094 To forward to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 229 (Site Plan Review) Section 5 (Minor Staff Review Procedure), Section 6 (Major Staff Review Procedure), Section 7 (Planning Board Review Procedure), to change the abutter notice radius from 200 to 500 feet, and Chapter 315 (Zoning), Section 53 (Home Occupations and Home Based Occupations) and Section 77-C (Board of Adjustments & Appeals - Hearings) to change the abutter notice radius from 300 to 500 feet, as recommended by the Ordinance Committee.

Councilor Storey-King said that is simply an effort to be consistent with all abutter notices throughout our ordinances.

Chairman asked for any public comment.

No public comment.

Motion by Councilor Storey-King, seconded by Councilor Copp, to forward to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 229 (Site Plan Review) Section 5 (Minor Staff Review Procedure), Section 6 (Major Staff Review Procedure), Section 7 (Planning Board Review Procedure), to change the abutter notice radius from 200 to 500 feet, and Chapter 315 (Zoning), Section 53 (Home Occupations and Home Based Occupations) and Section 77-C (Board of Adjustments & Appeals - Hearings) to change the abutter notice radius from 300 to 500 feet, as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

20 – 095 To consider and act on amendments to the Route 1 and Route 100 Design Standards, as recommended by the Planning Board.

TABLED BY PLANNING BOARD – NO COUNCIL ACTION

20 – 096 To authorize the sale of the 2000 model year ladder truck to the Town of Windham for \$42,000, as recommended by the Finance Committee.

Councilor Vail explained that the Finance Committee met and voted unanimously to accept this offer. The fact that it is going to a neighboring community is reason to accept the offer.

Chairman asked for any public comment.

No public comment.

Motion by Councilor Vail, seconded by Councilor Copp, to authorize the sale of the 2000 model year ladder truck to the Town of Windham for \$42,000, as recommended by the Finance Committee.

VOTE: 7-0 UNANIMOUS

20 – 097 To consider and act on a contract extension with A.H. Grover for winter plowing services, as recommended by the Finance Committee.

Assistant Town Manager Bolduc explained that A.H. Grover has requested this contract extension for winter plowing and have offered to reduce their hourly rate by \$20 per hour and hold that price for the duration of the 3-year contract. The Town Council must authorize any contract over 1-year.

Motion by Councilor Copp, seconded by Councilor Foster, to extend the contract with A.H. Grover for winter plowing services, as recommended by the Finance Committee.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Edes – he hates to see what is happening to the School Board members and he feels that there is blame and ownership on both sides. The School Board is to blame for some of this. It was brought to his attention last spring that the School Board chair at that time made the comment that she felt threatened and was blaming him. The only interaction he ever had with her was a comment on social media that the increase in taxes was due to the school budget, not the Town's. He didn't like that Ann didn't stand for the Pledge of Allegiance, but Councilor Vail was right when he said that patriotism is defined by the individual. He has a son in the military, so he does take it personally when she doesn't stand to support our military. But he does support her right to do it. He also feels that to ask this Council to get into the middle of a situation that involves freedom of speech is absolutely wrong. There is work to be done on both sides.

Councilor Storey-King – she established a relationship with Kate Perrin when they were both Chairs of the Town Council and School Board. She thought we were moving forward in a productive way. She mediated a meeting between Shawn and the Superintendent and told both of them that they are both good people. If they could sit in a room and have a conversation to better understand each other, that would move us forward. Unfortunately, our culture isn't that way right now. The First Amendment is freedom of speech, but it doesn't protect someone from what someone else says about them, it protects them from the government. She is bothered by this situation so she called Ann and they had a conversation. Her heart felt so hurt for Ann. She was very brave tonight, but she has been legitimately afraid of the situation. She does not like it when someone feels unsafe. She will do whatever she can to move the discussion forward. We are a strong community that thrives on relationships. She told Shawn that she agrees with his right to say things but does not agree with his method. She would have put Shawn on the Equity Committee.

Reminder that the Bicentennial Committee is selling gear to raise money.

She attended the Cumberland & Chebeague Island Land Trust annual meeting. Congratulations to Rob Crawford who received their annual award for his work with the trust. Jeff Storey was featured for Springbrook Farm being a farm in perpetuity. Skyline Farm was recognized for their farm to table kids program.

She wished Town Manager Shane a speedy recovery.

Councilor Vail – he listened to all the testimony this evening and he came away with one thing, and that is the people showed up here with an expectation that the Town Council will be a referee in this situation. He is not sure that is what we are or should be, but there is an opportunity for us to engage people and to take the pulse of the community. We can't condone any more wrongs and we can't condone any more behavior that alienates people. We have to show this community that we can take the challenge and form a committee. Councilor Foster has some ideas about this, but the parties involved need to be brought to the table and honest discussions need to take place.

Chairman Gruber – the Food Pantry has been serving 42 families each week.

Back in 1983, he was with a dying man and that man told him that he was worried about his family. He replied, "Jake, don't worry. I will make sure they are taken care of." He followed through on this promise, bringing in his 2 daughters who lived in Cumberland for many years (and 1 still does). The woman that Jake was married to died today (his mother-in-law) and she will be remembered by his family and extended family.

Councilor Foster – as Anneke asked, what are we going to do? The action that she is proposing that the Town Council take is the same action that we said we were going to take back in July, which is relative to that pledge of standing in solidarity against racial and social injustice. At that time, we thought the best solution was to form a subcommittee. She requested to the Town Manager that we form that subcommittee, with representation from the Town Council, Police Department, the School Board and vested community members that want to participate. The subcommittee would report back to the Town Council with what it looks like in our Town to stand in solidarity against racial and social injustice and what the details and a timeline look like.

Condolences to Councilor Gruber and his family.

Councilor Turner – this entire situation is upsetting and the First Amendment is the reason we can't do anything about it. There was one young lady who testified this evening who looked at the Council and said "you need to draw a line". He thought about that and there is a line as far as the First Amendment is concerned, which can't be crossed. The question is, where does that line lie? In his mind, where the line is drawn ties into the pandemic. With 80,000 people dying every day in this country, people who use the First Amendment to say that they don't have to wear a mask. Is it their First Amendment right to go home and kill their grandparents? That is what they are potentially doing and wearing a mask is a simple courtesy. He agrees with Councilor Foster and setting up a subcommittee, but he is a little concerned about the slippery slopes that it might create. But, if it brings this community together, he will get on board.

Councilor Copp – he thanked the Council for their support tonight (approving his recycling license). He does not want anybody to think that there is any type of favoritism because of the unanimous vote on that item. There is not. He tries very hard to be a good neighbor and the developer of the condo project needs to have his feet held to the fire to complete the project the way it was approved. He has not done that. The residents of the condos thought it was up to him to build the berm and it's not. He will be adamant that the developer builds the berm and puts the plantings in.

Condolences to Councilor Gruber on the passing of his mother-in-law today.

Assistant Town Manager Bolduc – starting tomorrow the brush dump will be open Monday through Saturday from 9:00 a.m. to 3:00 p.m. to help with public demand. These extended hours will go through November 21st.

VI. ADJOURNMENT

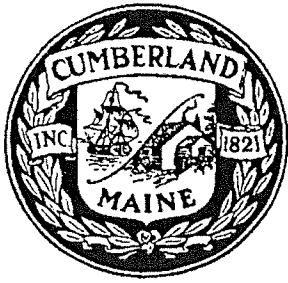
Motion by Councilor Vail, seconded by Councilor Storey-King, to adjourn.

VOTE: 7-0 UNANIMOUS

TIME: 9:35 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary



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

TO: William Shane, Town Manager
FROM: Christopher Bolduc, Assistant Town Manager
RE: Spring Valley Subdivision / Fuller Road Acceptance
Date: November 5, 2020

On December 17, 2019, Dan Diffin, P.E. of Sevee & Maher Engineers, acting on behalf of the Town of Cumberland, did a punch list inspection of the road infrastructure on Fuller Road in the Spring Valley Subdivision. The inspection resulted in a defect list that identified 4 defects that needed to be addressed for road acceptance to be considered. On October 20, 2020 a follow up final inspection was conducted and it was found that all previously identified defects to road had been corrected to road standards.

After reviewing all relevant legal documentation submitted, confirming receipt of as built drawings, and cad files, as well as visiting the site, I am recommending the Town move forward with the acceptance of the Fuller Road infrastructure into public ownership.

Brenda Moore

From: William Shane
Sent: Wednesday, November 4, 2020 10:12 AM
To: AEW123@aol.com; Ben Grover
Cc: Brenda Moore; Alyssa Tibbetts
Subject: FW: Update from Fuller Road Homeowners

Importance: High

Good Morning Ben & Alan,

I think you will need to prepare for the requests below. Many seem reasonable and you would have had to do anyway. Some may be more tied to their title companies than you.

Thank you,

Bill

From: Megan Quirk <mquirk@bernsteinshur.com>
Sent: Wednesday, November 4, 2020 10:05 AM
To: William Shane <wshane@cumberlandmaine.com>
Cc: Cari Turnbull <carioturnbull@gmail.com>; 'Chris Mitchell' <mitchc16@hotmail.com>; 'd.turnbull2006@gmail.com' <d.turnbull2006@gmail.com>; 'Stephen Quirk' <sdquirk@gmail.com>; meganlquirk@gmail.com
Subject: Update from Fuller Road Homeowners
Importance: High

Hi Bill,

Thank you again for coming out to the neighborhood last week and discussing the situation with all of us. Hope you got your batteries charged back up OK!

We have talked, and the homeowners on Fuller Road would like to see the road taken over by the Town as soon as possible. However, based on the fact that the deeds were filed incorrectly and the HOA was never disclosed (and we note again the fact that at least 12 different title searches did not find any documentation about it), we are hoping that the Town will make the takeover contingent on the following concessions:

- 1) Grover will pay for the preparation of any and all paperwork necessary to facilitate the formation of the HOA;
- 2) Grover will facilitate and pay for the necessary deed amendments and filings; and
- 3) Grover will cover legal fees incurred by the homeowners as part of this process.

We are also looking forward to continuing to work with you on potentially finding an alternative arrangement to an HOA, if we can come up with something creative that satisfies the perpetuity concerns the DEP has. The idea of working with the elected officials you mentioned, Cathy Breen and Steve Moriarty, was appealing to all of us. If we are able to find an alternative solution, we would ask that Grover:

- 4) facilitate the development of and costs associated with whatever the rainwater/drainage management agreement the DEP would agree to in lieu of an HOA.

I know Cari has been in touch with you about the easement situation – I have copied her here to make sure we get whatever needs to happen with that portion of things squared away as well.

I think the majority of the homeowners are more interested in having the road taken over by the town than in continuing to negotiate with Grover indefinitely, but we would greatly appreciate any commitments you can get from Ben with regard to the above requests prior to the next meeting. If you think it would be beneficial to have one of the homeowners present at the meeting next week in support of the Town taking over the road, please let me know and I will make sure at least one of us can be there. Please also let me know if you need anything else from us at this point. Again, we truly appreciate your time and willingness to continue to work with us on this matter.

Thank you,
Megan

Megan Quirk

she/her/hers pronouns

Legal Assistant / Commercial & Securities Paralegal

207 228-7239 direct

207 774-1200 main

207 770-2586 fax

[Online Payment](#)

[LinkedIn](#) | [Twitter](#)

BERNSTEIN SHUR

100 Middle Street PO Box 9729 [Portland, ME](#) 04104-5029 | [Manchester, NH](#) | [Augusta, ME](#) | [bernsteinshur.com](#)

Confidentiality notice: This message is Intended only for the person to whom addressed in the text above and may contain privileged or confidential information. If you are not that person, any use of this message is prohibited. We request that you notify us by reply to this message, and then delete all copies of this message including any contained in your reply. Thank you.

Total Control Panel

[Login](#)

To: wshane@cumberlandmaine.com

[Remove](#) this sender from my allow list

From: mquirk@bernsteinshur.com

You received this message because the sender is on your allow list.

S&W ASSOCIATES, LLC
Attorneys at Law
P.O. Box 275
Cumberland Center, Maine 04021-0275

Alan E. Wolf, Esq.

Telephone: (207) 829-6363
Facsimile: (207) 829-4481
E-Mail: tsnowlaw@maine.rr.com

October 21, 2020

William R. Shane, P.E.
Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Re: Title Update for "Fuller Road", so-called, not specifically referred to by name on, but shown as a roadway, including cul-de-sac on Conventional Subdivision Plan entitled "Walnut Hill Investments, LLC, Spring Valley Subdivision, Fuller Road, Cumberland, Maine", prepared by Sevee & Maher Engineers, Inc. dated November 2016, as updated and revised through May 2017, recorded on June 29, 2017, in Plan Book 217, Page 237 ("Plan").

To the above addressee:

I have updated the title at the Cumberland County Registry of Deeds from October 21, 2016, being the date of the issuance of the Owner's Title Insurance Policy ("Policy") annexed hereto, up through October 13, 2020 at 8:30 A.M., with respect to the fee ownership of "Fuller Road", so-called, being the unmarked roadway, including the area shown as the cul-de-sac, on the Plan, and would report the following:

- A. **Record Owner** – Walnut Hill Investments LLC by virtue of a Warranty Deed from Mark M. Fuller dated October 20, 2016, and recorded in the Cumberland County Registry of Deeds in Book 33542, Page 1.
- B. **Mortgages and Liens** – None of record.
- C. **Easements, restrictions, covenants, and conditions in addition to those shown on said Policy:**
 - 1. Such notes, easements to lot owners, restrictions, rights, and privileges set forth or referred to on lot conveyance deeds and on the Plan entitled "Spring Valley Subdivision, Cumberland, Maine", recorded in Plan Book 217, Page 237.

Mailing Address: P.O. Box 275, Cumberland, ME 04021-0275
Office Address: 294 Main Street, Cumberland, Maine

William R. Shane, P.E.
Town Manager
Page 2

2. Terms and conditions set forth in the Department of Environmental Protection Order for Stormwater Management Law dated May 17, 2017, and recorded in Book 34023, Page 322, as may be amended.

3. Possible ineffectual Underground Line Easement from Walnut Hill Properties LLC to Central Maine Power Company dated August 15, 2017, and recorded in Book 34644, Page 223. Note, our office has advised Walnut Hill Investments LLC that this easement is ineffectual and that a new easement will need to be recorded in the Cumberland County Registry of Deeds due to the incorrect grantor listed.

4. Drainage Maintenance and Warranty Agreement between A.H. Grover, Inc. and the Town of Cumberland of even or near date to be recorded.

I have confirmed that Walnut Hill Investments LLC is in good standing pursuant to the Secretary of State, Maine.

Thank you.

Very truly yours,



Alan E. Wolf

Enclosures

STATUTORY WARRANTY DEED
(DLN: _____)

Walnut Hill Investments LLC, a Maine limited liability company with a principal place of business in the Town of Cumberland, County of Cumberland and State of Maine, with a mailing address of P.O. Box 307, Cumberland, Maine 04021,

For Consideration Paid, GRANTS with WARRANTY COVENANTS TO:

Town of Cumberland, a Maine municipal corporation, with a place of business in the Town of Cumberland, County of Cumberland and State of Maine,

A certain lot or parcel of land, being the roadway known or referred to as "Fuller Road", so-called, situated in the Town of Cumberland, County of Cumberland and State of Maine, bounded and described in Exhibit A annexed hereto and made a part hereof, subject to such easements, restrictions, permits, and other matters of record at the Cumberland County Registry of Deeds.

IN WITNESS WHEREOF, the said WALNUT HILL INVESTMENTS LLC has caused this instrument to be signed and sealed by Benjamin C. Grover, its Manager, thereunto duly authorized this 23 day of October, 2020.

WALNUT HILL INVESTMENTS LLC

By: Benjamin C. Grover
Benjamin C. Grover, its Manager

STATE OF MAINE
CUMBERLAND, SS.

Date: _____, 2020

Then personally appeared the above-named Benjamin C. Grover, Manager of Walnut Hill Investments LLC as aforesaid and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

Before me,

Attorney at Law/Notary Public

The Town of Cumberland enters into this instrument for the purpose of accepting the conveyance herein.

IN WITNESS WHEREOF, Town of Cumberland, has caused this instrument to be signed and sealed by William Shane, Town Manager, thereunto duly authorized this _____ day of _____, 2020.

Town of Cumberland

Witness

By: _____
William Shane, Town Manager

STATE OF MAINE
CUMBERLAND, SS

Date: _____, 2020

Then personally appeared the above-named William Shane, Town Manager for the Town of Cumberland as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said municipality.

Before me,

Attorney at Law/Notary Public
Printed Name:
My Commission Expires:

Exhibit A

A certain lot or parcel of land situated on the Southeasterly side of Blackstrap Road in the Town of Cumberland, County of Cumberland and State of Maine being more particularly described as follows:

Beginning at a granite monument set in the ground on the Southeasterly side line of Blackstrap Road at the Northerly corner of Lot #1 of *Spring Valley Subdivision* as shown on a plan recorded in the Cumberland County Registry of Deeds in Plan Book 217 on Page 237;

Thence along the Northeasterly boundary of the said Lot #1 following a curve to the right with a radius of 15.00 feet a distance of 25.03 feet to a granite monument set in the ground;

Thence S 38°47'16" E continuing along the said Lot #1 and also along the Northeasterly boundary of Lot #2 a total distance of 272.10 feet to a granite monument set in the ground;

Thence continuing along the said Lot #2 following a curve to the left with a radius of 525.00 feet a distance of 166.72 feet to a granite monument set in the ground at the Easterly corner of the said Lot #2 and at the Northerly corner of Lot #3;

Thence along the said Lot #3 following a curve to the right with a radius of 475.00 feet a distance of 150.84 feet to a granite monument set in the ground;

Thence S 38°47'16" E continuing along the said Lot #3 and also along the Northeasterly boundary of Lot #4 a total distance of 281.24 feet to a granite monument set in the ground;

Thence continuing along the said Lot #4 and also along the Northeasterly boundary of Lot #5 following a curve to the left with a radius of 525.00 feet a total distance of 317.77 feet to a granite monument set in the ground;

Thence S 73°28'05" E continuing along the said Lot #5 a distance of 43.68 feet to a granite monument set in the ground;

Thence continuing along the said Lot #5 following a curve to the right with a radius of 15.00 feet a distance of 15.12 feet to a granite monument set in the ground;

Thence continuing along the said Lot #5 and also along the Southwesterly boundary of Lot #6 following a curve to the left with a radius of 60.00 feet a total distance of 309.48 feet to a granite monument set in the ground;

Thence continuing along the said Lot #6 following a curve to the right with a radius of 15.00 feet a distance of 15.12 feet to a granite monument set in the ground;

Thence N 73°28'05" W continuing along the said Lot #6 a distance of 43.68 feet to a granite monument set in the ground;

Thence continuing along the said Lot #6 and also along the Southwesterly boundary of Lot #7 following a curve to the right with a radius of 475.00 feet a total distance of 287.51 feet to a granite monument set in the ground;

Thence N 38°47'16" W continuing along the said Lot #7 and also along the Southwesterly boundaries of Lot #8 and Lot #9 a total distance of 281.24 to a granite monument set in the ground;

Thence continuing along the said Lot #9 following a curve to the left with a radius of 525.00 feet a distance of 166.72 feet to a granite monument set in the ground at the Westerly corner of the said Lot #9 and at the Southerly corner of Lot #10;

Thence along the Southwesterly boundary of the said Lot #10 following a curve to the right with a radius of 475.00 feet a distance of 150.84 feet to a granite monument set in the ground;

Thence N 38°47'16" W continuing along the said Lot #10 54.99 feet to a 5/8" capped rebar (#1328 set in the ground at the Westerly corner of the said Lot #10 and at the Southerly corner of a 50 foot wide no cut buffer;

Thence N 54°58'43" E continuing along the Northwesterly boundary of the said Lot #10 and the Southeasterly boundary of the said buffer 50.11 feet to an iron pin found set in the ground at the Southerly corner of land now or formerly of Richard O. Hagar (24,959/304);

Thence N 38°47'16" W along land of the said Hagar 246.74 feet to an iron pin found set in the ground at the Westerly corner of land of the said Hagar and on the Southeasterly side line of the said Blackstrap Road;

Thence S 45°36'51" W along the said Blackstrap Road 117.02 feet to the point of beginning.

Meaning and intending to convey the right of way of Fuller Road, a 50 foot wide right of way and the 50 foot wide no cut buffer situated along the Southwesterly boundary of land of the said Hagar, being a portion of the premises conveyed to this Grantor by a deed recorded in the Cumberland County Registry of Deeds in Book 33542, Page 1.

The conveyance is subject to, in so much as they may affect the premises, to the following matters of record or to be recorded in the Cumberland County Registry of Deeds:

- 1) Such notes, easements to lot owners, restrictions, rights, and privileges set forth or referred to on lot conveyance deeds and on the Plan entitled "Spring Valley Subdivision, Cumberland, Maine", recorded in Plan Book 217, Page 237;
- 2) Terms and conditions set forth in the Department of Environmental Protection Order for Stormwater Management Law dated May 17, 2017, and recorded in Book 34023, Page 322, as may be amended.
- 3) Domestic Water Supply Notes: (a) Domestic water supply for the Spring Valley Subdivision will be private wells on individual lots; (b) This subdivision is located within the limits of the historical West Cumberland Well Advisory Zone established by MEDEP, 1992, associated with a former solvent spill; (c) Before initial use, wells should be tested for volatile organic compounds (VOCS) utilizing US EPA method 8260 in addition to the Maine Department of Health and Human Services (DHHS) drinking water quality standards. The homeowner shall re-test the well after five years of use; and (d) If VOCS are detected at levels exceeding established State and Federal threshold limits, residences should be equipped with an appropriate point-of-entry treatment system or filter capable of providing potable water after treatment or filtration that meets established State and Federal drinking water quality standards.
- 4) Easements to Central Maine Power Company and New England Telephone and Telegraph Company dated October 23, 1975, and recorded in Book 3796, Page 168.

- 5) Such state of facts as disclosed on the following plans which may or may not affect the premises, and reflect the subdivision land as an abutter: (a) Survey entitled "Location Survey for Gene Stratton, Plan for a Private Way, Cumberland, Maine" dated January 8, 2001, prepared by Bruce R. Bowman, Inc., recorded in Plan Book 201, Page 144; (b) Survey entitled "Standard Boundary Survey on Stratton Woods Lane and Tinker Lane, Cumberland, Maine", dated February 2005, prepared by Wayne Wood & Co., recorded in Plan Book 207, Page 563; and (c) unrecorded plan entitled "Standard Boundary Survey on Upper Methodist Road in Cumberland, Maine, for Virginia Copp", prepared by Wayne T. Wood & Company dated January 2007, Job #25044.
- 6) Rights and easements from Philip C. Clement to Norman E. Hawkes and Hilma L. Hawkes dated October 14, 1954, and recorded in Book 2209, Page 4, which may or may not affect the premises.
- 7) Terms, conditions, rights, easements, exceptions, restrictions or reservations as described in the following deeds: (a) from George W. Collins to Blanche C. Clement dated October 2, 1941, and recorded in Book 1654, Page 143; and (d) from Norma Fuller to Mark M. Fuller dated May 12, 1995, and recorded in Book 11922, Page 91.
- 8) Underground Line Easement from Walnut Hill Properties LLC to Central Maine Power Company dated August 15, 2017, and recorded in Book 34644, Page 223. This easement should be re-recorded to correct the Grantor name.
- 9) Maintenance Agreement between the Town of Cumberland and _____ of even or near date to be recorded herewith.



MAINTENANCE BOND

837074005

KNOW ALL MEN BY THESE PRESENTS, that we,

A.H. Grover, Inc.

as Principal, and The Ohio Casualty Insurance Company, as Surety, are held and firmly bound unto
Town of Cumberland, Maine

(hereinafter called the Obligee), in the penal sum of Fifteen Thousand Dollars And Zero Cents

Dollars \$15,000.00

for the payment of which, well and truly to be made, we do hereby bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Dated: October 15, 2020

WHEREAS, the said Principal has heretofore entered into a contract with the Obligee for

Acceptance of Fuller Road as a Town Road per the Town of Cumberland's Article III Road Acceptance Ordinance.

and,

WHEREAS, the work called for under said contract has now been completed and accepted by said Obligee;

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said

Principal shall for a period of Two (2) years from and after the date of the completion of the contract indemnify the Obligee against any loss or damage directly arising by reason of any defect in the material or workmanship that may be discovered within the period aforesaid, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER, that in the event of any default on the part of the Principal, written statement of the particular facts showing such default and the date thereof shall be delivered to the Surety by registered mail, at its home office in the city of Keene, New Hampshire, promptly and in any event within ten (10) days after the Obligee or his representative shall learn of such default; and that no claim, suit or action by reason of any default of the Principal shall be brought hereunder after the expiration of thirty days from the end of the maintenance period as herein set forth.

A.H. Grover, Inc.

(Principal)

By:

Benjamin C. Grover

The Ohio Casualty Insurance Company

By:

Shannon Walton

Shannon Walton

(Attorney-in-Fact)



S-177



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8200427-968031

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Jeffrey A. Lind; Bret Cote; Ann Morse; Nancy Poulin; G. Andrew Shaw; Anthony Villandry; Shannon Walton; Deborah Wentworth

all of the city of Portland state of ME each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 30th day of January, 2019.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By:

David M. Carey
David M. Carey, Assistant Secretary

State of PENNSYLVANIA ss
County of MONTGOMERY

On this 30th day of January, 2019 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member, Pennsylvania Association of Notaries

By:

Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 15th day of October, 2020.



By:

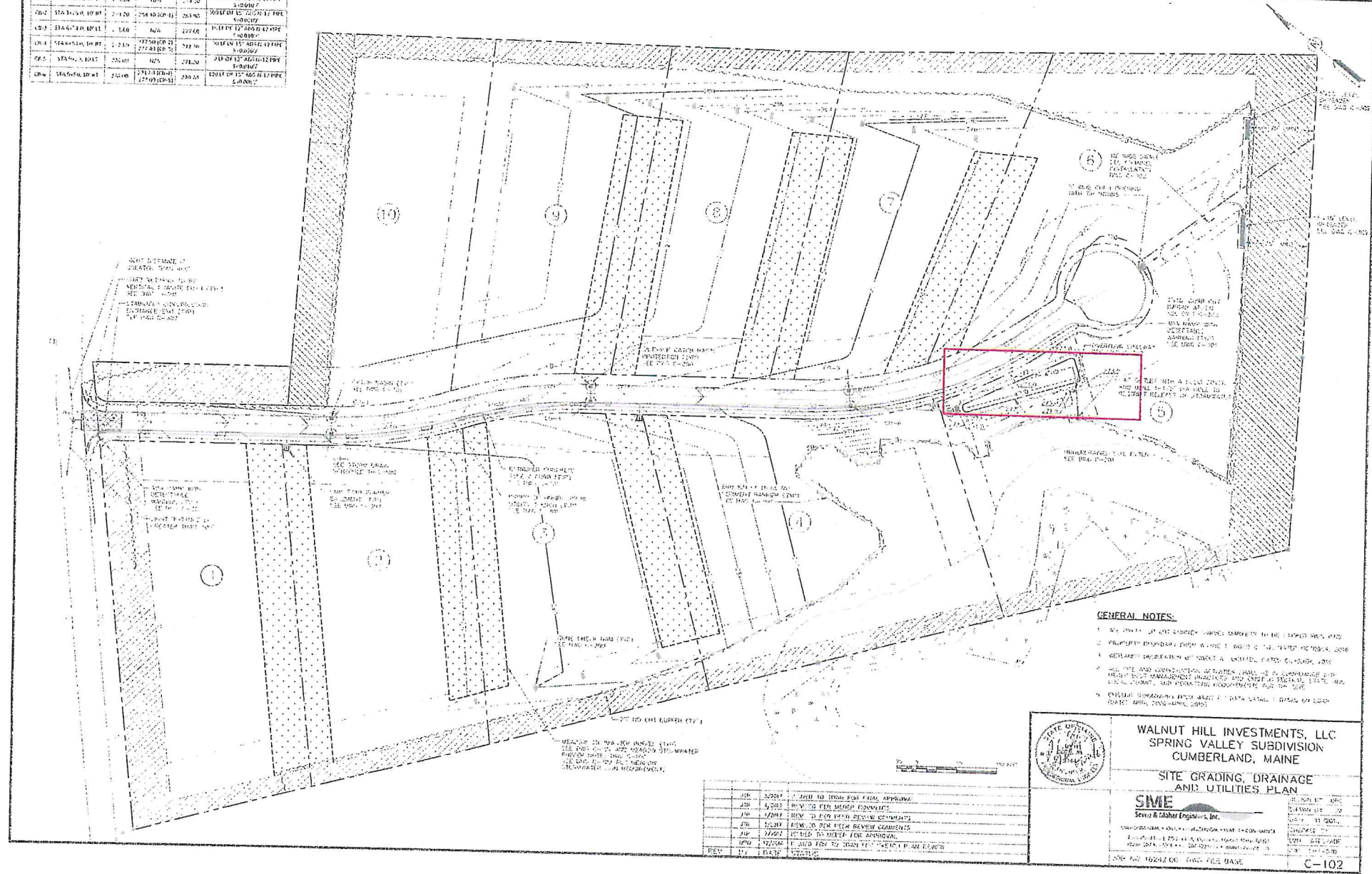
Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

EXHIBIT A

ID	STATION/POINT	INVERT	OUTLET	PIPE
CR-1	STA 2+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-2	STA 3+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-3	STA 4+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-4	STA 5+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-5	STA 6+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-6	STA 7+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-7	STA 8+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-8	STA 9+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-9	STA 10+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-10	STA 11+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-11	STA 12+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-12	STA 13+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-13	STA 14+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-14	STA 15+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-15	STA 16+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE
CR-16	STA 17+25.0 TO 17	4.20	4.20	12" DIA 12' AG 12' 12" PIPE



ARTICLE III
Road Acceptance
[Adopted 6-4-2012]

§ 200-14. Title, purpose and authority.

- A. Title. This article shall be known and may be cited as the "Municipal Road Acceptance Ordinance of the Town of Cumberland, Maine."
- B. Authority. This article is adopted pursuant to 30-A M.R.S.A. § 4401.
- C. Purpose. The purpose of this article is to provide a uniform, consistent, and equitable process for the dedication and acceptance of municipal roads and to ensure that the cost of the acceptance of new roads and associated infrastructure by the Town does not create a financial burden for the Town.

§ 200-15. Definitions.

As used in this article, the following terms shall have the meanings indicated:

APPLICANT — A developer, one or more individuals, a corporation, a homeowners' association, or other legal entity which owns the fee simple interest in the land area proposed to be dedicated and accepted by the Town of Cumberland as a public road.

PRIVATE ROAD — A road privately owned and maintained over which the owner may restrict use or passage, to include a discontinued way even if a public recreation easement has been reserved.

PUBLIC ROAD — A road owned and maintained by the state, county or Town over which the general public has a right to pass.

ROAD — A route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles.

§ 200-16. Applicability.

The provisions of this article shall apply to all roads offered for public acceptance in the Town of Cumberland, whether within subdivisions or not.

§ 200-17. Application process.¹

An application with an application fee established by order of the Town Council and supporting documentation shall be submitted by the applicant to the Public Services Director. The applicant shall be responsible for payment of all costs incurred by the Town in the application review and consideration process, and the application fee shall be applied to the total cost owed. Documentation shall include the information listed in the following sections.

§ 200-18. Technical requirements.

- A. Conformance with Subdivision Ordinance. A private road proposed for acceptance as a public road shall be built to the standards in Article VI, Street Design and Construction Standards, of Chapter 250, Subdivision of Land, of this Code prior to an application being filed for road acceptance. Only roads built in accordance with these standards shall be considered for acceptance by the Town Council.
- B. Monumentation. The applicant's project surveyor shall provide a certificate that all monuments for the road, easements, lot boundary lines and subdivision boundary lines have been set as required by the approved subdivision plan. Monuments shall extend six inches above grade and be six inches by six inches wide by 4.5 feet in length.
- C. Plot plan. A plot plan of the proposed public road at a scale of not more than 100 feet to one inch, including ownership of adjoining lots, drainage courses, drainage easements, and all angles, bearings, and radii, shall be provided.²
- D. Legal description. The applicant's project surveyor shall provide a metes and bounds legal description of the proposed right-of-way and any associated drainage easements. This description must be a full perimeter description in each case; a description by reference to plan or center-line description will not be accepted.
- E. Road cross section. A typical cross section of the proposed public road at a horizontal scale of five feet to one inch and a vertical scale of one foot to one inch shall be provided.³

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I). See Ch. 84, Fees and Fines.

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- F. Drainage maintenance. The applicant shall be responsible for the maintenance of all detention ponds and drainage infrastructure for the proposed public road.
- G. Planning Board conditions. The applicant shall provide a written letter stating that all conditions of approval by the Cumberland Planning Board have been met. A letter confirming this shall be provided by the Town Engineer or Town Planner.
- H. Location within right-of-way. The applicant's project surveyor shall certify that the roadway and its appurtenances as built lie within the proposed right-of-way, and similarly that the drainage structures as built lie within their respective easements.
- I. Documentation verification. All required documentation as described in this section shall be reviewed and approved by the Cumberland Town Planner, the Cumberland Town Engineer, or the Public Services Director, as may be appropriate.
- J. Occupancy requirement. Prior to an application for public road acceptance, at least 75% of the lots must have received occupancy permits.

§ 200-19. Legal requirements.

- A. Warranty deed. Once the proposed legal description has been reviewed and approved by the Town Attorney, the applicant shall prepare a warranty deed suitable for recording at the Cumberland County Registry of Deeds. This deed shall include a signature block for the Town Manager to indicate the Town's acceptance of the conveyance. The Town Attorney shall record the final warranty deed at the Cumberland County Registry of Deeds after acceptance by the Town Council.
- B. Encumbrances. The applicant shall provide a letter from its attorney certifying that the applicant has good and marketable title to the property on which the proposed public road will be located and that there are no encumbrances on the property. The applicant shall provide lien release notices for all contractors, engineers, subcontractors, and major suppliers (over \$10,000).
- C. Utilities. The applicant shall prepare all utilities and easements for acceptance and recording to be approved by the respective utility company, including but not limited to water, sewer, electric, cable, and telephone.
- D. Drainage maintenance agreement. The applicant shall provide a recordable drainage maintenance agreement approved by the

Town and that meets all conditions imposed by outside agencies such as the Maine Department of Environmental Protection and Cumberland County Soil and Water Conservation District.

§ 200-20. Warranty agreement.

- A. Warranty agreement required. The applicant shall provide a written warranty for a period of two years after the acceptance of the public road by the Town of Cumberland. The warranty shall state that the applicant will be financially responsible for the repair of any defects in materials or workmanship that cause the road to fall below the street design and construction standards as set forth in Article VI of Chapter 250, Subdivision of Land, of this Code.
- B. Maintenance letter of credit. In addition to the written warranty, the applicant shall provide the Town of Cumberland with a letter of credit for the repair of defects in materials or workmanship for a period of two years after acceptance of the road. The letter of credit shall be for an amount equal to 10% of the value of the performance guarantee required prior to construction of the road.
- C. Repair of defects. In the event of a defect in materials or workmanship occurring on a public road within two years of its acceptance, the Town will conduct all necessary repairs. The cost of repair will be attributable to the warranty agreement provided by the applicant and drawn directly from the applicant's letter of credit.

§ 200-21. Inspection.

The Public Services Director and Town Engineer shall inspect the proposed public road for compliance with the street design and construction standards of Chapter 250, Subdivision of Land, of this Code. The applicant shall schedule a final on-site inspection with the Town Engineer who shall provide a final inspection letter to the Town Manager. Final roadway inspection and approval by the Town Engineer and Public Services Director will include inspection of the drainage structures and appurtenances and a site inspection to ensure the project has been constructed in accordance with the approved subdivision plans.

§ 200-22. Review and approval requirements.

- A. Review and recommendation by the Town Council Finance Committee. The Finance Committee shall review the fiscal impact

of the proposed public road and make recommendations to the Town Council.

- B. Review by Municipal Attorney. The Municipal Attorney shall review the application, dedication, and supporting documentation for the proposed public road and report to the Town Council.
- C. Review by the Town Council. The Town Council shall review and act upon the application, dedication, and supporting documentation for the proposed public road. The final decision as to whether to accept a road remains within the legislative discretion of the Town Council.

§ 200-23. Records and filing requirements.

- A. The applicant shall provide two paper copies of detailed drawings of the project as built. Information to be included: the as-built location, size, and materials of water and sewer mains, storm drains, culverts, and underground and overhead utilities.
- B. The applicant shall provide an electronic file for the as-built project in the most recent version of AutoCAD. Information to be included: the as-built location, size, and materials of water and sewer mains, storm drains, culverts, and underground and overhead utilities.

Revenues

11/05/2020
09:16:29

TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1
glactrpt

FOR PERIOD 04 OF 2021

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
<hr/>					
0011 Other Tax Revenues					
<hr/>					
0011 0303 Motor Vehicle Excise Tax	-761,768.41	-802,144.35	-863,264.54	-943,339.16	-1,735,000.00
0011 0304 Boat Excise Tax	-2,840.74	-2,360.00	-2,451.90	-3,680.00	-14,000.00
0011 0328 Outer Islands Property Tax	-21,887.03	-22,020.50	-23,513.74	-22,947.69	-46,000.00
0011 0329 Payment in Lieu of Taxes	-15,344.00	-15,959.00	-16,061.48	-18,903.00	-33,000.00
TOTAL Other Tax Revenues	-801,840.18	-842,483.85	-905,291.66	-988,869.85	-1,828,000.00
0012 License & Permit Revenues					
<hr/>					
0012 0311 Hunting/Fishing Lic Agent Fees	-94.50	-143.50	-87.25	-76.50	-541.00
0012 0312 Marriage Lic & Vital Records	-1,123.00	-1,468.40	-1,379.40	-1,497.80	-2,436.00
0012 0313 Birth Certificates	-637.80	-647.20	-491.00	-526.20	-1,361.00
0012 0314 Death Certificates	-673.20	-817.80	-730.80	-294.40	-1,713.00
0012 0315 Clerk Licenses	-820.00	-2,135.00	-970.00	-825.00	-4,608.00
0012 0316 Shellfish Licenses	-36.06	-35.70	-14.28	-80.92	.00
0012 0317 Conservation Fees	-13.94	-14.30	-5.72	-29.08	.00
0012 0334 Snowmobile Reg. Agent Fees	-4.00	-12.00	-9.00	-13.00	.00
0012 0361 Motor Vehicle Reg. Agent Fees	-7,884.00	-8,100.00	-10,041.00	-13,202.00	-21,406.00
0012 0362 Boat Reg. Agent Fees	-115.00	-135.00	-158.00	-162.00	-1,098.00
0012 0366 Building Permits	-27,109.47	-28,791.90	-28,873.56	-42,466.43	-75,000.00
0012 0367 Electrical Permits	-12,478.55	-6,777.90	-8,123.55	-10,808.78	-21,634.00
0012 0368 Plumbing Permits	-10,007.50	-4,597.50	-5,367.50	-9,340.00	-18,789.00
0012 0369 Other Permits	-247.00	-558.00	-275.00	-206.00	-1,751.00
0012 0383 ATV Reg. Agent Fees	-34.00	-59.00	-50.00	-49.00	-37.00
0012 0390 Misc. Revenue	.00	.00	.00	-100.00	.00
0012 0398 Application Fee	-600.00	-450.00	-200.00	-300.00	-1,300.00
0012 0401 Dog Reg. Clerk Fees	-221.00	-308.00	-132.00	-76.00	-2,800.00
0012 0404 Commercial Haulers License	.00	.00	.00	-100.00	-500.00
TOTAL License & Permit Revenue	-62,099.02	-55,051.20	-56,908.06	-80,153.11	-154,974.00
0013 Intergovernmental Revenues					
<hr/>					
0013 0331 State Revenue Sharing	-156,238.73	-161,465.11	-259,982.65	-327,531.10	-500,000.00
0013 0335 DOT Block Grant	.00	.00	.00	.00	-71,480.00
0013 0341 North Yarmouth Recreation Shar	-8,344.00	-4,730.00	.00	-4,546.00	-18,184.00

11/05/2020
09:16:29

TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 2
glactrpt

FOR PERIOD 04 OF 2021

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
0013 0342 North Yarmouth Library Share	-38,856.00	-40,018.00	.00	-45,848.25	-183,393.00
0013 0347 North Yarmouth Channel 2	-737.00	.00	.00	.00	.00
0013 0348 ACO Sharing Payments	.00	.00	-7,725.00	.00	.00
TOTAL Intergovernmental Revenue	-204,175.73	-206,213.11	-267,707.65	-377,925.35	-773,057.00
0015 Other Revenues					
0015 0305 Interest & Penalties	-2,985.78	-5,322.18	-5,467.33	-4,680.42	-30,000.00
0015 0306 Over/Short	590.44	6,465.27	3.81	455.18	-100.00
0015 0364 Growth Permits	-1,400.00	-1,100.00	-1,300.00	-1,600.00	-2,000.00
0015 0365 Board of Appeals	-200.00	-100.00	-200.00	.00	.00
0015 0390 Misc. Revenue	-33,757.60	-593.80	-656.41	-31,070.66	-25,000.00
0015 0399 Staff Review Fee	-4,800.00	-2,900.00	-1,350.00	-2,700.00	-14,117.00
0015 0403 Mooring Fees	-1,100.00	-150.02	-1,280.00	-64.00	-1,500.00
0015 0410 Private Ways	-200.00	-400.00	.00	.00	-400.00
0015 0508 Impact Fees	-27,808.20	-28,723.80	-31,315.20	-39,316.20	-60,000.00
TOTAL Other Revenues	-71,661.14	-32,824.53	-41,565.13	-78,976.10	-133,117.00
0021 Police Related Revenues					
0021 0337 State Grant revenue	.00	.00	.00	-951.30	.00
0021 0351 Police Issued Permits	-497.00	-1,070.00	-549.00	-475.00	-2,000.00
0021 0353 Police Insurance Reports	-200.00	-130.00	-190.00	-140.00	-500.00
0021 0390 Miscellaneous Police Revenue	-206.05	-24.00	-150.00	-39.00	-648.00
0021 0427 Parking Tickets	-200.00	.00	-300.00	-150.00	-100.00
0021 0431 Outside Detail	121.02	737.52	.00	.00	.00
0021 0536 Dog Licenses ACO Revenue	-695.00	-657.00	-402.00	-263.00	-1,800.00
0021 0540 MSAD #51 SRO Reimbursement	.00	-24,500.00	.00	.00	.00
0021 0546 Court Reimbursements	-50.00	46.00	-3,296.28	-119.02	-2,200.00
TOTAL Police Related Revenues	-1,727.03	-25,597.48	-4,887.28	-2,137.32	-7,248.00
0022 Fire Related Revenues					
0022 0390 Misc. Revenue	-300.00	.00	.00	.00	.00
0022 0431 Outside Details	-310.25	.00	.00	.00	.00

11/05/2020
09:16:29

TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 3
glactrpt

FOR PERIOD 04 OF 2021

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
0022 0504 Rescue Billing	-45,553.85	-57,180.06	-28,812.56	-15,424.44	-160,000.00
0022 0505 Non Emergency Transports	-6,377.67	.00	.00	.00	.00
0022 0617 Donations Received	.00	.00	.00	-500.00	.00
TOTAL Fire Related Revenues	-52,541.77	-57,180.06	-28,812.56	-15,924.44	-160,000.00
0031 Public Services Revenues					
0031 0390 Misc. Revenue	-117.00	-3,109.00	-3,834.00	-258.00	-20,500.00
0031 0391 Field Usage Fees	-1,440.00	-360.00	-2,806.80	.00	-5,000.00
0031 0431 Outside Details	720.00	.00	.00	.00	.00
0031 0517 Bags/Universal Waste	-111,432.50	-109,382.50	-46,315.00	1,032.50	-295,015.00
0031 0539 Brush Passes	-1,276.00	-1,428.00	-1,356.00	-5,891.00	-8,277.00
0031 0617 Twin Brooks Donations	-18.00	.00	.00	.00	-92.00
TOTAL Public Services Revenues	-113,563.50	-114,279.50	-54,311.80	-5,116.50	-328,884.00
0035 VH Other Revenues					
0035 0329 Payment in Lieu of Taxes	.00	.00	-4,000.00	.00	-6,000.00
0035 0378 Soda Sales	-1,597.50	-2,016.60	-1,583.40	-1,980.40	-2,500.00
0035 0560 Rental Income	-2,790.51	-8,948.23	-6,750.00	-6,750.00	-14,000.00
0035 0565 Cell Tower Land Lease	-7,200.00	-9,000.00	-7,200.00	-7,200.00	-21,600.00
TOTAL VH Other Revenues	-11,588.01	-19,964.83	-19,533.40	-15,930.40	-44,100.00
0037 VH Golf Revenues					
0037 0306 Over/Short	2.78	-6.89	505.59	-2.57	.00
0037 0357 Golf Memberships	-92,057.00	-115,856.40	-93,968.60	-115,646.05	-230,000.00
0037 0358 Greens Fees	-77,062.20	-87,668.14	-69,966.14	-111,116.41	-120,000.00
0037 0359 Golf Cart Rentals	-56,718.09	-47,232.18	-43,367.45	-62,428.99	-82,000.00
0037 0416 Practice Range	-6,256.50	-4,911.75	-758.25	-5,788.97	-7,000.00
0037 0417 VH Program Revenues	-27,491.52	-46,365.70	-42,284.00	-49,551.63	-64,715.00
0037 0419 Advertising Sales	-800.00	-5,600.00	.00	.00	-23,500.00
0037 0522 Outing Golf	-36,180.00	-41,978.43	-61,791.00	-36,038.00	-46,430.00
0037 0617 Donations Received	-745.00	.00	.00	.00	.00
TOTAL VH Golf Revenues	-297,307.53	-349,619.49	-311,629.85	-380,572.62	-573,645.00

11/05/2020
09:16:29

TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 4
glactrpt

FOR PERIOD 04 OF 2021

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
<hr/>					
0041 Recreation Related Revenues					
0041 0440 41100 After School Programs	-78,429.50	-77,655.27	-93,228.00	-94,067.50	-270,000.00
0041 0441 41110 Youth Enrichment Programs	-37,077.60	-44,611.60	-53,267.00	-11,104.50	-175,000.00
0041 0442 41120 Youth Sports Programs	-33,769.50	-41,258.75	-41,030.00	-3,911.00	-115,000.00
0041 0443 41130 Skiing Programs	-20,315.00	-41,949.00	-50,374.00	-295.00	-45,020.00
0041 0444 41140 Day Camps	-33,700.18	-29,100.65	-29,548.93	-67,166.50	-175,000.00
0041 0445 41150 Swimming Programs	-6,736.00	-8,762.29	-8,345.00	.00	-22,500.00
0041 0446 41160 Adult Enrichment Revenue	-10,810.04	-9,416.17	-9,650.29	-435.00	-30,000.00
0041 0447 41170 Adult Fitness Revenue	-21,785.34	-23,893.13	-22,240.70	-6,875.00	-60,000.00
0041 0448 41190 Special Events/Trips Reven	-1,169.00	-665.00	-629.00	.00	.00
0041 0449 41190 Recreation Programs	-1,890.00	-400.00	-3,805.00	.00	.00
0041 0570 41190 Rec Soccer Revenue	-16,120.00	-18,175.00	-20,190.00	-9,123.00	-23,000.00
0041 0571 41190 Rec Ultimate Frisbee Reven	.00	.00	.00	.00	-14,000.00
0041 0606 41190 CPR/First Aid Revenues	-50.00	-550.00	-490.00	-165.00	-250.00
TOTAL Recreation Related Reven	-261,852.16	-296,436.86	-332,797.92	-193,142.50	-929,770.00
0045 Library Related Revenues					
0045 0392 Library Fines	-1,083.71	-999.15	-1,971.04	-438.55	-3,500.00
0045 0394 Misc. Library Revenue	-368.50	-435.80	-518.60	-294.30	-1,000.00
TOTAL Library Related Revenues	-1,452.21	-1,434.95	-2,489.64	-732.85	-4,500.00
0211 Police- Salaries & Bens					
0211 0431 Outside Details	.00	-552.84	-15,902.52	-1,721.16	-21,998.00
TOTAL Police- Salaries & Bens	.00	-552.84	-15,902.52	-1,721.16	-21,998.00
0221 Fire- Salaries & Benefits					
0221 0431 Outside Details	.00	338.00	-14,303.60	.00	-18,000.00
TOTAL Fire- Salaries & Benefits	.00	338.00	-14,303.60	.00	-18,000.00
TOTAL General Fund	-1,879,808.28	-2,001,300.70	-2,056,141.07	-2,141,202.20	-4,977,293.00
TOTAL REVENUES	-1,879,808.28	-2,001,300.70	-2,056,141.07	-2,141,202.20	-4,977,293.00
GRAND TOTAL	-1,879,808.28	-2,001,300.70	-2,056,141.07	-2,141,202.20	-4,977,293.00

Expenses

11/05/2020
09:18:14

TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1
glactrpt

FOR PERIOD 04 OF 2021

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
130 Administration	224,212.36	228,326.53	229,921.10	207,362.99	616,244.00
140 Assessor	22,710.59	38,874.42	35,068.65	38,483.24	112,471.00
150 Town Clerk	61,606.13	81,387.12	101,581.08	98,886.96	275,187.00
160 Technology	100,925.29	92,061.91	101,405.06	135,117.16	212,517.00
165 Elections	118.42	1,858.61	25.50	11,531.42	14,241.00
170 Planning	20,471.14	21,141.87	21,318.04	19,414.94	73,137.00
190 Legal	22,224.85	13,265.40	14,292.89	12,826.50	47,500.00
210 Police	384,099.41	452,586.66	496,800.75	479,692.85	1,494,752.00
220 Fire	280,279.77	315,470.91	337,695.28	301,939.66	1,088,962.00
240 Code Enforcement	44,990.01	46,265.56	49,536.90	50,807.55	143,113.00
250 Harbor Master	2,116.09	2,647.39	9,099.61	3,412.00	25,226.00
260 Animal Control	14,439.54	14,647.52	27,001.19	15,992.32	35,412.00
310 Public Works	254,446.89	298,243.55	290,837.30	313,195.26	1,269,713.00
320 Waste Disposal	125,416.78	157,254.91	172,415.34	142,630.02	592,696.00
350 Valhalla-Club	16,560.89	17,503.66	9,385.77	5,836.12	27,231.00
360 Valhalla-Course	219,770.77	251,113.95	226,278.94	263,153.28	515,427.00
370 Valhalla-Pro Shop	138,392.22	177,984.78	137,462.04	114,779.66	238,467.00
410 Recreation	369,563.64	417,179.87	469,198.89	290,415.51	914,018.00
420 Aging in Place	.00	5,080.79	55,916.47	4,100.65	85,105.00
430 Parks	138,019.37	151,972.96	138,404.38	123,279.09	318,355.00
440 West Cumberland Rec	763.65	750.48	1,361.69	290.63	8,204.00
450 Library	127,766.79	162,953.44	176,502.72	161,392.11	516,000.00
470 Historical Society Building	663.93	2,591.77	1,130.04	168.00	8,964.00
580 General Assistance	20,116.44	9,838.35	16,213.91	15,471.52	35,000.00
590 Health Services	11,192.40	11,341.45	15,341.45	.00	3,875.00
620 Cemetery Association	26,700.00	28,450.00	26,700.00	26,700.00	26,700.00
630 Conservation	2,176.04	4,122.45	1,293.27	3,595.99	13,000.00
650 Debt Service	692,833.99	528,987.24	361,209.26	300,580.47	1,157,320.00
750 Insurance	157,855.26	213,839.23	198,831.56	243,526.77	277,823.00
800 Fire Hydrants	25,252.32	25,806.17	27,330.68	20,780.96	81,686.00
810 Street Lighting	13,770.49	9,775.31	10,381.06	4,891.65	45,000.00
830 Contingent	.00	-247.20	2,500.00	15,965.08	100,000.00
840 Municipal Building	21,964.63	32,396.49	26,365.52	21,733.16	105,160.00
850 Abatements	19,800.27	2,633.89	20,965.43	1,469.28	1.00
TOTAL General Fund	3,561,220.37	3,818,107.44	3,809,771.77	3,449,422.80	10,478,507.00
TOTAL EXPENSES	3,561,220.37	3,818,107.44	3,809,771.77	3,449,422.80	10,478,507.00
GRAND TOTAL	3,561,220.37	3,818,107.44	3,809,771.77	3,449,422.80	10,478,507.00