

## **AGENDA**

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, November 23, 2020**

**6:30 P.M.** Finance Committee Meeting

**7:00 P.M.** Call to Order

### **I. CALL TO ORDER**

### **II. APPROVAL OF MINUTES**

October 26, 2020 (*amended*)

November 9, 2020

### **III. MANAGER'S REPORT**

Update from Fire Chief, Dan Small re: Community Paramedicine Program

### **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 – 101.** To hold a Public Hearing to consider and act on accepting Fuller Road as a Town road.

**20 – 102.** To hear an update from the Communications Committee.

### **VI. NEW BUSINESS**

Budget Report

Senior Scoop

### **VII. ADJOURNMENT**

### **VIII. WORKSHOP** re: Review of Council Rules

# 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 5<sup>th</sup>, 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 19<sup>th</sup>, 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 21<sup>st</sup>, 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, owns falmouthtoday.me, lives in Portsmouth, New Hampshire, and used to live in Falmouth for about 40 years, and has a lot of interest in the area here. (At Mr. Doyle's request, his comments are verbatim) he said: this might not be the community she wants to live in, but this is the community I want to live in. This is the state I want to live in. This is the country I want to live in. I want 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. You cannot control the content of a sign on your own property. You have no legal authority to do anything with that sign that's up there, whether it's lighted all day and night, or not. It makes no difference.

Whatever he wants to put on that sign and put on his property is totally legal and the United States Supreme Court has made that decision. It's not questionable. If you want to go back and look at freedom of speech, go back to *Whitney v. California*. 1927 I think it was. That decision that stated (and I've got the Brandeis quote right here) "freedom to think as you will and to 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's saying about you, stop behaving in a way that will draw attention to you. I mean, they don't even pay attention to their own rules on the School Board over there. You guys ought to go over there and sit and watch one of the meetings. They don't read their own rules, they don't know their own rules, they swear they're 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, by email, by any way they want to address grievances with you. If you don't want people to contact you, and come after you, and ask questions, and confront you, don't be an elected official. What we've got 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, they have no interest in abiding by their own rules, and this is what you see meeting after meeting. I'm just disgusted watching it, and a few folks went over there and took an interest in the Board of Directors running your 44 million dollars for the school system here, eighteen thousand two hundred fifty dollars per student, you'd 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. I'm not one of those people. I've aged out of that group where I care what people think about me. I'll fight to the death to this this person so she can do whatever she wants, but if you're going to act like an a-hole, I'm going to call you an a-hole. And she acts like an a-hole. I 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, protecting our rights, and she wouldn't even say the Pledge of Allegiance in respect to those people. Now if you want to behave like that, that's fine. That's you're right, but don't expect me not to comment on it. And I'll comment on it over and over and over again if I want to. This is not harassment, it's your behavior that draws this kind of attention to you, and I'm not going to let up on it. Do whatever you want. I'm just going to keep doing what I do. My time is almost up, but I want to say one thing; I thought the meeting tonight would start with the Pledge of Allegiance. I wanted to see if she would sit here while you folks do the Pledge of Allegiance. I'm disappointed that you didn't start the meeting with that. I was in the military for six years and I spent a lot of time training soldiers that went to Vietnam. I would expect people in this town would respect people serving overseas and say the Pledge of Allegiance along with any policy. You don't have to adopt all the things you don't like about the country, that's not the question. Just respecting the people that are serving military service currently, and when she did that, you can't stop someone speaking here about anything they want to say unless they incite immediate violence. I could say anything I want here if I choose to keep it at this level. I would expect you folks to support the guy with the sign on this, on the corner lot, that's his right. It's been decided by the Supreme Court and you folks don't have the authority over the United States Supreme Court. The Chief of Police doesn't and nobody in the state does. Thank you.

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 Roy, a Senior at Greely 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 McBreaity, 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 2<sup>nd</sup>, 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 6<sup>th</sup>, 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 for 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 18<sup>th</sup> 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 3<sup>rd</sup> with these facts, allegedly fired CCI. Allegedly because there is nothing in print about it. Jeff Porter stated on July 6<sup>th</sup>, "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 3<sup>rd</sup> 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.

Mike Doyle: Please look at the first page I gave you. The bottom paragraph. This is very important that you know this. I'm going to quote from this, it was written to the Falmouth Town Council when they were trying to come up with something to stop me from criticizing them; "name-calling, personal attacks, abusive bullying and threatening language (is what they want to ban in Falmouth), will not be tolerated at any time during Council meetings or through Council correspondence. This is from the decision, "unpleasant comments are an unavoidable part, perhaps an essential part, of the hurly-burly of living in a free and open democracy". Justice Brandeis wrote that "the freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth. This freedom inevitably results in speech that some find undesirable" Too bad if you find it undesirable. "However because we are a country that values free speech so highly, and because the courts are understandably cautious about granting government the power to regulate that speech, a content-based restriction must meet stringent requirements to be found constitutional. Because the rules change, do not meet these requirements they should not be implemented". The Civil Liberties Union threatened to take the Town Council in Falmouth to court because in the last part of it says "consequently we strongly urge the Falmouth Town Council to reject the proposed amendments" and basically, they said that we'll take you to court. "In addition, we condemn" (that's the plate word of saying see you in court) "we condemn the Council's motion to do this". Folks, this is undeniably protected speech. Everything these people

said means nothing. I'm offended by everything they say. I can't make it against the law for them to say it. You can't make it against the law for me to say it, or for Shawn to have a sign in his yard. What you heard tonight is totally wrong.

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 not 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: 1<sup>st</sup> 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 %
<b>TOTAL REVENUES</b>	<b>\$ 5,680,666</b>	<b>\$ 2,082,740</b>	<b>36.7%</b>	<b>30.0%</b>
Controllable Expenses	\$ 9,043,364	\$ 2,416,570	26.7%	25.9%
Fixed Expenses	\$ 22,658,516	\$ 6,471,538	28.6%	30.1%
<b>TOTAL EXPENSES</b>	<b>\$31,701,880</b>	<b>\$ 8,888,108</b>	<b>28.0%</b>	<b>25.8%</b>

## 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 21<sup>st</sup>.

**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

# MINUTES

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, November 9, 2020**

**6:15 Tour of New Ladder Truck**

**6:30 Council Photos**

## 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 Copp, seconded by Councilor Vail, to accept the October 26, 2020 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

## **II. MANAGER'S REPORT**

Town Manager Shane shared the latest number of COVID-19 cases by Town from the CDC website:

Cape Elizabeth	107
<b>Cumberland Total</b>	<b>54-67 (Cumberland Foreside 6-19) (Cumberland Center 48)</b>
Falmouth	189
Freeport	36
Gorham	102
Gray	33
New Gloucester	14
Portland	416
Pownal	1-5
South Portland	247
Windham	84
Yarmouth	30

The Town owned land (gravel pit) in North Yarmouth has been listed to sell. We will be accepting bids that the Council will review in Executive Session and decide which offer is best for the Town.

## **III. PUBLIC DISCUSSION**

Eric Gagnon, Superintendent of the Yarmouth Water District, said that the Yarmouth Water District would like to express their interest in the gravel pit parcel on Sweetser Road in North Yarmouth that was recently listed for sale. This parcel is extremely important to the protection of the community's water resource and the District plans to make a strong offer to purchase it. The parcel is in North Yarmouth's groundwater protection overlay zone, which specifies and protects areas that contribute and recharge the groundwater aquifer. The reason this parcel is in that zone is that it is adjacent to the District's property where two production wells are located. It is 1,200 feet from the District's Reinsborough Well and 1,700' from the District's Estabrook well, which together supply 75% of the District's water capacity to over 3,000 residential, commercial, governmental, and industrial customers in Yarmouth and North Yarmouth. These wells also serve as an emergency water source for South Freeport and Cumberland. The District's system has two interconnections to Cumberland that can be utilized in emergencies with coordination with the Portland Water District. Acquiring critical properties follows the District's watershed protection plan described in the District's Master Plan. Acquiring properties within and adjacent to the 200-day zone of influence helps eliminate potential contamination to the groundwater supply from septic influence, nitrates, pharmaceuticals, salts, and petroleum products that result from commercial and residential use and development.



If the District were to acquire this parcel to help protect the water resource, we would continue to allow access to the parcel for community members to enjoy it. We currently allow residents to access our property for hunting, fishing, trail walking, mountain biking, cross-country skiing, and we also work with Cumberland County Soil and Water Conservation District in providing environmental educational activities. We hope the Town Council will consider the value of water resource protection as you decide on the sale of the property. The Yarmouth Water District strives to be good stewards of the water resource while also realizing the importance of community access to and enjoyment of the watershed protection land. We thank you for understanding the importance this parcel has for the future of the communities' water supply to ensure safe and plentiful drinking water for the foreseeable future.

Michael Booth of North Yarmouth said that a petition was given to the Town Council with 80 signatures from North Yarmouth residents who are interested in protecting the water resource. He hopes that the Town Council will consider the environmental impact of selling the parcel.

Sean McCloy of Cumberland expressed his gratitude to the Council for reacting so quickly to the emotional item discussed during public comment at the last meeting (referring to item # 20-100). When he spoke at the last meeting, he talked about the community that we all live in here in Cumberland. Last Sunday, he was riding his bicycle and got a flat tire. During his 3-mile walk home up Tuttle Road, no less than 6 people stopped to offer him help. He appreciated being part of a community where people care for each other.

#### **IV. LEGISLATION AND POLICY**

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

Town Manager Shane explained that staff is recommending tabling this item and forwarding it to the Finance Committee for a formal recommendation at the next meeting.

Chairman Gruber opened the Public Hearing.

Chris (no last name stated), of Fuller Road, is here to ask the Council for their help. The neighborhood has been in this process for almost 3-years and is requesting the help of the Town for some contingencies before the Town takes the road over from A.H. Grover: 1) ask that A.H. Grover prepare all the paperwork in order to facilitate a HOA, and be responsible for the initial fees in setting up the HOA, 2) file and pay for necessary deed amendments for each house, and 3) A.H. Grover will pay for any legal fees associated with the deed amendments that the homeowners might incur.

Carrie Turnbull, of Fuller Road, thanked the Town Manager for all his help with this matter. The neighborhood just wants to put this matter behind them and make sure that their road will be plowed this winter.

Motion by Councilor Vail, seconded by Councilor Turner, to table and forward to the Finance Committee.

VOTE: 7-0                      UNANIMOUS

**20 – 099 Update on projects from Assistant Town Manager, Chris Bolduc.**  
Assistant Town Manager Bolduc presented the following:

## Town of Cumberland Construction Projects 2020

- Public Works/SAD 51 Garage
- Sand Salt Building Construction
- Existing Sand Salt Building Repurpose and Relocation
- Council Chambers Renovation

Public Works / SAD 51  
Garage Expansion



View from the former brush Facility



View of the Rear of the building former leave bins



**Salt Shed Removed**  
Relocated to Valhalla Greeley Road for Storage







View of Public Works project



Salt Building Relocated to Valhalla Greely Road



Location of storage shed at Val Halla



Val Halla storage shed on Greely Road



Val Halla – Greely Road side



Val Halla storage shed – Greely Road



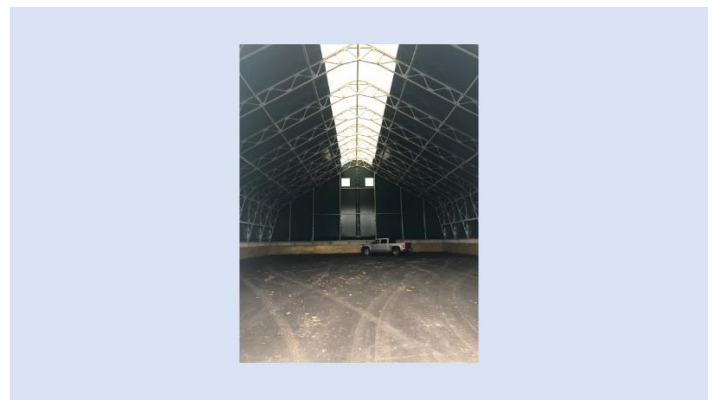
Berm to block storage shed from golf course

New Sand Salt Building Construction



Stiles Way





New sand/salt shed on Stiles Way at brush and compost facility



**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.**

Councilor Foster explained that she will be working with Councilors Edes and Storey-King on a two-phased approach in response to the comments heard at the last Town Council meeting. We need to come together as a community in order to move forward in trust, respect, and understanding. We are in the process of exploring outside parties who can help facilitate the discussion. The second phase would look at how we move forward in the pledge that the Town Council made in August, as a municipality and include the Town Council, the Police Department, the School Board and other community members. Phase one is the healing process and phase two is coming together to look at what moving forward in the pledge means.

Councilor Edes said that he is all in, but we did not cause this situation. The School Board came out with an awful, poorly written statement that a lot of people took offense to. The School Board caused this problem.

Councilor Storey-King said that when she asked Councilor Edes to be involved in this, he asked her “what’s in it for us?”. Her response was, absolutely nothing, but she thinks that there is a lot to be done for our community to heal and move forward.

Councilor Vail said that he does not see the Town Council being a referee. We signed on to a statement developed by the Chamber of Commerce and our actions should be aligned with that statement.

Shawn McBreairty read the following:

*It was unfortunate that you had to experience this sideshow affair at the Town Council Meeting on Monday, 10/26/2020. I’ve lived here for 22-years, I’ve raised my daughters here and have been a good citizen here. What you saw on Monday is a microcosm of our society. A person willing to literally risk it all for the truth and others attacking that person’s character, because they know they are violating Maine Law, MSAD 51 policy and inappropriately using our tax revenues. They hide behind equity training, while attacking Freedom of Speech. It was Cancel-Culture was on display and you will see more of this.*

*I’ve been working on trying to correct the multiple wrongs created by the Equity and Inclusion Committee, Superintendent Jeff Porter and the School Board’s combined wrongs for five months. Hundreds of hours of research, FOAA requests, meetings, calls, e-mails...and this story has not made the local news. So, I’ve used Twitter, Facebook, local Cumberland Facebook pages (of which I’ve been banned from, for posting these truths), my property and the national organization, No Left Turn in Education, of which I’ve been hand selected to start a Maine branch for, to publicize this.*

*What you have been made aware of, or been witness to is:*

- *Secret and illegal meetings by MSAD51 School Board officials.*
- *An Equity and Inclusion Committee, hand selected, made up almost entirely of democrats, with a specific, liberal, left-wing agenda.*
- *Jeff Porter splitting the community right down the middle on 6/2/2020 with the “white supremacy” letter. He’s done nothing to heal it since.*
- *Fiscal irresponsibility, lack of proper vetting of a socialist and anarchist company in Community Change Inc. Tens of thousands of tax dollars spent on training teachers and hiring socialist and anarchist companies, and now have partnered with a Marxist company.*
- *A School Board Chair who not only doesn’t follow the policies, she doesn’t know them and freely admitted as such. (*
- *A School Board who praised CCI (the socialist and anarchist company) for setting the foundation of training at MSAD 51.*
- *No public comment, nor School Board vote on the association with USM, including the Marxist Black Lives Matter organization and Ibram Kendi (the “butthead”).*
- *School Board abuse of forwarding their own personal agenda, in a public position.*
- *Withholding of Freedom of Access Act requests by MSAD51.*
- *Indoctrination, cognitive dissonance and righteous indignation.*
- *Acceptance of one School Board member’s free speech and then retaliation of my free speech.*
- *Jeff Porter illegally withheld my rights as an American to the First Amendment, including free speech, public protest and ability to redress grievances, having me removed from the 10/19/2020 School Board meeting, by the police.*
- *Slander by public officials towards me on 8/28/2020’s letter to Chief Rumsey, in the 10/19/2020 School Board meeting and in the 10/26/2020 Town Council meeting. As you may be aware, the First Amendment forbids government officials from retaliating against individuals.*

*The School Board opened the door in their FY20/21 goals to allow you, as the Town Council and the Town Manager to now have an opinion on this topic of “equity.” Equity currently defined as being only one very narrowly focused area, black race relations. Not equity and inclusion, as is allowed for us under our Constitution and laws of the government. But a perception of inequity, where quite possibly, very little exists.*

*You now have to decide if you wish to devote more taxpayer dollars to this effort.*

*The goal back in June was to bring together a group of individuals, in an open, public working session, moderated by an independent person, agreed upon and hired by the Town and MSAD 51. One that is properly vetted to not have an agenda in this conflict. This process was rejected by MSAD51 in June, under the guise of Covid-19. MSAD 51 and the Town have had very different philosophies on how Covid-19 was handled.*

*I propose that we look past previous slanderous allegations and my First Amendment rights violations at this time and focus on the situation. Below is who I propose you request to bring together in an all day, moderated working session. One in which the public can attend, but not comment, until the end. We have it at the \$9,000,000 MSAD51 Performing Arts Center, on the stage, broadcasted via live stream, then recorded, for all to see and hear.*

*I'd recommend you bring these attendees together without delay. I'm willing to use a vacation day from work, to review how we got here, in detail and come up with real solutions for Cumberland:*

*Town Council: Mike Edes, Shirley Story-King*

*Equity and Inclusion Committee: Nick Whiston, Kim MacDonald*

*School Board: Tyler McGinley, Kevin Desmond*

*Town Leadership: Bill Shane, Chief Charles Rumsey*

*School Leadership: Jeff Porter, Chris Hoffman*

*Community Members: Shawn McBreairty, Kerri O'Donnell-Roy*

*Press: Mike Doyle*

*Racism exists. But, so do many other biases in our towns, state and country. In my opinion to devote more of this town's resources and tax dollars to this effort, is a big mistake. We have more kids that can't buy lunch at school than we have alleged racism issues. We have more issues with seniors trying to pay their high taxes, than we have alleged racism issues. We have more issues with stocking the food pantry, than we have alleged racism issues. I'm sure you know more than I do on these real issues to spend a majority of your time on, this just isn't it.*

*Recently, Superintendent Jeff Porter sent him a letter that stated, “As Superintendent of Schools, it is my duty to enforce the policies and rules of the Board of Directors. In that capacity, I am notifying you that if you again disrupt a Board meeting or defy rules concerning access to school premises, you will be required to leave school premises immediately. Specifically, you must not speak at a meeting unless recognized by the Chair, and you must not engage in any other conduct that interferes with the Board's conduct of its meeting. While on school property, you must follow the rules set by the district as is expected of everyone else. If you fail to comply with these expectations, I will ask a law enforcement officer to escort you from the premises and the district may request that the District Attorney's office file criminal charges against you. Additionally, any further inappropriate conduct could result in my issuance of a trespass order removing you from all school-related activities and all MSAD #51 property”.*



*He will be asking for a substantial tax refund this year and will be providing a very detailed payroll analysis comparing MSAD 51 and the massive inequities compared to Town employees.*

*As a side note, I have resigned as President of the Moonlite Sno-Skimmers Snowmobile Club and also as a member of the Lands and Conservation Commission - Trails Committee, as I do not wish to bring negative attention to either of these fine efforts.*

*I look forward to resetting this situation and moving forward...together.*

“A white man who lives in Cumberland” said that he respects Shawn’s right to say what he wants to say, but it’s not okay to be subject to harassment.

Lorraine Reardon of Oxford Lane said that she and her husband moved here recently and they chose to live here. They don’t have a dog in this fight or kids in the school system. What we are missing in the discourse that is happening in the community is that people are talking past each other. It will be a tough road to have the conversations about civility. Diversity of thought is a form of diversity and she respects all the people who have come to the meetings and used their First Amendment Right. We have to have a conversation that is free of buzz words that can be triggers, and put those buzz words aside in order to have a real conversation about what it means to be a member of the Cumberland community. This is a good place to live. This was brought to the Council’s doorstep and now that it is here, it is the duty of the Council, as leaders of this community, to do something with that knowledge, and turn it into something that is good for the community.

Shawn McBreairty said that he has not broken any laws. This has gone on for 5-months, hundreds of hours of work on his part, and he considers himself an expert on MSAD 51 and their inappropriate use of tax dollars, and their inability to let community members talk at their meetings. Are people concerned about the 4x8 foot sign on his lawn? Probably. But it is getting noticed and it’s getting noticed nationally that Cumberland is in a bad place because of the situation with the School Board. For 22 years, he has been a solid citizen and has done nothing wrong except point out to the School Board that they don’t follow their own policy. They don’t want to hear from the community. They are supposed to allow citizens to comment so when they take a vote, that citizen has a voice. They do not allow this. This is what he has challenged them on at their last two meetings, and he will do it again at their next meeting. If Superintendent Porter chooses to have him arrested, then that’s what he does. All he asks is to be heard and Jeff Porter has chosen twice to put him and his family in harm’s way.

## **V. NEW BUSINESS**

**Councilor Edes** – none

**Councilor Storey-King** – she congratulated recently elected Legislator, Steve Moriarty, who is in the audience. Mr. Moriarty gave a brief update on when things might resume in Augusta. He plans to give the Council updates on a regular basis.

**Councilor Vail** – none

**Chairman Gruber** – none

**Councilor Foster** – she reminded everyone that flu shots are available at the Fire Station tomorrow.

**Councilor Turner** – in regard to the sale of property in North Yarmouth, if he had to guess, he thinks that most people's concerns (in both Town's) will be assuaged with the end result.

**Councilor Copp** – last Friday, he had a tow call which involved an elderly gentleman who told his wrecker driver that he wanted to be towed to Yarmouth. As it turns out, he was from Yarmouth Massachusetts and was in the early stages of Alzheimer's. He had taken his girlfriend's car and drove to Maine. He didn't know where he was. He contacted the Police Chief and Officer Matt Merriman came to his shop, figured out where the gentleman lived and contacted his son, who is a police officer in Yarmouth, Massachusetts. Matt went above and beyond and drove the man to Kittery to meet his son. This is an outstanding good deed done by the Cumberland Police Department.

**Town Manager Shane** – with the COVID cases ramping up in Maine, he is starting conversation with the Administration Management team on how to keep our employees safe. We have split up the Public Works crews into 3 groups with one at the Public Works garage, Twin Brook and Val Halla. We are talking about staggering schedules with Department Heads and their second in command and trying to figure out how to stagger the front counter staff or perhaps going back to appointments at Town Hall.

## **VI. ADJOURNMENT**

Motion by Councilor Edes, seconded by Councilor Vail, to adjourn.

VOTE: 7-0 UNANIMOUS

TIME: 9:13 P.M.

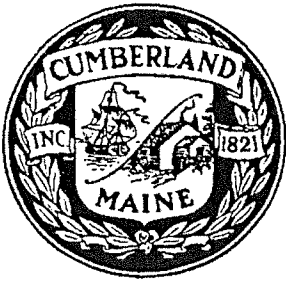
Respectfully submitted by,

Brenda L. Moore  
Council Secretary

# ITEM

## 20-101

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



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.

**ACCESS EASEMENT**  
**55 Fuller Road, Cumberland, Maine**

**CARI O. TURNBULL and DEREK F. TURNBULL**, whose mailing address is 55 Fuller Road, Cumberland Center, Maine 04021 (collectively “Grantors”), hereby grant to the **TOWN OF CUMBERLAND**, a Maine municipal corporation with a mailing address of 290 Tuttle Road, Cumberland, ME 04021 (“Grantee”), a perpetual non-exclusive easement on, over and across a portion of the Grantors’ property, situated at 55 Fuller Road in the Town of Cumberland, County of Cumberland, and State of Maine, which is more particularly described in a deed from Graiver Homes, Inc. to Grantors, dated February 9, 2018 and recorded in the Cumberland County Registry of Deeds in Book 34647, Page 290 and more particularly shown within the bolded rectangle on a plan entitled “Walnut Hill Investments, LLC, Spring Valley Subdivision, Cumberland, Maine, Site Grading, Drainage and Utilities Plan,” dated November 2016 and made by Sevee & Maher Engineers, a copy of which is attached hereto and incorporated herein as **Exhibit A** (the “Easement Area”).

Said Easement is granted solely and exclusively for the purpose of allowing Grantee and its respective agents, contractors and employees to maintain a detention pond, underdrained soil filter, and related appurtenances located within the Easement Area (collectively the “Drainage Facilities”), including but not limited to the right to enter and bring equipment into the Easement Area, to mow the Easement Area, to clear debris, trash, sediment, and other accumulated material from the Easement Area, and to carry out all other actions that are reasonable and necessary to maintain the Drainage Facilities in good working order and repair and to otherwise fulfill Grantee’s respective obligations outlined in a certain order of the Maine Department of Environmental Protection in the matter of Spring Valley Subdivision (Approval L-27330-NJ-A-N) dated May 17, 2017.

Reserving to the Grantors, their successors and assigns, the use and enjoyment of the Easement Area for all purposes that are not inconsistent with and do not materially interfere with the use thereof by Grantees, their successors and assigns, for the purposes described herein.


To the extent allowed by law, and subject to the full immunities and limitations of liability set forth in the Maine Tort Claims Act, Grantee agrees to indemnify, defend, and hold harmless the Grantors from all claims, demands, liabilities, and suits of any nature whatsoever arising out of, or because of the actions of Grantee’s employees, agents, or assigns, or any act or omission committed or occasioned by Grantee’s employees, agents, or assigns.

It is specifically understood and agreed that this indemnification does not cover Grantors from their negligent acts or negligent omissions, or from liability to the extent of insurance coverage maintained by the Grantors and shall not be construed to constitute a waiver of any defense, immunity, or limitation of liability that may be available to Grantee or any of its officers, agents, or employees, pursuant to the Maine Tort Claims Act, 14 M.R.S. § 8101 *et seq.*, as may be amended from time to time.


The rights and easements granted herein and the terms and conditions hereof shall run with the land and shall be binding upon and shall inure to the benefit of the Grantors and the Grantee, and their respective heirs, successors, and assigns.

IN WITNESS WHEREOF, Cari O. Turnbull and Derek F. Turnbull have caused this instrument to be executed and delivered, this 19<sup>th</sup> day of November, 2020.

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Cari O. Turnbull


  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Derek F. Turnbull

STATE OF MAINE  
CUMBERLAND, ss.

November 19, 2020

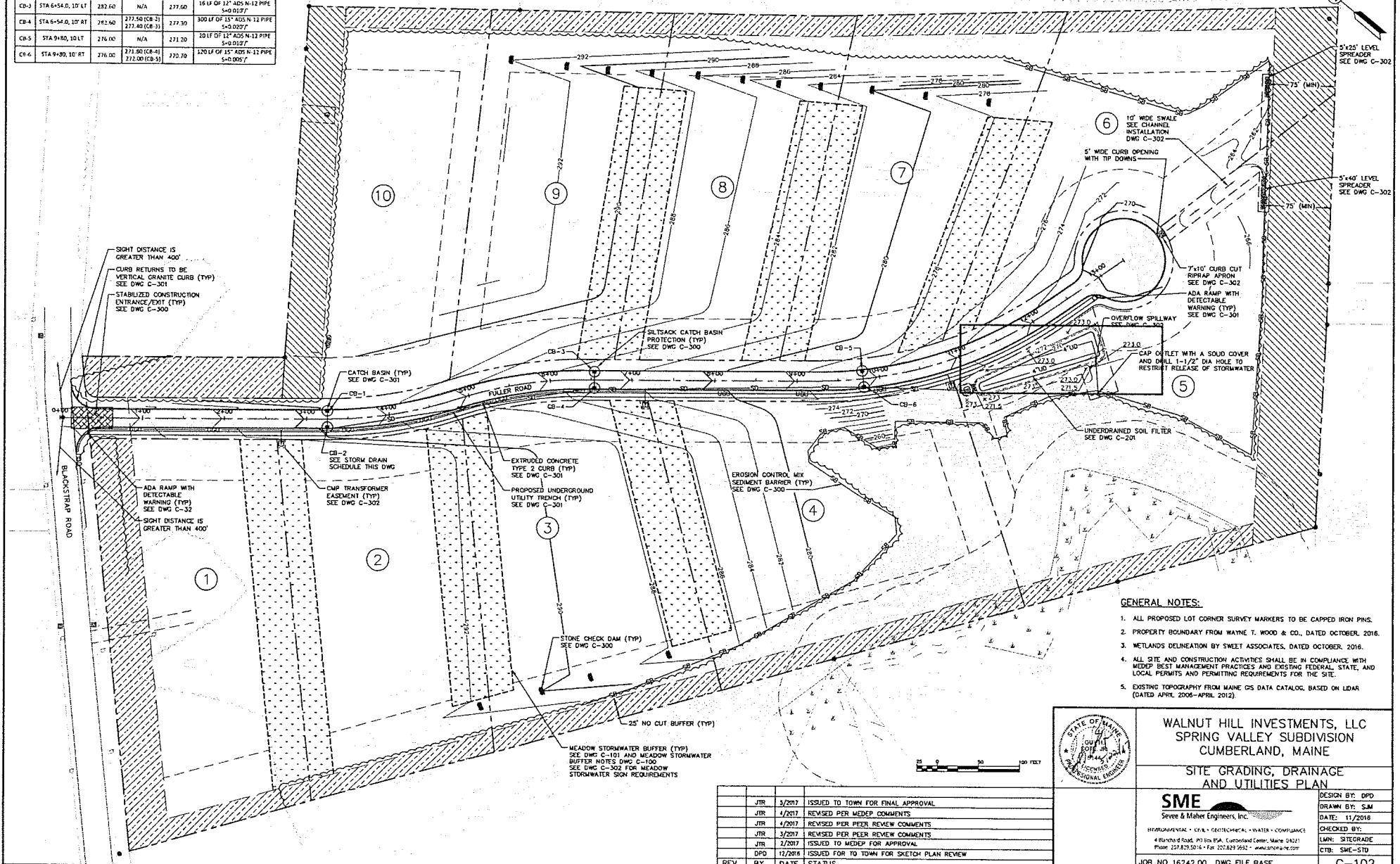
Personally appeared before me the above-named Cari O. Turnbull and Derek F. Turnbull, and acknowledged the foregoing instrument to be their free act and deed.

  
\_\_\_\_\_  
Notary Public  
Printed Name:  
My Commission Expires: \_\_\_\_\_

BRENDA L. MOORE  
Notary Public, Maine  
My Commission Expires June 14, 2021



STORM DRAIN SCHEDULE				
ID	STATION/OFFSET	R/W	INLET	PIPE
CB-1	STA 3+25.0, 10' LT	289.20	N/A	16 LF OF 12" ADS N-12 PIPE S+0.0107'
CB-2	STA 3+35.0, 10' RT	289.20	254.10 (CB-1)	300 LF OF 12" ADS N-12 PIPE S+0.0207'
CB-3	STA 6+54.0, 10' LT	282.60	N/A	16 LF OF 12" ADS N-12 PIPE S+0.0197'
CB-4	STA 6+54.0, 10' RT	282.60	277.50 (CB-3) 277.40 (CB-1)	300 LF OF 12" ADS N-12 PIPE S+0.0207'
CB-5	STA 9+80.0, 10' LT	276.00	N/A	20 LF OF 12" ADS N-12 PIPE S+0.0197'
CB-6	STA 9+80.0, 10' RT	276.00	277.50 (CB-4) 277.00 (CB-5)	120 LF OF 12" ADS N-12 PIPE S+0.0007'



**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](mailto: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.

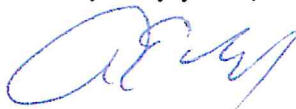
3. Possible ineffectual Underground Line Easement from Walnut Hill Properties LLC to Central Maine Power Company dated August 15, 2017, and recorded in Book 34644, Page 223. Note, our office has advised Walnut Hill Investments LLC that this easement is ineffectual and that a new easement will need to 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:

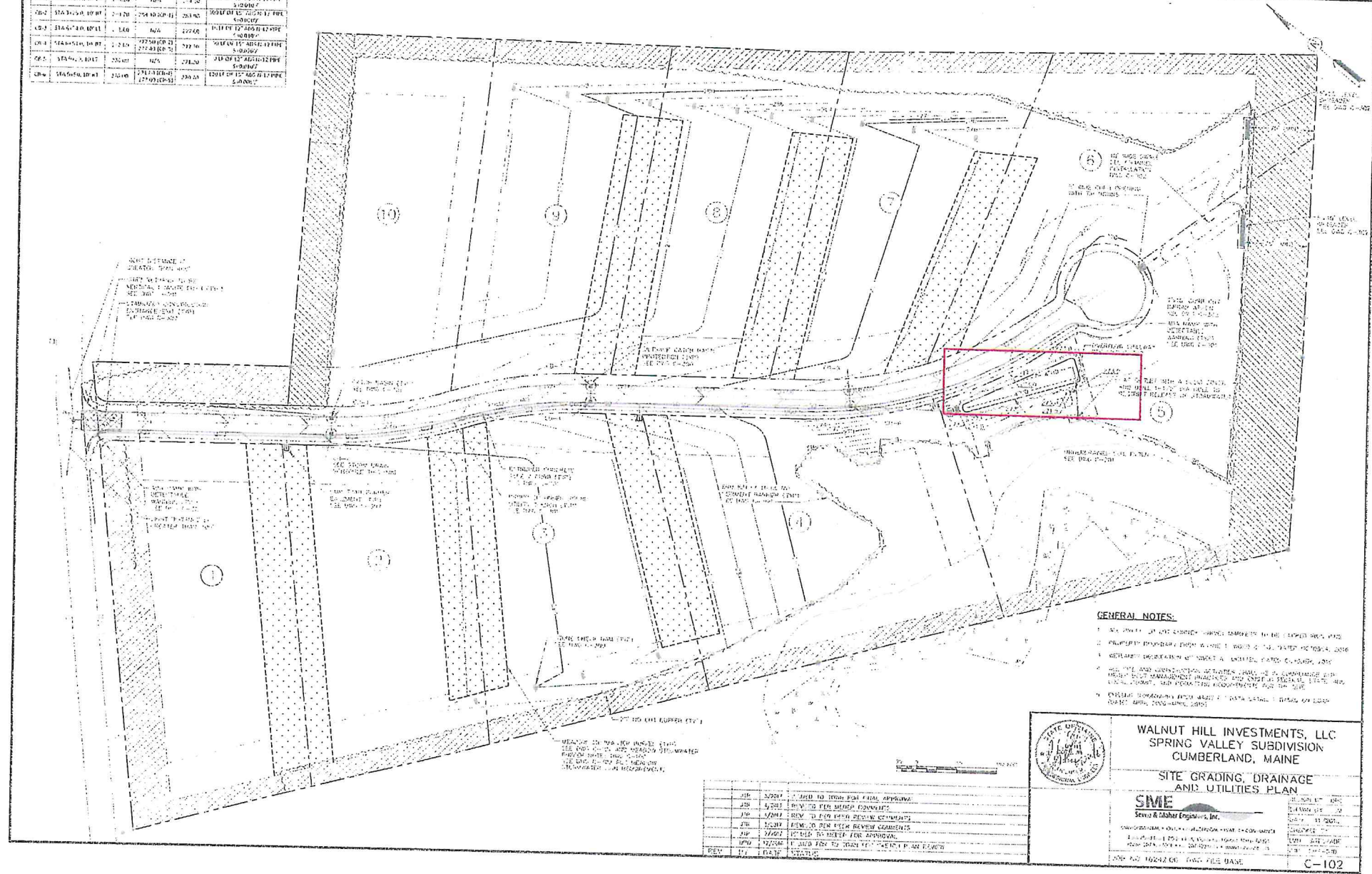
Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary

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

NO	STATION/POINT	BM	CGM	REV	DATE
CR-1	STA 2+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-2	STA 3+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-3	STA 4+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-4	STA 5+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-5	STA 6+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-6	STA 7+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-7	STA 8+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-8	STA 9+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-9	STA 10+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-10	STA 11+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-11	STA 12+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-12	STA 13+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-13	STA 14+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-14	STA 15+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-15	STA 16+25.0 TO 17	12.20	12.5	12.20	10/11/12
CR-16	STA 17+25.0 TO 17	12.20	12.5	12.20	10/11/12



# ITEM 20-102

To hear an update from the Communications Committee



# Stay Connected

## IN CUMBERLAND!



@CumberlandME



@CumberlandME



@CumberlandMaine

The Town of Cumberland is working hard to connect with all of our community members!

Are you subscribed for our weekly email, The Cumberland Crier? Sign up today by scanning the QR code to the right (*open the camera on your iPhone to activate the scanner*) or visit

**[www.cumberlandmaine.com/cumberlandcrier](http://www.cumberlandmaine.com/cumberlandcrier)**



If you do not have access to a computer, please call us at 829-2208 so we can mail our weekly newsletter to your home!



## Cumberland Communication Survey

**\* 1. How did you first learn about this survey?**

- ☐ The Cumberland Crier (weekly email)
- ☐ Social Media (Facebook, Twitter, Instagram)
- ☐ Town Website
- ☐ Other (please specify)

**\* 2. How do you currently RECEIVE information from the Town?**

- ☐ The Cumberland Crier (weekly email)
- ☐ Social Media (Facebook/Twitter/Instagram)
- ☐ Email alerts from the Town Website
- ☐ Local Access Channel
- ☐ The Forecaster
- ☐ Direct Mailing
- ☐ I don't receive any information from the Town.

**\* 3. How do you currently FIND information from the Town?**

- ☐ The Cumberland Crier (weekly email)
- ☐ Social Media (Facebook/Twitter/Instagram)
- ☐ Town Website
- ☐ Local Access Channel
- ☐ The Forecaster
- ☐ Calling Town Hall
- ☐ I do not look for information from the Town.

**\* 4. What age bracket do you fall into?**

- ☐ Under 25
- ☐ 25-39
- ☐ 40-55
- ☐ 56-70
- ☐ 70+

**\* 5. What gender do you identify as?**

- ☐ Male
- ☐ Female
- ☐ Gender non-binary
- ☐ Prefer not to answer

**\* 6. How long have you lived in Cumberland? (Doesn't have to be consecutive.)**

- ☐ Less than 2 years
- ☐ 2-5
- ☐ 5-10
- ☐ 10-20
- ☐ 20-30
- ☐ more than 30 years

**7. Would you like to share your email address with the Town of Cumberland? You will be added to our weekly email, The Cumberland Crier!**

**Name**

**Email Address**

# BUDGET REPORT



# Revenues



11/19/2020  
10:46:00

## TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 05 OF 2021

ACCOUNTS FOR:	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001 General Fund					
<hr/>					
0011 Other Tax Revenues					
<hr/>					
0011 0303 Motor Vehicle Excise Tax	-951,609.73	-967,300.04	-1,000,694.39	-1,044,479.37	-1,735,000.00
0011 0304 Boat Excise Tax	-2,840.74	-2,360.00	-2,451.90	-3,751.60	-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	-991,681.50	-1,007,639.54	-1,042,721.51	-1,090,081.66	-1,828,000.00
0012 License & Permit Revenues					
<hr/>					
0012 0311 Hunting/Fishing Lic Agent Fees	-117.50	-156.50	-102.25	-80.50	-541.00
0012 0312 Marriage Lic & Vital Records	-1,191.80	-1,552.00	-1,411.00	-1,660.40	-2,436.00
0012 0313 Birth Certificates	-756.80	-697.40	-623.00	-582.00	-1,361.00
0012 0314 Death Certificates	-936.20	-870.00	-868.80	-579.80	-1,713.00
0012 0315 Clerk Licenses	-895.00	-1,965.00	-1,035.00	-875.00	-4,608.00
0012 0316 Shellfish Licenses	-36.06	-35.70	-14.28	-102.34	.00
0012 0317 Conservation Fees	-13.94	-14.30	-5.72	-37.66	.00
0012 0334 Snowmobile Reg. Agent Fees	-11.00	-41.00	-30.00	-27.00	.00
0012 0361 Motor Vehicle Reg. Agent Fees	-9,615.00	-9,408.00	-12,237.00	-14,590.00	-21,406.00
0012 0362 Boat Reg. Agent Fees	-115.00	-135.00	-158.00	-166.00	-1,098.00
0012 0366 Building Permits	-32,934.87	-36,615.95	-38,786.11	-51,666.48	-75,000.00
0012 0367 Electrical Permits	-14,259.45	-8,740.75	-10,486.75	-13,758.18	-21,634.00
0012 0368 Plumbing Permits	-11,330.00	-7,170.00	-6,772.50	-10,340.00	-18,789.00
0012 0369 Other Permits	-349.00	-628.00	-300.00	-206.00	-1,751.00
0012 0383 ATV Reg. Agent Fees	-37.00	-64.00	-60.00	-55.00	-37.00
0012 0390 Misc. Revenue	.00	.00	.00	-100.00	.00
0012 0398 Application Fee	-1,000.00	-650.00	-200.00	-300.00	-1,300.00
0012 0401 Dog Reg. Clerk Fees	-434.00	-442.00	-217.00	-109.00	-2,800.00
0012 0404 Commercial Haulers License	.00	.00	.00	-100.00	-500.00
TOTAL License & Permit Revenue	-74,032.62	-69,185.60	-73,307.41	-95,335.36	-154,974.00
0013 Intergovernmental Revenues					
<hr/>					
0013 0331 State Revenue Sharing	-191,896.30	-198,978.14	-320,841.69	-327,531.10	-500,000.00
0013 0335 DOT Block Grant	.00	-68,644.00	.00	.00	-71,480.00
0013 0341 North Yarmouth Recreation Shar	-8,344.00	-4,730.00	871.25	-4,546.00	-18,184.00

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TOWN OF CUMBERLAND  
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 05 OF 2021

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
0013 0342 North Yarmouth Library Share	-38,856.00	-40,018.00	-42,340.17	-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	-239,833.30	-312,370.14	-370,035.61	-377,925.35	-773,057.00
0015 Other Revenues					
0015 0305 Interest & Penalties	-7,202.31	-8,321.16	-10,528.18	-5,362.42	-30,000.00
0015 0306 Over/Short	591.08	6,569.31	4.81	354.59	-100.00
0015 0364 Growth Permits	-1,900.00	-1,300.00	-1,600.00	-1,800.00	-2,000.00
0015 0365 Board of Appeals	-200.00	-100.00	-200.00	.00	.00
0015 0390 Misc. Revenue	-33,772.60	-31,057.95	-31,845.07	-31,080.66	-25,000.00
0015 0399 Staff Review Fee	-9,300.00	-3,500.00	-1,650.00	-2,850.00	-14,117.00
0015 0403 Mooring Fees	-1,300.00	-150.02	-1,568.00	-64.00	-1,500.00
0015 0410 Private Ways	-200.00	-600.00	.00	-200.00	-400.00
0015 0508 Impact Fees	-33,055.40	-42,281.40	-54,205.20	-45,165.40	-60,000.00
TOTAL Other Revenues	-86,339.23	-80,741.22	-101,591.64	-86,167.89	-133,117.00
0021 Police Related Revenues					
0021 0337 State Grant revenue	.00	.00	.00	-951.30	.00
0021 0351 Police Issued Permits	-757.00	-1,140.00	-1,449.00	-530.00	-2,000.00
0021 0353 Police Insurance Reports	-240.00	-160.00	-218.00	-140.00	-500.00
0021 0390 Miscellaneous Police Revenue	-273.15	-27.00	-156.00	-51.00	-648.00
0021 0427 Parking Tickets	-300.00	.00	-450.00	-150.00	-100.00
0021 0431 Outside Detail	-18,784.08	737.52	.00	.00	.00
0021 0536 Dog Licenses ACO Revenue	-1,111.00	-933.00	-570.00	-325.00	-1,800.00
0021 0540 MSAD #51 SRO Reimbursement	-24,000.00	-24,500.00	.00	.00	.00
0021 0546 Court Reimbursements	-300.00	46.00	-3,392.28	-119.02	-2,200.00
TOTAL Police Related Revenues	-45,765.23	-25,976.48	-6,235.28	-2,266.32	-7,248.00
0022 Fire Related Revenues					
0022 0390 Misc. Revenue	-300.00	.00	.00	.00	.00
0022 0431 Outside Details	-17,742.00	.00	.00	.00	.00

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TOWN OF CUMBERLAND  
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 05 OF 2021

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
<hr/>					
0022 0504 Rescue Billing	-67,616.56	-70,480.65	-48,784.40	-15,424.44	-160,000.00
0022 0505 Non Emergency Transports	-6,392.67	.00	.00	.00	.00
0022 0507 Paramedic Intercepts	-300.00	.00	.00	.00	.00
0022 0617 Donations Received	.00	.00	.00	-1,295.00	.00
TOTAL Fire Related Revenues	-92,351.23	-70,480.65	-48,784.40	-16,719.44	-160,000.00
 0031 Public Services Revenues					
<hr/>					
0031 0390 Misc. Revenue	-234.00	-3,116.00	-3,843.00	-273.00	-20,500.00
0031 0391 Field Usage Fees	-1,440.00	-4,613.20	-2,806.80	.00	-5,000.00
0031 0431 Outside Details	720.00	-752.95	.00	.00	.00
0031 0517 Bags/Universal Waste	-144,837.50	-133,317.50	-86,337.50	582.50	-295,015.00
0031 0539 Brush Passes	-1,556.00	-1,519.00	-1,666.00	-6,209.00	-8,277.00
0031 0617 Twin Brooks Donations	-18.00	.00	.00	.00	-92.00
TOTAL Public Services Revenues	-147,365.50	-143,318.65	-94,653.30	-5,899.50	-328,884.00
 0035 VH Other Revenues					
<hr/>					
0035 0329 Payment in Lieu of Taxes	.00	.00	-4,000.00	.00	-6,000.00
0035 0378 Soda Sales	-1,644.50	-2,016.60	-1,594.40	-2,053.40	-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	-9,000.00	-9,000.00	-9,000.00	-9,270.00	-21,600.00
TOTAL VH Other Revenues	-13,435.01	-19,964.83	-21,344.40	-18,073.40	-44,100.00
 0037 VH Golf Revenues					
<hr/>					
0037 0306 Over/Short	3.23	-6.89	506.39	-3.05	.00
0037 0357 Golf Memberships	-92,497.00	-115,856.40	-93,968.60	-119,179.55	-230,000.00
0037 0358 Greens Fees	-78,852.45	-87,624.14	-70,967.44	-114,055.26	-120,000.00
0037 0359 Golf Cart Rentals	-59,243.63	-46,983.36	-43,912.45	-64,634.19	-82,000.00
0037 0416 Practice Range	-6,316.50	-4,911.75	-768.25	-6,043.97	-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	-63,999.00	-36,038.00	-46,430.00
0037 0617 Donations Received	-845.00	.00	.00	.00	.00

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TOWN OF CUMBERLAND  
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 05 OF 2021

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
TOTAL VH Golf Revenues	-302,222.87	-349,326.67	-315,393.35	-389,505.65	-573,645.00
0041 Recreation Related Revenues					
0041 0440 41100 After School Programs	-111,869.40	-112,969.09	-128,815.00	-115,478.50	-270,000.00
0041 0441 41110 Youth Enrichment Programs	-38,918.60	-47,136.60	-55,588.90	-12,479.50	-175,000.00
0041 0442 41120 Youth Sports Programs	-40,360.50	-44,248.75	-44,124.00	-3,911.00	-115,000.00
0041 0443 41130 Skiing Programs	-41,182.50	-48,994.00	-52,574.00	-295.00	-45,020.00
0041 0444 41140 Day Camps	-33,700.18	-29,100.65	-30,108.43	-67,555.50	-175,000.00
0041 0445 41150 Swimming Programs	-8,736.00	-8,787.29	-8,420.00	.00	-22,500.00
0041 0446 41160 Adult Enrichment Revenue	-14,196.24	-11,585.34	-11,127.99	-500.00	-30,000.00
0041 0447 41170 Adult Fitness Revenue	-23,885.84	-24,398.13	-23,200.70	-10,329.00	-60,000.00
0041 0448 41190 Special Events/Trips Reven	-1,337.00	-952.00	-1,303.00	.00	.00
0041 0449 41190 Recreation Programs	-2,040.00	-675.00	-3,930.00	.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	2,215.60	-650.00	-605.00	-165.00	-250.00
TOTAL Recreation Related Reven	-330,130.66	-347,671.85	-379,987.02	-219,836.50	-929,770.00
0045 Library Related Revenues					
0045 0392 Library Fines	-1,293.69	-1,192.60	-2,298.13	-499.95	-3,500.00
0045 0394 Misc. Library Revenue	-442.50	-465.80	-634.10	-316.80	-1,000.00
TOTAL Library Related Revenues	-1,736.19	-1,658.40	-2,932.23	-816.75	-4,500.00
0211 Police- Salaries & Bens					
0211 0431 Outside Details	.00	-16,406.23	-16,578.69	-1,721.16	-21,998.00
TOTAL Police- Salaries & Bens	.00	-16,406.23	-16,578.69	-1,721.16	-21,998.00
0221 Fire- Salaries & Benefits					
0221 0431 Outside Details	.00	-14,279.32	-14,588.94	.00	-18,000.00
TOTAL Fire- Salaries & Benefits	.00	-14,279.32	-14,588.94	.00	-18,000.00

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TOWN OF CUMBERLAND  
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 05 OF 2021

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001      General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
TOTAL General Fund	-2,324,893.34	-2,459,019.58	-2,488,153.78	-2,304,348.98	-4,977,293.00
TOTAL REVENUES	-2,324,893.34	-2,459,019.58	-2,488,153.78	-2,304,348.98	-4,977,293.00
GRAND TOTAL	-2,324,893.34	-2,459,019.58	-2,488,153.78	-2,304,348.98	-4,977,293.00



# Expenses

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## TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 05 OF 2021

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
130 Administration	281,570.60	267,515.25	269,390.57	224,579.41	616,244.00
140 Assessor	27,308.50	46,819.08	42,854.13	42,888.94	112,471.00
150 Town Clerk	85,710.80	101,574.56	122,462.71	111,163.61	275,187.00
160 Technology	110,587.76	99,459.50	114,989.49	135,498.04	212,517.00
165 Elections	1,664.75	5,509.85	1,685.19	-134,250.44	14,241.00
170 Planning	28,108.48	25,713.60	25,890.41	21,898.71	73,137.00
190 Legal	22,224.85	13,265.40	21,383.64	12,826.50	47,500.00
210 Police	575,992.40	558,456.59	604,277.63	541,224.96	1,494,752.00
220 Fire	382,687.29	399,636.97	421,355.51	347,868.66	1,088,962.00
240 Code Enforcement	60,172.26	56,433.71	60,588.59	56,392.44	143,113.00
250 Harbor Master	2,190.53	2,647.39	10,937.04	3,412.00	25,226.00
260 Animal Control	17,542.13	16,455.39	31,623.45	18,280.93	35,412.00
310 Public Works	367,117.89	383,182.32	398,591.52	350,623.56	1,269,713.00
320 Waste Disposal	167,598.27	202,463.16	222,862.36	173,730.56	592,696.00
350 Valhalla-Club	19,513.27	17,862.85	12,766.39	6,809.90	27,231.00
360 Valhalla-Course	248,790.98	304,117.66	277,167.98	275,123.53	515,427.00
370 Valhalla-Pro Shop	158,050.11	190,754.67	147,049.69	120,384.69	238,467.00
410 Recreation	450,759.65	480,889.62	541,506.14	316,757.13	914,018.00
420 Aging in Place	.00	9,235.54	59,047.19	4,525.79	85,105.00
430 Parks	167,688.56	174,355.63	156,619.51	150,573.47	318,355.00
440 West Cumberland Rec	1,341.93	1,438.01	1,740.84	411.70	8,204.00
450 Library	175,566.21	200,001.81	219,858.25	179,838.40	516,000.00
470 Historical Society Building	1,439.91	2,937.01	1,348.04	168.00	8,964.00
580 General Assistance	21,520.88	9,877.55	20,301.40	16,318.52	35,000.00
590 Health Services	11,639.55	11,639.55	15,639.55	.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	1,321.23	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	152,679.54	217,269.58	205,392.69	243,927.18	277,823.00
800 Fire Hydrants	31,570.53	25,806.17	34,162.74	27,542.96	81,686.00
810 Street Lighting	13,898.72	9,881.99	13,940.03	4,939.12	45,000.00
830 Contingent	.00	-247.20	2,500.00	17,047.42	100,000.00
840 Municipal Building	32,781.49	37,699.80	32,267.51	28,917.13	105,160.00
850 Abatements	22,336.23	4,969.70	21,590.71	2,165.25	1.00
TOTAL General Fund	4,361,764.10	4,439,182.40	4,501,021.39	3,632,464.53	10,478,507.00
TOTAL EXPENSES	4,361,764.10	4,439,182.40	4,501,021.39	3,632,464.53	10,478,507.00
GRAND TOTAL	4,361,764.10	4,439,182.40	4,501,021.39	3,632,464.53	10,478,507.00



# The Senior Scoop

OCTOBER 2020

AIP Contact Information: Sarah Davis at  
829-2208 or [sdavis@cumberlandmaine.com](mailto:sdavis@cumberlandmaine.com)



## HAVE YOU HAD YOUR FLU SHOT?

The Cumberland Fire/EMS Department will be holding a flu shot clinic for Cumberland & North Yarmouth residents of all ages!

**When:** Tuesday, November 10th

**Time:** 3-6pm

**Where:** Community Room at  
Central Station

Face masks are required. Bring your insurance card if you have one. Flu shot is free of charge if you do not have health insurance. Questions? Please call 829-5421.

## HAPPY FALL!

During this challenging time, we wanted to check in to see how you are doing and how we can better assist you in staying connected and healthy! As many of you are aware, our Aging in Place programs (*CAR Rides, Handy Helpers, Programming, etc.*) are still suspended.

Aging in Place Cumberland is working hard to find creative ways to connect our seniors in a safe way. Please complete the brief survey on the next page and return it to our office!

# ELECTION INFORMATION



## ELECTION DAY

On Tuesday, November 3rd there will be a General Election. **Polls will be open from 7am-8pm, in the Greely High School gymnasium.**

## ABSENTEE VOTING

Absentee Ballots are now available at Cumberland Town Hall! The last day to Absentee Vote will be Friday, October 30th.

Stop by Town Hall to pick up your ballot or vote in person. An immediate family member (spouse/child) can also pick up your ballot for you! If you'd rather have the ballot mailed to you, please call the Clerk's Office at 207-829-5559.

Completed ballots can be returned in the secure drop box located outside the front entrance of Town Hall!

## ABSENTEE VOTING HOURS

- Monday-Wednesday: 8am-5pm
- Thursday: 8am-6pm.

The Clerk's Office will be offering extended hours for absentee voting at Cumberland Town Hall on the following dates:

- Saturday, October 17th - 10am-1pm
- Saturday, October 24th - 10am-1pm
- Thursday, October 29th - 6-7pm
- Friday, October 30th - 10am-5pm



*(Absentee Ballot drop box located in front of Cumberland Town Hall.)*



# CHECK-IN SURVEY

We'd like to learn more about how you would like to receive information from the Town of Cumberland and Aging in Place. By completing this survey, we will add you to our email/mail distribution list to keep you informed and connected! **If you'd rather relay this information over the phone, please call Sarah at 207-829-2208.**



Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

What is your preferred mode of communication?

Phone \_\_\_\_\_ Email \_\_\_\_\_

Are you signed up for the Town's weekly email The Cumberland Crier?

Yes \_\_\_\_\_ No \_\_\_\_\_

***If you are not subscribed, would you like us to subscribe you to this service?***

\_\_\_\_\_ Yes, please send it to my email!

\_\_\_\_\_ Yes, please mail it to my home address!

\_\_\_\_\_ No, I do not wish to be signed up for this communication

Are you in need of food? Grocery shopping help?

Food \_\_\_\_\_ Grocery Shopping Help \_\_\_\_\_ N/A \_\_\_\_\_

Are you in need of a ride to appointments? (income restricted)?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Once completed, please return this form to  
AIP Cumberland, 290 Tuttle Road, Cumberland, ME 04021.**