

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, June 14, 2021

6:00 P.M. Workshop with the Lands & Conservation Commission re: Open Space Policy

7:00 P.M. Call to Order

I. CALL TO ORDER

II. APPROVAL OF MINUTES

May 10, 2021

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

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

V. LEGISLATION AND POLICY

21 – 058. To swear in newly elected Town Councilors.

21 – 059. To elect a Town Council Chair and Vice-Chair.

21 – 060. To hear a report from the Lands & Conservation Commission re: Forestry.

21 – 061. To consider and act on acceptance of the Lands & Conservation Commission Climate Action Plan.

21 – 062. To consider and act on Commercial Hauler's license renewals for FY'22.

21 – 063. To hold a Public Hearing to consider and act on an amendment to Section 250 (Subdivision of Land), Section 3 (Definitions), to add a definition of Sketch Plan Review; and Section 17A (Sketch Plan Review), to remove requirement for the Sketch Plan step from

the major subdivision review process when a Planning Board Workshop has been held, as per Section 250-14B, as recommended by the Planning Board.

21 – 064. To hold a Public Hearing to consider and act on an amendment to Section 229 (Site Plan Review) Section 2(B)(3) (Classification Levels) to amend the minor staff review column to indicate “5 acres or less”, as recommended by the Planning Board.

21 – 065. To set a Public Hearing date of June 28th to consider and act on a liquor license application for Cumberland House of Pizza.

VI. NEW BUSINESS

Finance Committee Meeting, Thursday, June 24th at 5:15 p.m. re: FY’21 End of Year Financials

VII.BUDGET REPORT

VIII.ADJOURNMENT

MINUTES

Cumberland Town Council Meeting Town Council Chambers

MONDAY, May 10, 2021

6:15 P.M. Senior Property Tax Committee Meeting

7:00 P.M. Call to Order

Present: Councilors Copp, Edes, Foster, Gruber, Turner and Vail

Excused: Councilor Storey-King

I. APPROVAL OF MINUTES

Motion by Councilor Vail, seconded by Councilor Foster, to accept the April 26, 2021 meeting minutes as presented.

VOTE: 5-0-1 (Edes abstained) MOTION PASSES

Motion by Councilor Turner, seconded by Councilor Copp, to accept the April 27, 2021 special meeting minutes as presented.

VOTE: 5-0-1 (Edes abstained) MOTION PASSES

II. MANAGER'S REPORT

John Jensenius, Chairman of the Trails Subcommittee of the Lands & Conservation Commission presented the following:

Recreational Trails Subcommittee

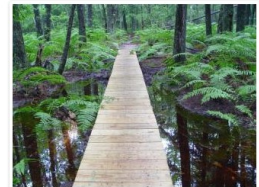
Lands and Conservation Commission

May 10, 2021

- John Jensenius
- Steve Fitzgerald
- Matt Leclair
- Don Stowell
- Shaun Breton
- Brian Stearns
- John Stewart

Subcommittees

Cumberland's Recreational Trails Subcommittee (RTS) of the Lands and Conservation Commission, along with the Town's Public Works Department, manages the trail system in Town-owned properties. Cumberland's trails have been developed to be enjoyable and safe for both residents and visitors. They are designed, constructed, and maintained for specific uses, and also to minimize the impact on the natural resources of the surrounding area while taking advantage of scenic, educational, and cultural opportunities.

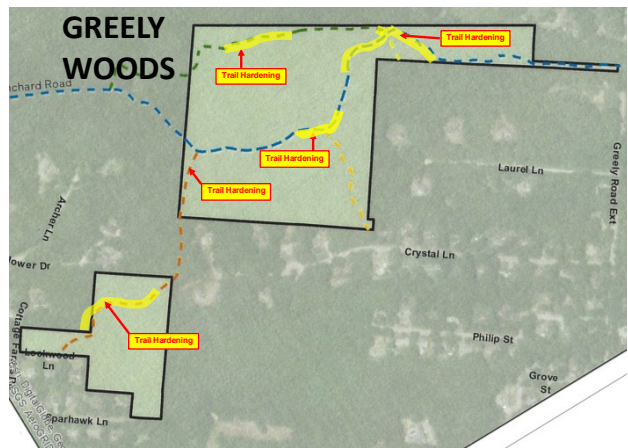


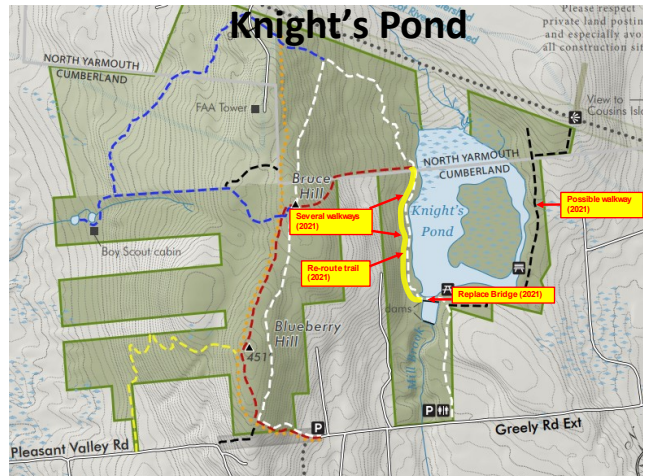
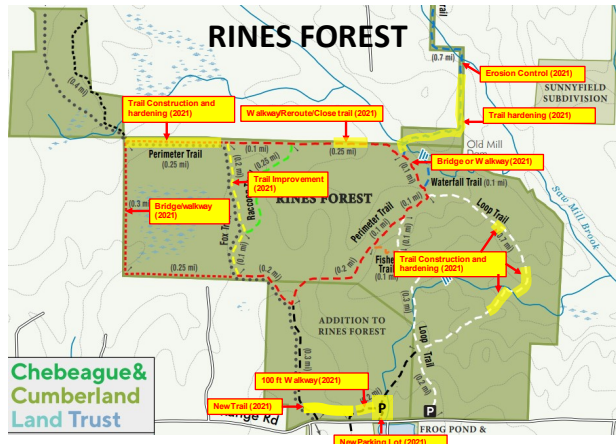
The RTS monitors trail conditions and works to maintain the trails to standards adopted by the Town Council. These standards include guidelines for building bridges walkways, and "hardening" the trails with a sand gravel mix, where necessary. The goal is to keep the trails open for year-round use without damaging the trails or their surroundings.

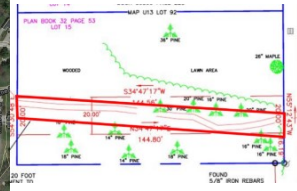
The RTS works with private landowners to maintain and/or expand the network of trails connecting neighborhoods throughout the town. Where appropriate and with landowner permission, the RTS puts up trail markers on trails across private property. The RTS also encourages landowners to provide trail easements to the Town, ensuring that the trails remain open to the public in perpetuity.

2020 Summary of Accomplishments

- Developed trail construction and maintenance standards for Town-owned properties.
- Constructed 2 bridges (totally over 30 feet) and 8 walkways (totaling about 250 ft) were constructed in Rines Forest and Greely Woods across streams and wet areas.
- Put down over 2700 linear feet of gravel pathways to harden soft, rooty, or slippery areas in Rines Forest and Greely Woods.
- Placed additional trail markers and signage at intersections in Rines Forest.
- Put up colored trail markers on all the trails in Twin Brook and met with the Town's Parks and Recreation department to discuss creating better maps of the area.
- Worked with Public Works to re-route the snowmobile trail on the Godsoe property.
- Obtained an easement across private property on Crystal Lane to allow permanent access from Crystal Lane to Greely Woods.
- Worked with property owners on a trail easement between Farwell Avenue and MSAD51 property.
- Worked with property owners to develop and mark connecting trails between Greely Woods and both Newell Ridge and Glenview Roads.
- Provided input to the Planning Board on new subdivisions, when appropriate.

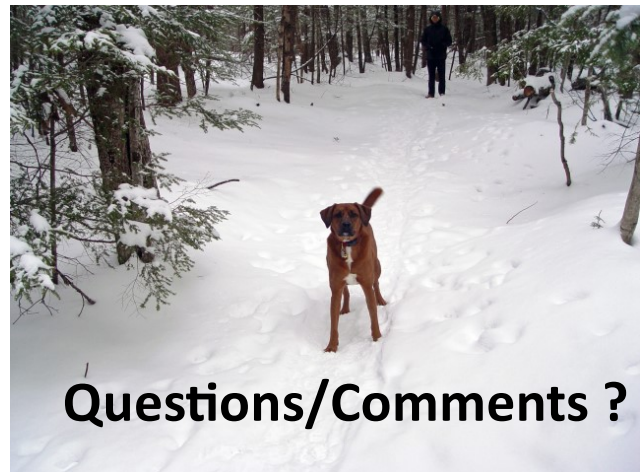






Snowmobile Club

- Built numerous bridges in the town during 2020 and one in 2021



Town Manager Shane requested that an item be added to the agenda this evening. Item 21-057 to award the 2021 paving bid. The bid opening was this afternoon and Glidden Paving was the lowest bidder.

Tomorrow morning, A.H. Grover will begin work on Route 9 near Cross Road. The sight distance coming from Cross Road onto Route 9 is not very good, so Route 9 will be lowered approximately 2 1/2 feet to fix this.

III. PUBLIC DISCUSSION

Mike Doyle of Portsmouth, N.H. said that at the last meeting, Chris Neagle was here and talked about how attorney's police themselves. One of his sources told him that Mr. Neagle worked at Verrill Dana for 20 years. During his tenure there, the partnership discovered that John Duncan was stealing from client's accounts. He paid the money back, but the partners covered it up and did not report him to the Board of Overseers. He wasn't disbarred and he wasn't brought before the Supreme Court. Then, it was discovered that he stole \$480,000 from the partnership itself and all hell broke loose. He was disbarred, brought up on charges, and went to prison for tax evasion. That is Mr. Neagle's view on attorney's policing themselves. The other interesting piece of this is that they had outside attorney's investigating their law firm.

Mr. Doyle said that Ann Maksymowicz stole one of his signs, changed the words, and posted it on social media. She took his format as her own, so he filed a police report against her. He posted this information on his website at 10:30 this morning and as of 6:30 tonight, it had 13,000 + hits on it. He would expect the Cumberland Police Department to serve her a summons to go court and answer to the charge of theft. If this does not happen, he will talk to the District Attorney's Office. She stole something that wasn't hers for her own use and he thinks that there should be consequences for this.

Nick Begin of Cumberland said that the Town Council and School Board meetings being held on the same night makes it difficult for people to have to choose which meeting to attend. He wondered is something could be done to coordinate meeting times.

In regard to the recall petitions, Mr. Begin said that they did not receive enough signatures. Through the process of talking with hundreds of parents in the community, they were at least able to educate them. The point of the petition process was to open the eyes of parents to what is actually going on. Prior to February, he was one of those parents who were clueless to what is going on. Fresh Start 51 is a self-funded parent group who will be focusing on education and continuing to educate. Their first education will be to focus on the candidates that are running for School Board. It will be very fact based and not attacking anybody, with a goal of getting a higher voter turnout. The biggest complaint that they have heard from parents is that there is little transparency from the School Board. Kids returning to school in the fall is not a guarantee, which is very unfortunate. He would like to see us get more creative like other communities have done. He would like to see kids back in school 5, full days in the fall.

Shawn McBairty of Cumberland Center read the following:

From my last comment, on 4/26/21, based on my experience this past year, I see there are five main issues currently in Cumberland, I'll focus on #2 and #3 tonight:

1. Lack of transparency by MSAD51 regarding Greely students' indoctrination into Critical Race Theory.
2. Division of this community, when MSAD51 Superintendent Jeff Porter called you all "white supremacists" on 6/2/20.
3. The venomous cancel-culture, scaring people from voicing their opinions, or concerns publicly.
4. Lack of accountability for MSAD51's decisions.
5. Poor leadership at MSAD51.

This Town does control a majority of tax dollars flowing to MSAD51 and this information is necessary for voters to understand before 6/8.

Issue #2, the first public showing of Critical Racist Theory from MSAD51, dividing the Town up as oppressed, or oppressors, came almost a year ago.

- Porter said...with zero facts to back it up:
- "...it is harder for many of us here to accept the imbalance of equality that people of color experience every day."
- "The statement...(was) to bring needed awareness to a national story rooted in ongoing injustice and sadness for African-Americans."
- (Jeff Porter) firmly believe(s) that a school community in the year 2020 *has a moral imperative* to educate on the topic of race..."

Back in 2019, MSAD51 hired a company in Community Change Inc. (CCI) who was headed up by the hate-speech spewing Shay Stewart-Bouley, CCI's Executive Director. Ann Maksymowicz was the School Board member that spoke directly to Shay and recommended CCI. No diligence was done.

On Twitter, a social media platform, Shay incited violence and hurled dozens of obscenities, wishing for arson and destruction. A pattern of sick behavior.

These very tweets by Shay were provided to Porter on 6/6/20 via e-mail and put in his hand on 6/18/20, of which he didn't dare read them out loud.

Councilor Storey-King at that in person meeting provided a screen shot on her phone that in CCI's June 2020 newsletter, in order to eliminate racism, CCI wanted to "eliminate capitalism" and go to an "anarchist and socialist form of government."

Porter continued to support CCI, up until the time I publicly blew the lid off all of this hypocrisy on 7/3/20, when he said the "narrative was too difficult to defend."

As recently as December, Katie Campbell, Greely Middle School Social Worker, Nick Shuller Whiston, Co-Chair of the "Equity" Committee and School Board Member Ann Maksymowicz were still showing written support for Shay. MSAD51 never condoned her use of foul language and hate speech, a horrible example for our youth. They actually had the nerve to continue and defend her!

Anarchy and socialism is what 70% of your tax dollars support at MSAD51?

Porter allegedly fired CCI on 7/7/20, then immediately entered into an agreement with MAEC to review MSAD51 curriculum in a partnership with the (USM), in which there is a relationship with the Marxist and Communist organization, Black Lives Matter and race-grifter Ibram X. Kendi. There was no public discussion, nor School Board vote on this.

Read more here:

<https://docs.google.com/document/d/1qvMny-14Py-1rn-hh5I2oS-rcC5dmSxUZjoG1vJmtSU/edit>

https://docs.google.com/document/d/1tTvEs4eab_bHhicqcdUHHjAqlu5bQ1gxtjEQVZFjkJU/edit

Porter moved from hate-speech, anarchy, and socialism, right into Marxism and Communism. That is what Cumberland taxpayers are now funding at MSAD51.

No healing action has taken place by Porter since, by his choice. Remember, I asked twice for a mediated discussion between myself, Porter and other community members who wished to be there. Porter declined, twice.

I sent you all a letter on 11/1/20 asking for an all-day working session on this issue.

https://docs.google.com/document/d/10ZYBoji1_H3C2Fi2vsid-cuqbhffihcdMPMlCcgC-SA/edit

Read more about MSAD51's beginning to the indoctrination of Critical Racist Theory here:

<https://docs.google.com/document/d/1pAMvvHKV9CAQgr3vtlV69aWrK5aExsvOPT8FPxGyOBU/edit#>

Issue #3, the venomous Cumberland cancel-culture.

What are the core values that you believe in? I believe we need to fight for things like Liberty, Freedom and Education...it matters. I ask others in this community to not walk away due to this Town's cancel-culture. The left is creating policy for your children and your tax dollars. It's time for you to stand up and push back.

You must fight against totalitarianism and the radical left. The same tactics used by socialists, communists and fascists are being emulated by the MSAD51 School Board.

Full blown racism based on skin color, changing public comment policy creating free speech restrictions, not reading letters that are dissenting, illegally taking the First Amendment away, are all being used as tactics by the School Board.

Saul Alinsky's Rules for Radicals, are used by the left and MSAD51:

<https://bolenreport.com/saul-alinskys-12-rules-radicals/>

RULE 12: Pick the target, freeze it, personalize it, and polarize it. Cut off the support network and isolate the target from sympathy. This is cruel, but very effective. Direct, personalized criticism and ridicule works.

There are several private Town of Cumberland Facebook forums, which essentially are the new, electronic "Town Square" for Free Speech. Except, speech is not free. The Admins of the largest group, the Tarbox's, who run the Cumberland & North Yarmouth Residents Facebook page, caved to the left after I pushed back on those attacking me for my opinions and I was banned. They still talk about me, but I can't respond.

There are Facebook groups out there like the BLM Allies of Maine, a Portland led group, of which they said they would, "silence me," and they would, "shoot up my house," as my opinions didn't support Shay Stewart-Bouley. Private hate groups that want to target you for your opinion, of which Ann Maksymowicz has one of these private hate groups, called the Anti-Racist Organizing For Cumberland/North Yarmouth. Same group that attacked Mike Edes for a Facebook post from years ago.

Jeff Porter and the MSAD51 School Board tried to publish a hit piece on me in the Portland Press Herald, which unfortunately for them, made them look even more ignorant to their illegal activities.

<https://www.pressherald.com/2020/11/23/its-gotten-nasty-clash-over-racial-equity-work-roils-cumberland/>

Senator Cathy Breen and Representative Steve Moriarty both supported a press release kicked out by Breen in November, denouncing my efforts, even though the Google document is owned by Porter. It appears both our legislators also support anarchism, socialism, Marxism and racism.

Chairperson Gruber, please ask Town Manager Bill Shane at the end of the meeting, if either legislator reached out to him to get any facts, prior to that press release.

https://docs.google.com/document/d/1Y4Iy1DRy2_VIANoDMMGrZUJHl9is9t1VCthJH8hLU50/mobilebasic

Then, Porter sent an e-mail out to all 400 MSAD51 employees, talking about me, which was sent to my daughter's teachers, as a last-ditch attempt to silence me.

Here is the summary list of all the documented descriptors that Jeff Porter, Ann Maksymowicz, Margo Harrington, Tyler McGinley, Mike Williams, Kate Perrin and MSAD51 have called me, or referred to me or my activities to provide the facts to this community.

Remember, when the left has zero facts to stand on, they resort to name calling and so far, not one fact has been provided by Jeff Porter to counter any of my info obtained by FOAA requests. Not one!

Don't you on this Council find that odd?

Here are the highlights:

- Racist (As my shirt says, noun - any person who wins an argument with a liberal.)
- Angry
- Bully
- Harassing
- Defaming
- Discrediting
- Attacking
- Hostile
- Disrespecting
- Fabricating
- Targeting
- Name-calling
- Outlandish
- Lack of adult maturity
- Destructive
- Brazen
- Influence
- Control
- Narrative
- Stalking
- Brutal
- Intimidation
- Abusive
- Continuous, coordinated attack
- Attack campaign
- Slander

- Feeling unsafe to walk down the street
- Dangerous
- Terrorizing
- Asshole
- Misogynist (They've used this a bunch of times...doesn't make it real, no matter how many times they repeat it.)

I challenge anyone to prove any of these words to be true. They won't be able to...but, say it enough and it becomes fact in the mind of a leftist. Actual facts don't matter however.

This is how our local government officials tried to cancel me out, a pattern based not in fact, but on misplaced rage for dissenting, yet fact-based opinions.

Lastly, 40 of the first 50 FIRE PORTER signs placed were stolen within the first six hours. The leftists, triggered by seeing a sign, had to stop and pull them out of the ground and illegally steal my property. \$250 worth of signs, I might add, funded by upset townspeople in Cumberland and North Yarmouth. (I have 10 more coming, don't worry.)

But, their attempts didn't work, because I held my ground.

So, based on what you've all seen, why would anyone dare to have a dissenting opinion in Cumberland?

Because it's the right thing to do. This Town needs more citizens to step up and push back twice as hard when they try and push you around.

Liberty, Freedom, Education...it matters to your children, so advocate for them, advocate for taxation with representation, even if MSAD51 doesn't care about the truth and doesn't want to hear it from you.

Thank you for your time.

Mr. Doyle said that he has dealt with Brenda Kielty, the Assistant Attorney General for Freedom of Access for the State of Maine, for over 10 years. He has never seen her send an email to anyone like the email that she sent to Jeff Porter. She scolded him for the way he behaved to Shawn. It is just unacceptable for that kind of behavior. Shawn was trying to get information about what is going on with the School Board and the guy running the audio/visual equipment swore at him. This is not good for this Town or any other Town. This is why the problem is so big and keeps getting bigger. They think that they can run Shawn out of Town. He is moving away, but of his own free will. You have to ask yourself, why is he coming up here from Portsmouth New Hampshire to speak at these meetings? Freedom of speech is under attack all over this country, not from congress, but from places like this. Council and School Board meetings where people can't say what is bothering them. Eventually, there will be an uprising in this country like we haven't seen in many, many years. It's getting worse by the day.

IV. LEGISLATION AND POLICY

21 – 051 To consider and act on sending to the Parks and Recreation Commission, a request to hold a river rock painting event at Twin Brook on June 12th.

TABLED BY EVENT COORDINATOR

21 – 052 To amend Section 261 (Taxation), Article I (Property Tax Assistance) of the Cumberland Code, as recommended by the Senior Property Tax Committee.

Councilor Foster explained that the Senior Property Tax Committee discussed simplifying the program and looking at the overall funding of the program, while ensuring that the program was meeting the objective of reaching the income levels that we are aiming the funds towards.

Chairman Gruber asked for any comments from the public.

No public comment.

Motion by Councilor Vail, seconded by Councilor Copp, to amend Section 261 (Taxation), Article I (Property Tax Assistance) of the Cumberland Code, as recommended by the Senior Property Tax Committee.

VOTE: 6-0 UNANIMOUS

Item 21-056 was taken out of order and considered next.

21 – 053 To consider and act on entering into a contract with Maine Intercultural Consultants, LLC for training.

Councilor Foster said that the Social Justice Committee (herself, Councilor Edes, Storey-King and Vail) have been working on this for the past few months, and while some may say that it has been a long time to get to this point, they wanted to be very thoughtful about what they were doing and how they were doing it. This proposal is really focused on an intercultural training for our Department Heads and the Council. There is not one specific bias or part of culture that this training is about, but rather intercultural, and all the different ways our individual cultures impact and influence how we approach each other and differences. The training is focused on recognizing yourself and how that interplays with others. The committee felt that was important before we go forward and be engaging with the broader community in doing any work around identification of blind spots, to look at our employment practices, and creating a foundation around self-reflection and awareness, and having gone through a common training around the social interaction of all of that as a collective group.

Councilor Vail said that there is an expectation in today's culture for each of us to do a little self-examination. He is not afraid of doing this because he thinks that it is important to show the community that we all have room to learn, to change, and to improve ourselves. He hopes that at the end of this "test" we will get more than a passing grade and learn something about ourselves, our colleagues, and will have provided some guidelines for the Town and staff to implement.

Councilor Turner said that he has been in the real estate for over 40 years, and self-improvement programs are prevalent in the whole process of training brokers. He knows of other professional organizations who have taken similar trainings and they will tell you that they got something positive out of it. The only heartburn that he has is over the last 40 years, we have had 7 Council members, all from different walks of life, making policy decisions for this Town. Those policy decisions must have been good ones, because Cumberland remains one of the most desirable Towns in the entire country. We've been doing something right, so the question is how much are we going to improve on that? How much more equitable are we going to be? How much more inclusive are we going to be? In our obligation as Councilor's to the Town, we should always ask, how does this help the citizens? He hopes that the citizenry can accept the idea that we're spending \$20,000 to try and improve ourselves, which will indirectly improve the Town and hopefully, improve the situation and life for the citizens of the Town.

Councilor Copp said that he has a problem with the price tag that comes along with this. He feels that it is costly but realizes that it is probably a good program. He did some research and is still not sure that we'll come out of it with \$20,000 worth of good information that will help all of us. He feels that we are all good people, and he doesn't think that this will make him or anybody else a better person. This is taxpayer money.

Councilor Edes said that he looks at this as an opportunity for him to find out what he does not know and to learn. He agrees with Councilor Copp that it is a lot of money and he hates to spend taxpayer dollars on this, but he thinks it is important. We have been adamant that would not come out with a divisive and hateful message like the one that the school equity committee came out with. Their message divided our Town down the middle and that started this whole situation rolling. We want to improve and learn and find out what we don't know. We also want our department heads and the Town Council to have the tools to fix a problem that might arise. He has done his research, and this is a good group to do our training and he thinks that we will get something out of it. In the end it will be a good investment.

Chairman Gruber asked for any public comment.

Shawn McBreairty of Cumberland Center asked Chairman Gruber what diligence was done with hiring this company, given the issues that MSAD 51 had when they didn't do any diligence.

Councilor Foster responded that Maine Municipal Association worked with this organization and she participated in a training with them. We also had a couple of meetings with the organization, she researched their website, and they have worked with other municipalities.

Mr. McBreairty read the following statement from Maine Intercultural Communication Consultants website: "in solidarity with Black Lives Matter, Maine Intercultural is donating 100% of our profits to organizations that empower those impacted by racism". This Town Council will be providing funding to Black Lives Matter, a Marxist, Communist organization.

Councilor Foster responded that she too read that statement and she wants to be clear that they are not sending money to Black Lives Matter, they are sending their profits to organizations that are aligned with Black Lives Matter.

Mr. McBreairty asked Councilor Foster if she has seen their tax information to see where the money is going.

Councilor Foster said she did not and asked Mr. McBreairty if he had.

Mr. McBreairty said that he is not the one hiring them. He suggested that before the Town spends \$20,000 "in solidarity with Black Lives Matter" (the organization), they should really take a look at that. It is a fact that Patrice Cullors, of Black Lives Matter, said that she is a trained Marxist. It makes zero sense to hire race grifters. There is no evidence of institutional racism in Cumberland, and he has proven this several times by asking questions. If the Town had an issue, they would have been sued by now. It would be better for the community if the Town took \$18,000 and put it toward the Food Pantry. Certainly, education of leadership is something that needs to happen, but hiring race grifters who are going to put the money towards Black Lives Matter, is not something that Cumberland needs to do. But that is the decision of the Town Council. He is just trying to provide the information. If you haven't done your diligence, which is what the issue was at M.S.A.D. 51, that could be a concern that could come back to you.

Councilor Foster said that the work that we are doing with them is not specific to anything. She thinks that when we talk about intercultural, it can be something around education, economics, or mental health. These are all things that are part of who we are as humans. We are in a position now to better educate the leaders in our Town to be equipped to ask questions, probe, have conversations with their employees, our constituents, and the citizens of this community around all of these things. That is what this work with this organization is centered around.

It is not training in any specific way of thinking. It is more around interpersonal relationships and communication, and less about any specific cultural lane.

Nick Begin of Cumberland said that he runs a large HR technology firm, and they work with large corporations to implement learning systems for these companies. When he works with these companies, he sees the due diligence that they do. He asked if there were any other organizations that the Town looked into and had we spoken to any other Towns that this company has worked with?

Councilor Foster said that Maine Municipal Association was doing a lot of these types of trainings, which we were able to participate in. Through these trainings, we were able to weed through who we weren't interested in perusing to do our training. We researched doing things through the Jewish Heritage Organization and we were hoping that the Portland Chamber of Commerce would do something, which they did not. She did not speak to other municipalities who used Maine Intercultural.

Motion by Councilor Vail, seconded by Councilor Turner, to authorize the Town Manager to execute a contract with Maine Intercultural Communication Consultants, LLC for training, not to exceed dollar amount in contract.
VOTE: 5-1 (Copp opposed) MOTION PASSES

21 – 054 To hold a Public Hearing to consider and act on amendments to Chapter 315 (Zoning), Section 76 (Permits and Fees), C (Demolition Permits) to add that the Historical Society shall be notified upon submission of an application, as recommended by the Planning Board.

Town Manager Shane said that the Planning Board held a public hearing and voted unanimously in favor of this. The only amendment is that the Cumberland Historical Society shall be notified when a demolition permits are application is received.

Chairman Gruber opened the Public Hearing.
No public comment.
Chairman Gruber closed the Public Hearing.

Motion by Councilor Turner, seconded by Councilor Edes, to amend Chapter 315 (Zoning), Section 76 (Permits and Fees), C (Demolition Permits) to add that the Cumberland Historical Society shall be notified upon submission of an application, as recommended by the Planning Board.
VOTE: 6-0 UNANIMOUS

21 – 055 To forward to the Planning Board for a Public Hearing and recommendation, amendments to all daycare and nursery school related zoning definitions and uses in all zones to expand the current number permitted under State licensure, as recommended by the Ordinance Committee.

Town Manager Shane said that the Ordinance Committee discussed this and were comfortable increasing the number to 40 children or the number allowed by the State daycare license. The Planning Board will have to amend this in most zones in Town. We have recently learned that 3 daycares have closed in Town.

Councilor Edes said that daycare needs have become an issue in this Town. This is for residential daycares that have the capacity to take on more students. We didn't want to set an arbitrary number and we felt that if the state felt comfortable in allowing more children in these residential daycares without impacting the neighborhoods that they are in, then this would be the right time to make the change. This will go to the Planning Board and then back to the Town Council, so there will be plenty of opportunity for the public to speak on this.

Chairman Gruber asked for any public comment.
No public comment.

Motion by Councilor Edes, seconded by Councilor Vail, to forward to the Planning Board for a Public Hearing and recommendation, amendments to all daycare and nursery school related zoning definitions and uses in all zones to expand the current number permitted under State licensure, as recommended by the Ordinance Committee.

VOTE: 6-0 UNANIMOUS

21 – 056 To authorize the Code Enforcement Officer to execute a Consent Agreement with the owners of 2 Castle Rock Drive.

Town Manager Shane said that it was discovered that the driveway, a shed, and the fence line were placed too close to the setback line, by the developer. The Code Enforcement Officer has worked with the owners to address this with a Consent Agreement, so they can refinance the property.

Chairman Gruber asked for any public comment.
No public comment.

Motion by Councilor Copp, seconded by Councilor Vail, to authorize the Code Enforcement Officer to execute a Consent Agreement with the owners of 2 Castle Rock Drive and to waive the fee.

VOTE: 6-0 UNANIMOUS

21 – 057 To award the 2021 paving contract to Glidden Paving.

Town Manager Shane said that the bid opening was this morning and Glidden Paving was the low bidder. Glidden has done our paving for about 10 years now. Staff is recommending approval of the paving contract to Glidden Paving.

Chairman Gruber asked for any public comment.
No public comment.

Motion by Councilor Copp, seconded by Councilor Turner, to award the 2021 paving contract to Glidden Paving not to exceed \$446,845.00.

VOTE: 6-0 UNANIMOUS

V. NEW BUSINESS

Councilor Edes – no new business.

Councilor Vail – no new business.

Chairman Gruber – He was asked by the Town of Yarmouth to participate in their Memorial Day celebration as keynote speaker.

The Aging in Place Rides Program will be starting up again soon.

Thank you to all the Food Pantry volunteers for all their hard work.

Councilor Foster – May is Mental Health Awareness Month. On May 25th at 6:00 p.m. there will be a mental health collaboration between Cumberland, North Yarmouth, and MSAD 51 to kickoff community conversations that we aim to have monthly on different topics related to mental health. Greg Marley of The National Alliance on Mental Illness of Maine will be leading the conversation and we hope for it to be interactive. Our hope is to have an in-person component for those who are comfortable with that.

The Communications Committee had an idea to invite Town Councilors to be at the Farmer's Market on Saturday mornings to meet with any members of the public who may want to speak to them. There can be a rotating schedule where a couple of Town Councilor are present when they are available to attend.

Councilor Turner – no new business.

Councilor Copp – He made his donation to the 4-H fund to benefit the Food Pantry. This is a worthy cause that supplies the Food Pantry with meat while helping the 4-H kids.

He read the following statement regarding May/Mental Health Awareness Month: *The Town of Cumberland, North Yarmouth and MSAD 51 have embarked on a partnership aimed at building a collaborative network of individuals, families, schools, businesses, and organizations. We are focused on promoting the social, emotional, physical and psychological wellness of all of our community.*

Even though he voted against item 21-053, he does plan on participating in the training.

Town Manager Shane – The Ordinance Committee met with the Town Attorney to discuss medical marijuana and the nuisance order issue that some neighbors on Catalpa Lane are dealing with. The Ordinance Committee will continue talking about this and developing a licensing procedure for Medical Marijuana facilities.

VI. ADJOURNMENT

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

VOTE: 6-0 UNANIMOUS

TIME: 9:02 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

ITEM 21-061

To consider and act on acceptance of the Lands & Conservation
Commission Climate Action Plan

Fair, which has been held annually since 1868. Education has also been a shared community value for the people of Cumberland, since the first town meeting in 1821 when town leaders appropriated \$550 for the coming school year to the founding of the Greely Institute, now Greely High School, in 1868.

Over the past 200 years, Cumberland has established itself as a small town with city perks including good jobs, great schools, scenic parks and trails, a friendly community, and four seasons of outdoor recreation. From Memorial Day parades and farmers markets to the Cumberland Fair, it is towns like Cumberland that truly make our state unique.

On behalf of the people of Maine, I wish the citizens of Cumberland the best during your Bicentennial year. I hope you take this special occasion to celebrate your community and take part in events throughout the year, from the birthday parade and scavenger hunt to historical lectures and the cemetery tour.

Sincerely,

*Janet T. Mills
Governor*

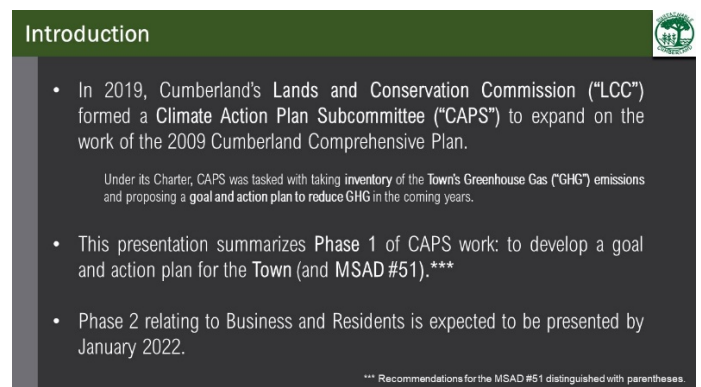
Bicentennial Committee Co-Chair's, Tig Filson and Emily Gray shared a video that was produced in honor of the Town's bicentennial. They shared the upcoming events:

- April 1st Scavenger hunt launch
- Historical lectures, tours, and programs throughout the spring of 2021
- September 18th Beach to Bacon race and fun run, games, and food trucks followed by fireworks
- October 31st cemetery tour

More information and the video can be found at: <https://www.cumberland200.me>

21 – 029 To hear a report from the Lands & Conservation Commission re: Climate Action Plan.

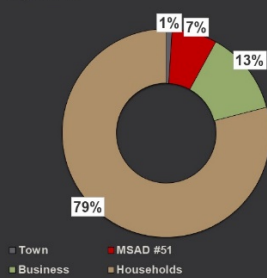
Denny Gallaudet, Mark Segrist, and Jessie Lamarre-Vincent, members of the Climate Action Subcommittee, presented the following:



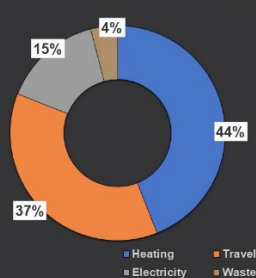
2015 Baseline: 66,160 Metric Tons equivalent ("MT CO₂e")



By Sector



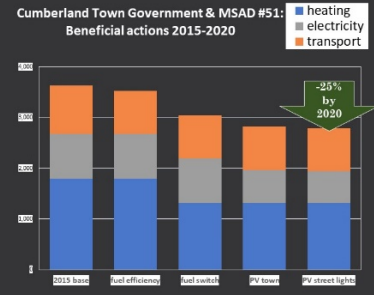
By Use



Mitigation Action (2015 – 2020)



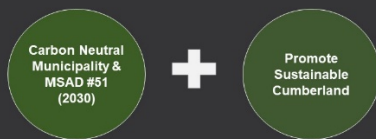
- Since 2015, the Town and MSAD #51 have taken beneficial actions reducing GHG by 25%.
- CAPS has held regular monthly public meetings, met with stakeholder groups, done research & surveyed citizen viewpoints on sustainability.



CAPS Proposal: Phase 1 to 2030 (this Report), Town (& MSAD #51)

This report seeks approval from the Town Council of:

- Phase 1 goals to achieve a carbon neutral municipality (and school system); and to promote a unique town brand of "Sustainable Cumberland."
- Nine action steps to achieve these goals.



*** Recommendations for the MSAD #51 distinguished with parentheses.

Phase 1: Carbon Neutral by 2030 – Action Steps

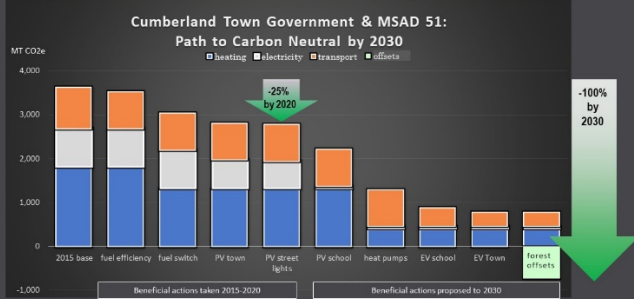


CAPS seeks approval for these Phase 1 Action Steps, which together achieve our Phase 1 goal:

- (Develop a MSAD #51 solar farm).
- Install industrial scale heat pumps to supplement natural gas heating and mitigate the GHG effects of natural gas heating.
- Phase in Electric Vehicles (EV) or plug-in hybrid automobiles, light duty vehicles, and school buses.
- Set aside a 225-acre forest carbon reserve from town-owned woodlands.
- Design and build new public buildings to a zero-carbon standard.
- Make available 5–10-acre parcels of town-owned land to market gardeners.
- Develop a tree planting program for public ways and easements.
- (Engage MSAD #51 staff to integrate sustainability principles and the CAP into K-12 curricula).
- Delegate to the Town staff the duty to annually analyze and report the GHG emissions generated within Cumberland.

*** Recommendations for the MSAD #51 distinguished with parentheses.

Phase 1: Carbon Neutral by 2030 – Action Steps



Conclusion



- The CAP outlines action opportunities to build a future Sustainable Cumberland:
 - ✓ That supports a carbon bank to subsidize investments in clean energy;
 - ✓ Where local farmers produce and sell local food and improve local food security;
 - ✓ Where people and ecosystems thrive together;
 - ✓ That builds a sustainable community and attracts likeminded new residents.
- Cumberland's proactive, multi-year, and multi-stakeholder investments in land and forest conservation position Cumberland as an innovative leader in climate change mitigation and provide a platform further action.

21 – 030 To reappoint William Longley as Code Enforcement Officer and Dan Small as alternate from April 1, 2021 to March 31, 2022.

Town Manager Shane explained that this is an annual reappointment.

Chairman Gruber asked for any comments from the public.

No public comment.

Motion by Councilor Copp, seconded by Councilor Vail, to reappoint William Longley as Code Enforcement Officer and Dan Small as alternate from April 1, 2021 to March 31, 2022.

VOTE: 7-0 UNANIMOUS

ITEM 21-062

To consider and act on Commercial Hauler's license renewals for FY'22

| FY'22 Commercial Haulers Licenses | | | | | | |
|--|------------------------|-------------|-------|-------|-------------------|-------------|
| Business Name | Address | City | State | Zip | Date App.Fee Paid | License # |
| Reynolds & Sons Disposal Service | P.O. Box 1092 | Portland | ME | 04104 | | 2021-22/001 |
| Waste Management of Maine, Inc. | 2000 Forest Avenue | Portland | ME | 04103 | | 2021-22/002 |
| Troiano Waste Services | P.O. Box 3541 | Portland | ME | 04104 | | 2021-22/003 |
| Casella Waste Services (d/b/a Pine Tree Waste & BBI) | 87 Pleasant Hill Road | Scarborough | ME | 04074 | | 2021-22/004 |
| Garbage to Garden | 352 Presumpscot Street | Portland | ME | 04103 | | 2021-22/005 |

§ 235-15. Commercial haulers.

- A. Commercial hauler's license required. It shall be unlawful for any person to haul, transport, collect, remove and dispose of garbage, refuse, recyclable materials, rubbish, white goods or other solid waste generated within the Town for a fee without first securing a commercial hauler's license. The Town, upon application and after investigation, may issue a commercial hauler's license for a period of one year.
- B. Annual commercial hauler's license; fee. The fee for an annual commercial hauler's license shall be established by order of the Town Council. Any person desiring to secure such a license shall present a written application accompanied by the fee to the Town Clerk; such license shall be issued only after due and proper investigation and recommendation of the Chief of Police and after approval by the Town Council.¹
- C. Application. An application for an annual or a limited commercial hauler's license shall contain the following information:
 - (1) The name of the applicant;
 - (2) The applicant's residence;
 - (3) The address of the applicant's place of business; and
 - (4) A description of equipment to be used.
- D. Place of deposit of solid waste and recyclable materials. The commercial hauler shall deposit acceptable solid waste and recyclable materials at the EcoMaine facility or at any other solid waste disposal facility or facilities as may be designated by the Town Council and shall deposit recyclable materials at a location designated by the Town Council.²
- E. Regulation of commercial haulers. All commercial haulers shall comply with the following regulations:
 - (1) Commercial haulers must furnish the Town or its appointee with a collection and route schedule.
 - (2) Trucks or other vehicles used for the transportation of garbage or other garbage mixed with refuse shall be of the compactor type, watertight, with an enclosed cargo space.

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

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

Collection of dry refuse, rubbish, recyclables, and other solid waste materials is permitted in open trucks that can be covered. No trucks or other vehicles shall be permitted to scatter any of the contents on any of the streets, highways, or roads of the Town. Trucks used to haul garbage, refuse, recyclables, materials, rubbish, or other solid waste materials over the streets of the Town must be maintained in a clean and sanitary condition and shall meet all of the requirements of the Town or appropriate state agency where applicable. The trucks may be inspected at any time during normal collection hours by the Public Services Director or his designee. Any deficiencies must be corrected within 48 hours by the commercial hauler.

(3) Trucks must be cleaned before handling recyclable materials.

- F. License denial and revocation. Licenses and renewals of licenses shall be denied and any license issued pursuant to the provisions of this article shall be revoked by the Town Council upon failure of the licensee to comply with any of the provisions of this article or with any of the regulations of the State of Maine Department of Environmental Protection relating to the collection and disposal of garbage, refuse, recyclable materials, rubbish, white goods, and any other solid waste materials.

ITEM

21-063

To hold a Public Hearing to consider and act on an amendment to Section 250 (Subdivision of Land), Section 3 (Definitions), to add a definition of Sketch Plan Review; and Section 17A (Sketch Plan Review), to remove requirement for the Sketch Plan step from the major subdivision review process when a Planning Board Workshop has been held, as per Section 250-14B, as recommended by the Planning Board.

Notice of Decision

Date: May 19, 2021

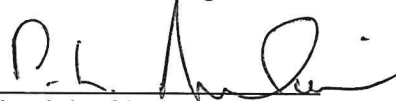
To: William Shane, Town Manager

From: Carla Nixon, Town Planner

Re: Recommendation to the Town Council on an Amendment to Section 250 Subdivision of Land for: 1) Section 250-3 Definitions: to add a definition of Sketch Plan Review; 2) Section 250-17A to remove requirement for the Sketch Plan step from the major subdivision review process when a Planning Board Workshop as per Section 250-14B has been held.

The Planning Board held a Public Hearing on May 18, 2021 to make a recommendation to the Town Council on an Amendment to Section 250 Subdivision of Land for: 1) Section 250-3 Definitions: to add a definition of Sketch Plan Review; 2) Section 250-17A to remove requirement for the Sketch Plan step from the major subdivision review process when a Planning Board Workshop as per Section 250-14B has been held. There were no Public Comments. The Board voted unanimously to recommend the proposed amendments and to amend Section 250-12.1 Flow Chart.

Cumberland Planning Board


Paul Auclair, Chairman

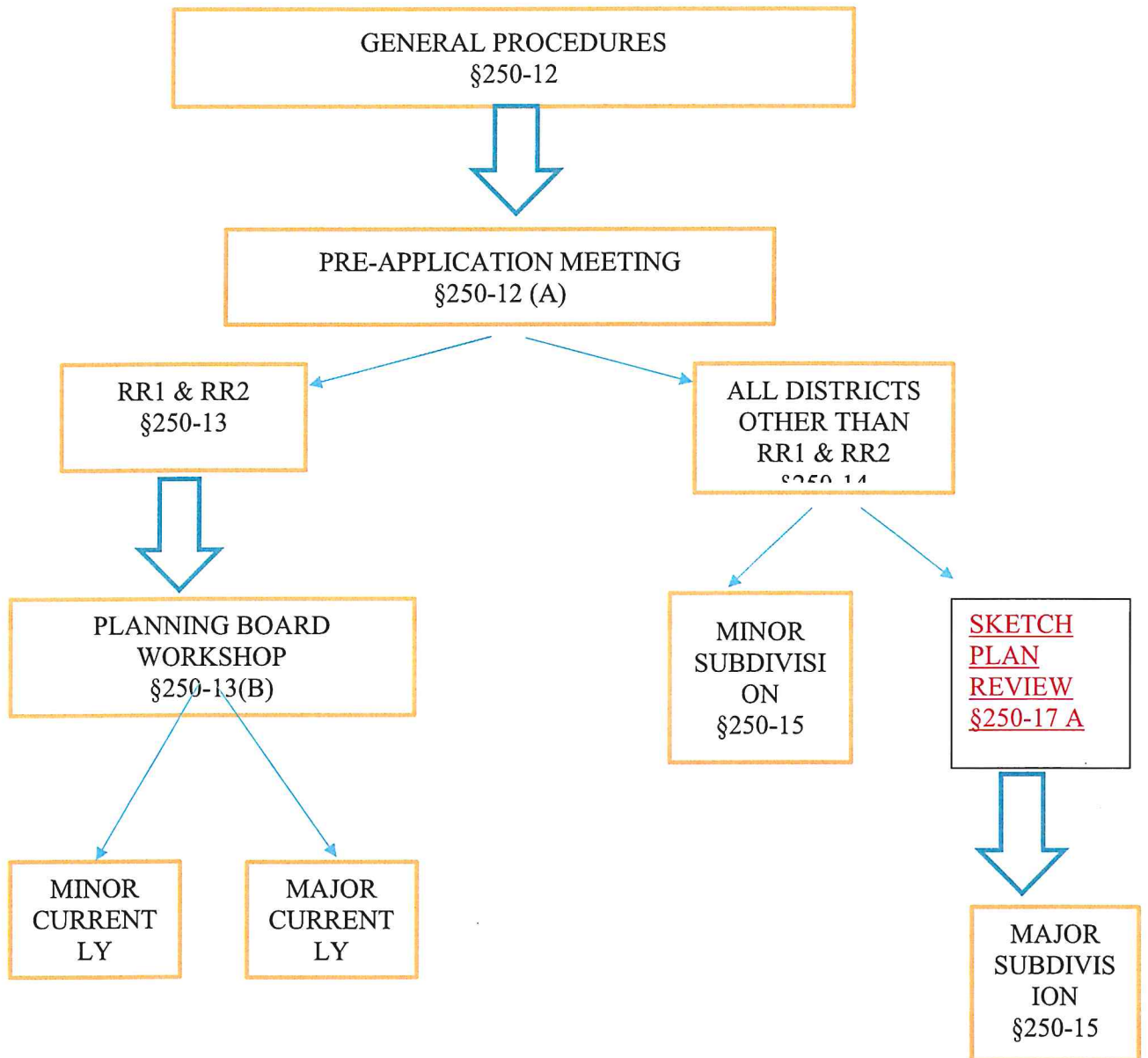
Planning Board's recommended amendments to Chapter 250 – Subdivision of Land.
Amend Section 250-3 (Definitions) to add:

Sketch Plan - A preliminary presentation of a proposed subdivision or site plan of sufficient accuracy to be used for discussion purposes and identification of any items of controversy or issues of concern. The sketch plan shall be based on a survey plan of the parcel (or parcels) and show proposed location of roads, lots, parking and open space, if any. Sensitive natural areas such as wetlands, ponds or land in a resource protection district shall also be shown.

Amend Section 250 – 17A: Sketch plan review.

(1) The purpose of sketch plan review is for the applicant to submit a concept plan or plans to the Planning Board and to receive the Planning Board's decision as to which type of subdivision is most appropriate for the site. An application for sketch plan review and any accompanying materials shall be submitted to the Town Planner at least 21 days prior to the meeting at which it is to be considered. The application shall be submitted electronically and two full-size paper copies shall be delivered to the Town Planner. **Sketch plan review is not required when the type of subdivision plan (i.e., Conservation, ~~Clustered~~ or Traditional) has been determined in a Planning Board Workshop as per Section 250-14B.**

Amend Section 250-12.1 (Flow Chart) – (see next page)



Recommend the proposed amendments

ITEM

21-064

To hold a Public Hearing to consider and act on an amendment to Section 229 (Site Plan Review) Section 2(B)(3) (Classification Levels) to amend the minor staff review column to indicate “5 acres or less”, as recommended by the Planning Board

Notice of Decision

Date: May 19, 2021

To: William Shane, Town Manager

From: Carla Nixon, Town Planner

Re: Recommendation to the Town Council on an Amendment to Section 229 Site Plan Review section 2.C.3 to amend the minor staff review column to indicate "5 acres or less".

The Planning Board held a Public Hearing on May 18, 2021 regarding a recommendation to the Town Council on an Amendment to Section 229 - Site Plan Review, Section 2.B.3 to amend the minor staff review column to indicate "5 acres or less".

Cumberland Planning Board



Paul Auclair, Chairman

Planning Board recommended amendment to Ch. 229-2 Classification levels.

B. The Town Planner shall classify each project to determine the level of review required based on the applicability standards set forth in this section. Staff review is designed for the review of smaller projects, while larger projects will be reviewed by the Planning Board. When calculating square footage as referenced below, include the total area, in square feet, of all floors of the building as measured from the interior faces of the exterior walls, excluding unfinished attics and unfinished basements.

| Type of Activity | Minor Staff | Major Staff | Planning Board |
|---|---|---|--|
| | Review Required Subject to § <u>229-1C</u> | Review Required Subject to § <u>229-1C</u> | |
| 1. The construction of a new structure (other than single-family and duplex) that contains any of the following: | | Between 1,000 and 3,000 square feet | Over 3,000 square feet Over 1,000 cubic yards of fill or excavation |
| a. The expansion of a nonresidential building or structure, including accessory buildings, that increases the total floor area by: the total area, in square feet, of all floors of a building as measured from the interior faces of the exterior walls, excluding | Less than 1,000 square feet | Between 1,000 and 3,000 square feet | Over 3,000 square feet |

| Type of Activity | Minor Staff Review Required Subject to § <u>229-1C</u> | Major Staff Review Required Subject to § <u>229-1C</u> | Planning Board Site Plan Review Required |
|--|--|--|--|
| unfinished attics and unfinished basements | | | |
| b. The construction of an impervious surface such as a support pad or paved or gravel parking area: | Less than 1,000 square feet | Between 1,000 and 3,000 square feet | Over 3,000 square feet |
| c. The conversion of existing approved buildings or structures from one approved use to another without enlargement of gross floor area or increase in required parking | X | | |
| 2. Excavation or fill involving over 1,000 cubic yards of material for any type of development or site work that is not otherwise subject to site plan or subdivision review, including but not limited to single-family and duplex development | | | X |
| 3. Site preparation activities related to any type of development, including single-family or duplex development, consisting of over 1 acre of disturbed area, including clearing, grubbing, grading and the construction of driveways, entrances, and the installation of driveway culverts. Site plan review will not be required for any subdivision that includes the site preparation activities as part of its approval. | Less than 5 acres or less | | Greater than 5 acres |

ITEM

21-065

To set a Public Hearing date of June 28th to consider and act on a liquor license application for Cumberland House of Pizza



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

| Division Use Only | |
|--|-----|
| License No: | |
| Class: | By: |
| Deposit Date: | |
| Amt. Deposited: | |
| Payment Type: | |
| OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/> | |

Section I: Licensee/Applicant(s) Information; Type of License and Status

| | |
|---|---|
| Legal Business Entity Applicant Name (corporation, LLC): <u>ANDREW TUCCO Cumberland House of Pizza</u> | Business Name (D/B/A): <u>CUMBERLAND HOUSE OF PIZZA</u> |
| Individual or Sole Proprietor Applicant Name(s): <u>Violeta Dobra</u> | Physical Location: <u>176 Gray Road, Cumberland, ME 04021</u> |
| Individual or Sole Proprietor Applicant Name(s): <u>Andrew Tucco</u> | Mailing address, if different: <u>P.O. Box 297, Windham, ME 04062</u> |
| Mailing address, if different from DBA address: <u>P.O. Box 297 Windham, ME 04062</u> | Email Address: <u>pascalinae@gmail.com</u> |
| Telephone # Fax #: <u>207-829-5400</u> " " | Business Telephone # Fax #: <u>(207)-829-5400</u> |
| Federal Tax Identification Number: <u>20-5046874</u> | Maine Seller Certificate # or Sales Tax #: <u>1091307</u> |
| Retail Beverage Alcohol Dealers Permit: | Website address: |

1. New license or renewal of existing license? ☐ New Expected Start date: 06/08/2021
 ☒ Renewal Expiration Date: 01/17/2021

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
 Food: 685,526 Beer, Wine or Spirits: 15,916 Guest Rooms: N/A

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

| Name of Business | License Number | Complete Physical Address |
|------------------|----------------|---------------------------|
| | | |
| | | |

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

| Full Name | DOB | Place of Birth |
|---------------|-----|----------------|
| ANDREW TUCCI | | U.S.A. |
| VIOLETA DOBRA | | Albania |
| | | |

Residence address on all the above for previous 5 years

| | | | |
|------|---------------|----------|--|
| Name | ANDREW TUCCI | Address: | |
| Name | VIOLETA DOBRA | Address: | |
| Name | | Address: | |
| Name | | Address: | |

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: N/A

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

SEE THE ATTACHED-ON PREMISE DIAGRAM-

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: PARISH HOUSE

Distance: 1 (one mile)

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 05/26/2021

x Andrew Tucci
Signature of Duly Authorized Person

Violeta Dobra
Signature of Duly Authorized Person

x Andrew Tucci
Printed Name Duly Authorized Person

Violeta Dobra
Printed Name of Duly Authorized Person

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

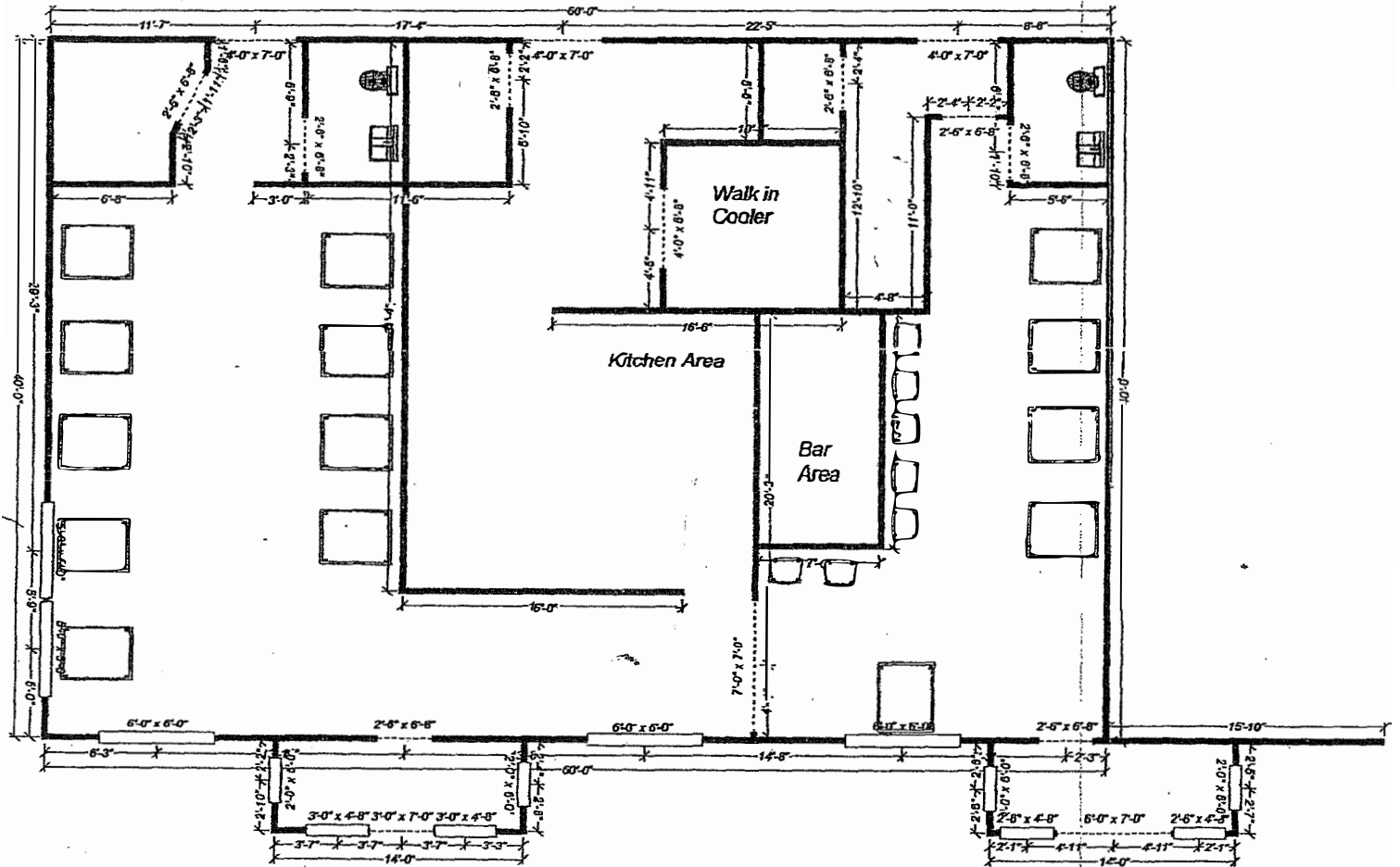
F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

| Class of License | Type of liquor/Establishments included | Fee |
|-------------------------|--|------------|
| Class I | For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers | \$ 900.00 |
| Class I-A | For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day. | \$1,100.00 |
| Class II | For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels. | \$ 550.00 |
| Class III | For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts. | \$ 220.00 |
| Class IV | For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts. | \$ 220.00 |
| Class III and IV | For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts. | \$ 440.00 |
| Class V | For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges. | \$ 495.00 |
| Class X | For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge | \$2,200.00 |
| Class XI | For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge | \$1,500.00 |



- No Charges to Exits or Bathrooms, which met
ADA, Life Safety 101 when built.

BUDGET REPORT

Revenues

06/10/2021
09:12:18

TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1
glactrpt

FOR PERIOD 12 OF 2021

| ACCOUNTS FOR: | PRIOR YR3 | PRIOR YR2 | LAST YR | CURRENT YR | CY REV |
|--|---------------|---------------|---------------|---------------|---------------|
| 001 General Fund | ACTUALS | ACTUALS | ACTUALS | ACTUALS | BUDGET |
| <hr/> | | | | | |
| 0011 Other Tax Revenues | | | | | |
| <hr/> | | | | | |
| 0011 0303 Motor Vehicle Excise Tax | -2,101,824.00 | -2,146,834.02 | -2,040,442.63 | -2,268,157.10 | -1,735,000.00 |
| 0011 0304 Boat Excise Tax | -18,402.19 | -16,043.70 | -16,697.40 | -18,272.59 | -14,000.00 |
| 0011 0324 Change in Deferred Taxes | .00 | -91,916.48 | .00 | .00 | .00 |
| 0011 0325 Supplemental Taxes | .00 | .00 | -38,940.00 | .00 | .00 |
| 0011 0328 Outer Islands Property Tax | -43,774.06 | -44,041.00 | -47,027.48 | -22,947.69 | -46,000.00 |
| 0011 0329 Payment in Lieu of Taxes | -30,688.00 | -31,918.00 | -32,122.96 | -37,806.00 | -33,000.00 |
| TOTAL Other Tax Revenues | -2,194,688.25 | -2,330,753.20 | -2,175,230.47 | -2,347,183.38 | -1,828,000.00 |
| 0012 License & Permit Revenues | | | | | |
| <hr/> | | | | | |
| 0012 0311 Hunting/Fishing Lic Agent Fees | -488.50 | -481.25 | -320.75 | -373.00 | -541.00 |
| 0012 0312 Marriage Lic & Vital Records | -2,090.60 | -2,503.80 | -2,119.20 | -2,429.00 | -2,436.00 |
| 0012 0313 Birth Certificates | -1,667.20 | -1,491.40 | -1,398.60 | -1,350.00 | -1,361.00 |
| 0012 0314 Death Certificates | -1,391.00 | -1,994.00 | -1,344.20 | -1,467.00 | -1,713.00 |
| 0012 0315 Clerk Licenses | -4,615.00 | -5,170.00 | -1,810.00 | -2,000.00 | -4,608.00 |
| 0012 0316 Shellfish Licenses | -593.85 | -662.95 | -679.61 | -945.03 | .00 |
| 0012 0317 Conservation Fees | -146.15 | -177.05 | -150.39 | -244.97 | .00 |
| 0012 0334 Snowmobile Reg. Agent Fees | -201.00 | -223.00 | -225.00 | -268.00 | .00 |
| 0012 0361 Motor Vehicle Reg. Agent Fees | -22,030.00 | -21,763.00 | -25,319.00 | -32,901.00 | -21,406.00 |
| 0012 0362 Boat Reg. Agent Fees | -706.00 | -681.00 | -529.50 | -643.00 | -1,098.00 |
| 0012 0366 Building Permits | -68,660.01 | -74,055.25 | -75,552.82 | -124,667.26 | -75,000.00 |
| 0012 0367 Electrical Permits | -25,610.10 | -22,440.55 | -19,894.35 | -31,817.52 | -21,634.00 |
| 0012 0368 Plumbing Permits | -18,252.50 | -15,056.00 | -15,457.50 | -24,996.25 | -18,789.00 |
| 0012 0369 Other Permits | -1,000.00 | -976.00 | -586.00 | -595.00 | -1,751.00 |
| 0012 0383 ATV Reg. Agent Fees | -94.00 | -122.00 | -99.00 | -126.00 | -37.00 |
| 0012 0390 Misc. Revenue | .00 | -1,350.00 | -1,900.00 | -2,200.00 | .00 |
| 0012 0398 Application Fee | -1,450.00 | -4,150.00 | -1,550.00 | -1,450.00 | -1,300.00 |
| 0012 0401 Dog Reg. Clerk Fees | -1,999.00 | -937.00 | -839.00 | -696.00 | -2,800.00 |
| 0012 0404 Commercial Haulers License | -500.00 | -500.00 | -400.00 | -400.00 | -500.00 |
| TOTAL License & Permit Revenue | -151,494.91 | -154,734.25 | -150,174.92 | -229,569.03 | -154,974.00 |
| 0013 Intergovernmental Revenues | | | | | |
| <hr/> | | | | | |
| 0013 0331 State Revenue Sharing | -458,304.35 | -468,848.55 | -746,067.28 | -887,509.58 | -500,000.00 |

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FOR PERIOD 12 OF 2021

| ACCOUNTS FOR: 001 General Fund | PRIOR YR3 ACTUALS | PRIOR YR2 ACTUALS | LAST YR ACTUALS | CURRENT YR ACTUALS | CY REV BUDGET |
|--|----------------------|----------------------|--------------------|-----------------------|------------------|
| 0013 0335 DOT Block Grant | -69,136.00 | -68,644.00 | -71,480.00 | -66,876.00 | -71,480.00 |
| 0013 0338 Federal Grants | .00 | .00 | .00 | -13,262.44 | .00 |
| 0013 0341 North Yarmouth Recreation Shar | -33,376.00 | -18,920.00 | 3,485.00 | -13,638.00 | -18,184.00 |
| 0013 0342 North Yarmouth Library Share | -155,424.00 | -160,072.00 | -169,360.92 | -137,544.75 | -183,393.00 |
| 0013 0347 North Yarmouth Channel 2 | -737.00 | .00 | .00 | .00 | .00 |
| TOTAL Intergovernmental Revenue | -716,977.35 | -716,484.55 | -983,423.20 | -1,118,830.77 | -773,057.00 |
| 0015 Other Revenues | | | | | |
| 0015 0305 Interest & Penalties | -24,351.71 | -32,127.31 | -46,433.49 | -22,978.66 | -30,000.00 |
| 0015 0306 Over/Short | 1,207.02 | -442.16 | -2,250.29 | 300.15 | -100.00 |
| 0015 0364 Growth Permits | -3,000.00 | -2,400.00 | -2,600.00 | -3,200.00 | -2,000.00 |
| 0015 0365 Board of Appeals | -300.00 | -100.00 | -200.00 | -100.00 | .00 |
| 0015 0390 Misc. Revenue | -33,518.02 | -40,746.09 | -32,125.83 | -33,555.26 | -25,000.00 |
| 0015 0399 Staff Review Fee | -23,332.50 | -11,250.00 | -9,725.00 | -11,300.00 | -14,117.00 |
| 0015 0403 Mooring Fees | -4,100.13 | -4,387.92 | -7,706.00 | -5,788.00 | -1,500.00 |
| 0015 0410 Private Ways | -200.00 | -1,000.00 | .00 | -400.00 | -400.00 |
| 0015 0508 Impact Fees | -59,616.20 | -79,340.10 | -71,624.00 | -91,565.60 | -60,000.00 |
| TOTAL Other Revenues | -147,211.54 | -171,793.58 | -172,664.61 | -168,587.37 | -133,117.00 |
| 0021 Police Related Revenues | | | | | |
| 0021 0337 State Grant revenue | .00 | -1,195.00 | -1,846.00 | -951.30 | .00 |
| 0021 0351 Police Issued Permits | -2,329.00 | -2,212.00 | -9,814.00 | -970.00 | -2,000.00 |
| 0021 0353 Police Insurance Reports | -562.00 | -446.00 | -430.00 | -390.00 | -500.00 |
| 0021 0390 Miscellaneous Police Revenue | -318.15 | -811.25 | -216.00 | -51.00 | -648.00 |
| 0021 0390 GRANT Police Mini Grant | .00 | .00 | -509.75 | .00 | .00 |
| 0021 0427 Parking Tickets | -615.00 | -375.00 | -700.00 | -200.00 | -100.00 |
| 0021 0536 Dog Licenses ACO Revenue | -3,003.00 | -2,983.00 | -3,109.00 | -1,450.00 | -1,800.00 |
| 0021 0540 MSAD #51 SRO Reimbursement | -48,000.00 | -49,000.00 | .00 | .00 | .00 |
| 0021 0546 Court Reimbursements | -3,246.56 | -1,209.32 | -5,146.72 | -3,122.38 | -2,200.00 |
| TOTAL Police Related Revenues | -58,073.71 | -58,231.57 | -21,771.47 | -7,134.68 | -7,248.00 |
| 0022 Fire Related Revenues | | | | | |
| 0022 0390 Misc. Revenue | -450.00 | .00 | -15.00 | -15.00 | .00 |

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FOR PERIOD 12 OF 2021

| ACCOUNTS FOR: 001 General Fund | PRIOR YR3 ACTUALS | PRIOR YR2 ACTUALS | LAST YR ACTUALS | CURRENT YR ACTUALS | CY REV BUDGET |
|------------------------------------|----------------------|----------------------|--------------------|-----------------------|------------------|
| 0022 0504 Rescue Billing | -157,138.83 | -180,580.79 | -157,211.60 | -121,717.84 | -160,000.00 |
| 0022 0505 Non Emergency Transports | -6,865.06 | .00 | .00 | .00 | .00 |
| 0022 0507 Paramedic Intercepts | -300.00 | .00 | .00 | -300.00 | .00 |
| 0022 0617 Donations Received | .00 | .00 | -1,392.26 | 592.53 | .00 |
| 0022 0617 COVID Donations Received | .00 | .00 | .00 | 8.99 | .00 |
| TOTAL Fire Related Revenues | -164,753.89 | -180,580.79 | -158,618.86 | -121,431.32 | -160,000.00 |
| 0031 Public Services Revenues | | | | | |
| 0031 0390 Misc. Revenue | -615.00 | -23,706.60 | -26,626.07 | -25,715.57 | -20,500.00 |
| 0031 0391 Field Usage Fees | -9,774.40 | -7,643.80 | -4,031.80 | .00 | -5,000.00 |
| 0031 0517 Bags/Universal Waste | -254,555.00 | -314,056.35 | -262,204.00 | -264,047.50 | -295,015.00 |
| 0031 0539 Brush Passes | -10,200.00 | -10,730.00 | -6,541.00 | -25,168.00 | -8,277.00 |
| 0031 0617 Twin Brooks Donations | -143.00 | .00 | -100.00 | -1,885.00 | -92.00 |
| TOTAL Public Services Revenues | -275,287.40 | -356,136.75 | -299,502.87 | -316,816.07 | -328,884.00 |
| 0035 VH Other Revenues | | | | | |
| 0035 0329 Payment in Lieu of Taxes | -3,000.00 | .00 | -9,000.00 | .00 | -6,000.00 |
| 0035 0378 Soda Sales | -2,860.30 | -2,604.60 | -2,141.80 | -2,985.89 | -2,500.00 |
| 0035 0560 Rental Income | -25,091.49 | -23,151.91 | -6,750.00 | -6,750.00 | -14,000.00 |
| 0035 0565 Cell Tower Land Lease | -21,600.00 | -21,600.00 | -23,400.00 | -23,760.00 | -21,600.00 |
| TOTAL VH Other Revenues | -52,551.79 | -47,356.51 | -41,291.80 | -33,495.89 | -44,100.00 |
| 0037 VH Golf Revenues | | | | | |
| 0037 0306 Over/Short | -5.43 | 250.38 | 506.73 | -4.34 | .00 |
| 0037 0357 Golf Memberships | -225,085.69 | -220,646.15 | -214,046.93 | -324,789.80 | -230,000.00 |
| 0037 0358 Greens Fees | -131,917.19 | -132,082.98 | -148,690.19 | -203,477.25 | -120,000.00 |
| 0037 0359 Golf Cart Rentals | -93,134.10 | -76,800.09 | -85,424.93 | -115,250.44 | -82,000.00 |
| 0037 0416 Practice Range | -9,798.00 | -5,281.75 | -2,263.25 | -7,881.97 | -7,000.00 |
| 0037 0417 VH Program Revenues | -78,586.57 | -69,027.70 | -52,864.00 | -79,028.63 | -64,715.00 |
| 0037 0419 Advertising Sales | -16,390.00 | -19,631.50 | -6,500.00 | -17,000.00 | -23,500.00 |
| 0037 0522 Outing Golf | -43,998.00 | -46,725.43 | -66,487.00 | -39,952.00 | -46,430.00 |
| 0037 0617 Donations Received | -845.00 | .00 | .00 | .00 | .00 |

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FOR PERIOD 12 OF 2021

| ACCOUNTS FOR: | PRIOR YR3 ACTUALS | PRIOR YR2 ACTUALS | LAST YR ACTUALS | CURRENT YR ACTUALS | CY REV BUDGET |
|--|----------------------|----------------------|--------------------|-----------------------|------------------|
| 001 General Fund | | | | | |
| <hr/> | | | | | |
| TOTAL VH Golf Revenues | -599,759.98 | -569,945.22 | -575,769.57 | -787,384.43 | -573,645.00 |
| 0041 Recreation Related Revenues | | | | | |
| <hr/> | | | | | |
| 0041 0440 41100 After School Programs | -304,583.25 | -315,864.87 | -257,073.50 | -315,935.50 | -270,000.00 |
| 0041 0441 41110 Youth Enrichment Programs | -155,269.23 | -173,051.23 | -137,177.82 | -22,287.50 | -175,000.00 |
| 0041 0442 41120 Youth Sports Programs | -108,076.27 | -122,223.96 | -78,307.00 | -15,513.50 | -115,000.00 |
| 0041 0443 41130 Skiing Programs | -49,560.85 | -52,049.32 | -57,274.00 | -14,282.50 | -45,020.00 |
| 0041 0444 41140 Day Camps | -205,066.36 | -205,424.63 | -80,794.43 | -72,644.50 | -175,000.00 |
| 0041 0445 41150 Swimming Programs | -28,319.02 | -26,468.45 | -20,141.00 | -1,155.00 | -22,500.00 |
| 0041 0446 41160 Adult Enrichment Revenue | -41,566.98 | -38,503.05 | -19,749.40 | -14,715.00 | -30,000.00 |
| 0041 0447 41170 Adult Fitness Revenue | -62,142.14 | -61,279.49 | -47,140.20 | -33,921.00 | -60,000.00 |
| 0041 0448 41190 Special Events/Trips Reven | -6,292.58 | -5,763.61 | -4,415.00 | .00 | .00 |
| 0041 0449 41190 Recreation Programs | -3,209.26 | -2,098.49 | -6,104.28 | .00 | .00 |
| 0041 0570 41190 Rec Soccer Revenue | -29,279.99 | -23,561.67 | -25,317.00 | -9,123.00 | -23,000.00 |
| 0041 0571 41190 Rec Ultimate Frisbee Reven | -12,318.14 | -14,279.33 | -12,035.00 | -6,545.00 | -14,000.00 |
| 0041 0606 41190 CPR/First Aid Revenues | -50.00 | 295.00 | -630.00 | -240.00 | -250.00 |
| TOTAL Recreation Related Reven | -1,005,734.07 | -1,040,273.10 | -746,158.63 | -506,362.50 | -929,770.00 |
| 0045 Library Related Revenues | | | | | |
| <hr/> | | | | | |
| 0045 0392 Library Fines | -3,314.26 | -3,221.73 | -3,177.22 | -747.69 | -3,500.00 |
| 0045 0394 Misc. Library Revenue | -1,253.90 | -1,199.00 | -995.20 | -702.75 | -1,000.00 |
| TOTAL Library Related Revenues | -4,568.16 | -4,420.73 | -4,172.42 | -1,450.44 | -4,500.00 |
| TOTAL General Fund | -5,371,101.05 | -5,630,710.25 | -5,328,778.82 | -5,638,245.88 | -4,937,295.00 |
| TOTAL REVENUES | -5,371,101.05 | -5,630,710.25 | -5,328,778.82 | -5,638,245.88 | -4,937,295.00 |
| GRAND TOTAL | -5,371,101.05 | -5,630,710.25 | -5,328,778.82 | -5,638,245.88 | -4,937,295.00 |

Expenses

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TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 12 OF 2021

| ACCOUNTS FOR: | PRIOR YR3 | PRIOR YR2 | LAST YR | CURRENT YR | CY REV |
|---------------------------------|--------------|--------------|---------------|--------------|---------------|
| 001 General Fund | ACTUALS | ACTUALS | ACTUALS | ACTUALS | BUDGET |
| 130 Administration | 618,871.79 | 628,525.46 | 656,771.93 | 534,324.06 | 616,244.00 |
| 140 Assessor | 95,385.43 | 109,157.82 | 105,860.04 | 102,908.02 | 112,471.00 |
| 150 Town Clerk | 214,723.00 | 246,662.88 | 267,629.17 | 222,650.39 | 275,187.00 |
| 160 Technology | 212,556.07 | 210,954.94 | 261,838.87 | 298,150.71 | 212,517.00 |
| 165 Elections | 13,976.40 | 10,827.72 | 17,016.37 | 11,852.93 | 14,241.00 |
| 170 Planning | 62,423.48 | 63,159.04 | 60,567.46 | 56,677.02 | 73,137.00 |
| 190 Legal | 59,052.56 | 63,448.53 | 58,927.53 | 54,680.73 | 47,500.00 |
| 210 Police | 1,318,128.64 | 1,333,991.48 | 1,367,203.98 | 1,298,674.06 | 1,472,754.00 |
| 220 Fire | 910,153.34 | 943,893.75 | 996,511.61 | 925,310.32 | 1,070,962.00 |
| 240 Code Enforcement | 136,336.13 | 142,020.09 | 137,167.04 | 141,631.85 | 143,113.00 |
| 250 Harbor Master | 6,058.23 | 5,745.97 | 14,676.21 | 14,911.93 | 25,226.00 |
| 260 Animal Control | 32,632.30 | 30,710.58 | 37,689.25 | 22,073.32 | 35,412.00 |
| 310 Public Works | 1,169,641.28 | 1,128,220.95 | 1,121,686.32 | 1,055,063.77 | 1,269,713.00 |
| 320 Waste Disposal | 505,919.34 | 524,667.39 | 578,593.25 | 494,474.85 | 592,696.00 |
| 350 Valhalla-Club | 36,267.41 | 35,775.72 | 23,564.78 | 24,259.30 | 27,231.00 |
| 360 Valhalla-Course | 470,687.73 | 484,837.81 | 533,010.20 | 516,349.96 | 515,427.00 |
| 370 Valhalla-Pro Shop | 232,683.07 | 269,057.44 | 209,943.32 | 197,079.11 | 238,467.00 |
| 410 Recreation | 993,842.74 | 1,088,124.62 | 988,397.66 | 691,757.50 | 914,018.00 |
| 420 Aging in Place | 185.50 | 24,793.90 | 68,754.10 | 67,124.43 | 85,105.00 |
| 430 Parks | 298,141.16 | 313,321.36 | 297,779.43 | 319,178.42 | 318,355.00 |
| 440 West Cumberland Rec | 6,294.36 | 6,184.03 | 5,965.28 | 4,751.29 | 8,204.00 |
| 450 Library | 449,610.27 | 491,453.33 | 506,691.03 | 471,763.08 | 516,000.00 |
| 470 Historical Society Building | 5,821.22 | 7,418.96 | 4,335.30 | 204.00 | 8,964.00 |
| 580 General Assistance | 27,783.78 | 31,100.17 | 43,511.78 | 20,330.78 | 35,000.00 |
| 590 Health Services | 13,875.30 | 13,875.30 | 17,726.25 | 1,043.35 | 3,875.00 |
| 620 Cemetery Association | 31,165.00 | 28,450.00 | 26,700.00 | 27,575.00 | 26,700.00 |
| 630 Conservation | 5,216.99 | 6,212.20 | 3,143.61 | 9,917.43 | 13,000.00 |
| 650 Debt Service | 962,673.17 | 969,023.35 | 1,053,399.23 | 1,156,096.72 | 1,157,320.00 |
| 750 Insurance | 318,755.09 | 284,468.82 | 272,388.41 | 331,399.60 | 277,823.00 |
| 800 Fire Hydrants | 76,381.42 | 80,355.12 | 82,011.56 | 76,957.62 | 81,686.00 |
| 810 Street Lighting | 43,693.00 | 37,248.35 | 40,911.42 | 45,000.00 | 45,000.00 |
| 830 Contingent | 8,365.00 | 9,339.68 | 8,127.45 | 59,273.50 | 100,000.00 |
| 840 Municipal Building | 102,005.57 | 102,248.17 | 92,836.39 | 93,927.87 | 105,160.00 |
| 850 Abatements | 23,069.43 | 23,670.91 | 38,816.52 | 10,555.87 | 1.00 |
| TOTAL General Fund | 9,462,375.20 | 9,748,945.84 | 10,000,152.75 | 9,357,928.79 | 10,438,509.00 |
| TOTAL EXPENSES | 9,462,375.20 | 9,748,945.84 | 10,000,152.75 | 9,357,928.79 | 10,438,509.00 |
| GRAND TOTAL | 9,462,375.20 | 9,748,945.84 | 10,000,152.75 | 9,357,928.79 | 10,438,509.00 |