

## **AGENDA**

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, June 28, 2021**

**5:30 P.M.** Recognition Ceremony for George Turner

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

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

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

June 14, 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 – 066.** To consider and act on a Mass Gathering Permit for the Maine Celebration of Lights to be held from November 26th through January 2nd at the Cumberland Fairgrounds.

**21 – 067.** To hear a report from the Finance Director re: preliminary end of year financials.

**21 – 068.** To consider and act on starting the Contract Zone Agreement process pursuant to the CZA flow chart.

**21 – 069.** To award the contract for railroad crossing barriers at Greely Road, Tuttle Road and Longwoods Road, to Storey Brothers.

**21 – 070.** To order the abatement of a malfunctioning wastewater system at property identified as Map R03/Lot 38, and to authorize the Town Manager or Code Enforcement Officer to abate the same, if necessary, as authorized by 30-A M.R.S. § 3248.

**21 – 071.** To hold a Public Hearing to consider and act on a liquor license application for Cumberland House of Pizza.

**21 – 072.** To hold a Public Hearing to consider and act on amendments to the Cumberland Zoning Ordinance, Section 315-6 (Rural Residential Districts); Section 315-7 (Low Density Residential District); Section 315-8 (Medium Density Residential District); 315-9 (Village Medium-Density Residential District) to increase the maximum number of children allowed in Day-care Centers and nursery schools from 20 to a maximum of 40 50, subject to site plan review and Section 315-47, as recommended by the Planning Board.

**21 – 073.** To hold a Public Hearing to consider and act on approval of annual Victualer's Licenses for non-profit organizations for the period of July 1, 2021 – June 30, 2022.

**21 – 074.** Town Council Committee assignments.

## **VI. NEW BUSINESS**

July 12th Council Workshop at 6:00 p.m. re: Goal Setting FY22

## **VII.BUDGET REPORT**

## **VIII.ADJOURNMENT**

# MINUTES

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**

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

### **I. APPROVAL OF MINUTES**

Motion by Councilor Vail, seconded by Councilor Storey-King, to accept the May 10, 2021, meeting minutes as presented.

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

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

Town Manager Shane said that he would hold his comments until New Business.

### **III. PUBLIC DISCUSSION**

Chris Neagle of West Cumberland said that last August, Cumberland Rescue got him to the hospital and saved his life. He thanked Chris Copp and Evariste Bernier. Shortly after, he was in need of another ambulance ride. He thanked Evariste Bernier, Jordan Hancock, Eli Gosselin-Smoske and Jake Smith. Everyone should know that the full-time Fire Department employees are all paramedics.

Teri Maloney-Kelly of West Cumberland, read the following: *I am 2nd generation of 4 generations living in Cumberland. I live in West Cumberland on the town line with Falmouth, where I also have 4 generations of family members living next door. My roots are deep. In the past I have been an advocate for many causes in this town, including our elderly, our budget, our parks and recreation opportunities, my neighborhood and other neighborhoods throughout Cumberland. Throughout my life I've been the voice that is willing to speak about the elephants in the room. Unfortunately, this has made me unpopular many times when our thoughts or experiences do not align. I tend to put people first and not the financial benefits of having projects come to town for their financial gain and little relief for our citizens. In November 2017, I found that disrespect had become the norm and it was hard to avoid or not get caught up in it. That was when I chose to disconnect from my community, that I too love, knowing that my voice had no sound, meaning, or interest to many of you who we elect and entrust to run our community. I resigned while serving my 2nd term on our Planning Board as well as our AIP initiative that I had served on since its inception. I turned my back, closed my eyes and ears to what was going on in my community. It was a dark time, looking for and feeling HOPE had few opportunities.*

*Here we are 2021, 4 years goes by very fast. A lot has happened in our world, country, and community during that time period. Covid interrupted our lives on a global basis. Our Country's leadership changed in which RESPECT is practiced and DISRESPECT is no longer commonplace. Times are a changing at warp speed, and we need to change to build the momentum of unity, HOPE and respect.*

*Although I cannot change the past, I want to participate in the future. I am back to be that voice that may not always agree with you but should be respected. A respect that I pledge to practice from this side of the dais. I applaud the recent efforts of the Councilors to get out among the citizens of our Town at the*

*Saturday Farmers Market. Being visible, accessible, and considerate to our citizen's need is what serving Cumberland should be all about.*

*After the recent election results, I feel the time is right to ask this Council to review our Town Charter. I am asking that a dialogue be started to consider the merits of term limits. Our neighboring towns have them. When you drive through these towns during election time it amazes me to see so many folks running for town leadership positions. Not so in Cumberland. We need to create the opportunity and atmosphere for all citizens to be an active part of the town and its future. Term limits is one way I believe we can accomplish this.*

*Our current Town Charter reads that each member shall be elected for a term of 3 years. We have no limitation on how long one can serve, hence why we have had elected officials serve for years and years and years.*

*I would like to propose an amendment to the Charter to add that no member of the Council shall be eligible for re-election for more than 2 or 3 consecutive terms. At which point they would have to step down for at least 1 year before running for a Town Council position again.*

*It's time for the Town of Cumberland to actively create an atmosphere of mentorship for others to serve. If you are watching this at home and agree, I hope you will reach out to our Councilors and share your thoughts. Change is good. Having HOPE is priceless.*

*The next topic I would like to highlight to our citizens is the new initiative called "Smash the Stigma". 3 very powerful words. This initiative is about promoting the social, emotional, physical, and psychological wellness of all our community members. This is a first step to bring mental health to the forefront of our community's awareness through dialogue, sharing of resources and building connections that can overcome the isolation and despair that mental illness brings. Another tough topic to talk about out loud, in a small community like ours, especially if you, friends, or family members struggle with this chronic disease. The stigma is real, and the stigma is BIG. I am hoping with more awareness of this initiative that citizens will come out to become informed, feel safe to participate and to come together as a community to bring this discussion into the mainstream.*

*However, in order to do so we need to make this information more readily available to those who seek it out. If you go to the town website and search "Smash the Stigma", it will bring you to a page that highlights the kickoff event that was held on May 25th. Same result if you go to the MSAD website. Neither website has the future monthly events on their calendars. Neither website is highlighting this month's program which will be held on Wednesday, June 30<sup>th</sup> from 6-8 pm at Skyline Farm. The topic of conversation will be "Growing Gratitude, Achieving a Positive Outlook". If you received last week's Cumberland Crier, this month's program information is at the very bottom. I would like to ask if it can be brought up closer to the top, so folks won't miss it especially where it is date sensitive. In order to make it more visible and accessible, I am asking if we can have it on our Town and MSAD websites in a more prominent location, such as our news tabs on the front page.*

*I want to Thank each of you for the sacrifice you and your families make so you can be of your service to our community. Thank you for the opportunity to speak to you tonight.*

*Bruce Sherwin of Blanchard Road said that he sees a lot of signs around Town advertising sporting events. He suggested posting such a sign in front of Town Hall that will tell people when there is a Town Council meeting, so more people will know when the meetings are.*



Mr. Sherwin said that he is disappointed that the Town Manager held his Manager's Report until the end of the meeting. He was looking forward to hearing his report. Some people might have to leave the meeting early and won't be able to hear it.

Tricia Small and Melissa Bunton, co-chairs of Project Graduation/Senior Celebration 2021, thanked the Town Council and the entire Town for embracing the senior celebration at Twin Brook. It was a smashing success. The Town Manager, Chris Bolduc and Peter Bingham really stepped up to help make the event a success. Thank you to them.

Shawn McBreaity of Hamden said that he has already provided the Town Council with three of the five issues that he has seen in Cumberland, one being the lack of transparency from MSAD 51 regarding Greely student's indoctrination of critical race theory, which is starting in kindergarten. The division of the community when Superintendent Jeff Porter and the Equity Committee called you all white supremacists nearly a year ago. Have you read the newly drafted, four-page MSAD 51 equity policy? The venomous cancel culture, essentially keeping people from voicing their opinions in Town mostly by members of the local woke mob. So, tonight he would like to speak to four and five, lack of accountability for MSAD 51's decisions and poor leadership. It's said that absolute power corrupts absolutely and, in his opinion, MSAD 51 Superintendent Jeff Porter and this last MSAD 51 School Board, appear to be corrupted absolutely. Not everyone in Town realizes that 70% of your Cumberland tax bills goes to Sovereign Nation of MSAD 51. All the Town can do is write big checks each month to cover the bloated payroll budget. Not even the Cumberland Police Department has jurisdiction over Greely. There is no overriding authority when a citizen has an issue with the MSAD 51 Superintendent and the School Board. Just your vote. On the 6<sup>th</sup> we all voted to stay semi-woke in Town. He essentially held the Chair to her own policy on public comment for the first time in four years. On 11/16 he was willing to go to jail to be able to hold them accountable, with his wife, Patty, sobbing at the dinner table before that meeting. He asked the Chairman to please ask Town Manager Shane his recollection of the premeditated meeting brought forth by Mr. Porter and Ms. McGinley asking him and Chief Rumsey to arrest him at that School Board meeting. Recently, there has been a lot of press on this. Jeff Porter called him vile and someone who is unstable, and he apparently has lied to the press again. The tough part about this is that MSAD 51 is holding secret, non-published equity meetings with no calendar entries, no agenda, and no meeting minutes, for a moral imperative to educate on the topic of race, is really making this a hidden deal that needs to be more overt. Superintendent Porter seems to think that critical race theory doesn't exist, even though we've proven otherwise with dozens of examples. You can read more at The North Yarmouth Free Voice about the newly drafted equity policy. MSAD 51 has made willful withholdings of his FOIA requests on the dollars spent on equity training. He believes it to be \$250,000 in taxpayer monies. That was the first of two court cases against MSAD 51 (the other one being the Back to Green situation with Fresh Start 51). Mr. Porter illegally took his private property on 5/15, the sign showing Ann Maksymowicz not standing for the Pledge of Allegiance. Interesting enough, he just returned it after the election. He also lied to the press about there being a disturbance on that morning, the same place where a "honk if you support the School Board" bedsheet was up for well over a week right across from his previous house. The Cumberland Police Department reports no disturbance on the morning of the 15<sup>th</sup>. Porter then decided that he would try to withhold his rights to see his kid's final band concert and wanted to place conditions on him in order to attend their graduation ceremony, which led to worldwide press about Cumberland Maine. Remember, the root cause is the 6/2 equity letter sent by Tyler, Ann, Porter and others. Lastly, there seems to be some confusion recently about the MSAD 51 School Board Chair and him asking her to resign because of her Facebook post from 6/2/20, where she essentially congratulates herself for splitting the community in two. The Dunning-Kruger effect is the less that you know about

a subject, the more confident you are in your assessment of the knowledge of that subject. Porter and McGinley seem like they are models for the Dunning-Kruger effect. Only the School Board can hire and fire the Superintendent. The School Board provides the Superintendent direction in most towns in Maine. Nick Schuler-Winston, the other co-chair along with McGinley on the Equity Committee, sent out the letter and for the past year, they have done nothing to improve the community. There has been no transition, no discussion, and 3 times we have asked for a mediated meeting between him, the Town, and the school. The school denied the meeting all three times. MSAD 51 provides nearly zero transparency on your tax bills, in his opinion. The administration, along with the teachers, are pretty much untouchable. If he only knew that he could make \$90,000 as a Librarian for 183 days of work, he would have changed his major in college. The residents of Cumberland need to get more involved and find a way to hold them personally accountable, as no other government entity is going to do so. He hopes that the taxpayers feel more comfortable to come forward with dissenting opinions. You've seen the cancel culture attack him, his family, and other members of Back to Five and Fresh Start 51 group. Whatever your thoughts are about him, if you have never reached out to find the truth or did your diligence, then shame on you. I'll leave you with this quote: "when tyranny becomes law, rebellion becomes duty".

Mike Doyle of Portsmouth, New Hampshire: I'm going to inculcate a group of people here tonight until they learn the importance of the First Amendment of the United States Constitution. Jeff Porter, Ann Maksymowicz, Chief Rumsey, Eliza Batchelder, Celeste Forden, Jeff Brown, and of course, the fat midget, Bill Dehais. I got this letter from the Chief of Police: "*Your communication, the form of emails and internet posts, to MSAD 51 School Board member and Cumberland resident, Ann Maksymowicz, have been brought to our attention numerous times over the past year. Due to the recent emails and posts written by you on April 10th, April 13<sup>th</sup>, 19th and May 18th of 2021 where you referenced Ms. Maksymowicz mental state, a photograph of her home, and referenced her belongings being stolen and destroyed, you are hereby ordered to cease any direct communication with her. Your communications have crossed the line from criticism with School Board policy to intentional torment of her without reasonable cause. This letter is official notice, under 17A MRS, Section 506-A, do not engage in such conduct. If you continue with this conduct, you open yourself up to possible charges and prosecution under that section of the criminal code. If you have thoughts about the School Board policies or actions, you have to email Superintendent Porter directly and not Ms. Maksymowicz. If appropriate, the Superintendent will forward your message to her and the rest of the School Board. Thank you for your cooperation this matter. If you have any questions, please contact me.*" This letter was dated June 10<sup>th</sup>. This is my response, also dated June 10<sup>th</sup>: "*Motion to remove this State of Maine charge against me, United States District Court, now comes defendant, Michael Doyle and hereby moves this court to accept the transfer of false harassment complaint from the Cumberland Police Department in violation of the First Amendment. The warning issued to defend it is designed to stifle Freedom of the Press during a campaign of a politician running for re-election, Exhibit 1, (which is the entire package he sent me). Defendant is a reporter commenting on the ridiculous conduct of the complainant, Ann Maksymowicz, during the last 12 months. The bar to measure harassment of politicians is much higher than non-politicians. The First Amendment provides Freedom of the Press to redress grievances to elected officials. If the complainant objects to critical comments and the hurley-burley of politics (Whitney v. California), she might be better served to withdraw from public life and leave that service to those with thicker skins. Consequently, Defendant requests that the warning of the audit canceled for violating the First Amendment of the United States Constitution, wherefore Plaintiff respectfully moves this court pursuant to Section 1983, for an affirmative injunction, which will hereafter order the Plaintiff to cease their malicious prosecution harassment of the Defendant to strike down the warning within*"

*Exhibit 1, and the Defendant further requests that the court award him compensatory damages, attorney fees, expenses, and monetary damages, along with any and all other relief which this court deems to be equitable, just and proper”.* Folks Bill Shane is one of the smartest guys in this Town. He knows where the line is and apparently nobody else in this Town knows it. He's helped you avoid thousands of dollars in legal fees. I sued the Town of Scarborough two years ago, and for the last 18 months, Mark Franco, a 40-year attorney with experience and a partner at Drummond Woodsum, has tried to get that dismissed. I've learned how to do these cases from previous cases. I told Scarborough years ago if you keep screwing with me, I will learn enough to win one of these cases and it's going to cost you a lot of money. Well, you guys are going down the same road. When will the lesson be learned that you can't screw with somebody on the First Amendment, Freedom of Speech, and Freedom of the Press? It's going to come back and bite you and Bill says there's a \$10,000 deductible. How many of those do you want to pay to me? It's going to come over and over again. I'm not going to back down on my Freedom of Expression, my Freedom of the Press, my Freedom of Speech, and as long as you want to let Jeff Porter do the things he is doing, it's going to cost the Town money. I'm just asking, when will the lesson be learned?

Kim Vine of Cumberland said that she is here this evening because she personally observed one of the ugliest moments that she has ever seen in this Town last Friday. She was driving past the Congregational Church and what she saw was Shawn and Michael with their vulgar, horrible, but legal, sign, illegally parked in the closest parking space to the street. She knows that the church does not allow parking there. She pulled in and saw a police officer who was doing nothing to stop this. She messaged her friend who works at the church to make sure they knew what was happening on church property. It took an hour before Shawn left. They appeared to get a message on their phones, and as they were leaving, the police then showed up. She and Town Manager Shane had a great conversation this. What she saw going on there is not who we are. Shawn was allowed to somehow stay in that parking space, with that sign, while families drove into the church lot, dropping off their preschoolers. Ann being one of them. They knew exactly what they were doing. To see them leave, just before the police arrived, was so discouraging. The events of the last week, leading up to the election, just further showed her that we have allowed this to happen. Shawn has literally deteriorated in front of our eyes. The signs, the social media posts, the speeches here and at the School Board meetings, it's no secret that he is hurting and therefore, hurting others. Many times, she has watched meetings where people say, “this is not our Town, or this is not who we are”. This is one of our own. One of our own has somehow gotten to the point where he is willing to be put in jail for something that isn't even happening in our schools. She connected with so many people this week who just want to see the return to kindness and decency and reach out to people who are clearly hurting. That day, she got to see people from our church envelop Ann and console her, she was able to pray with someone else from another church for Ann, for Shawn, for Michael, for our Town, for Bill, and Jeff, and all of you. There is beauty in this Town. There are very good and kind people in this Town, many of which tried to speak to Shawn only to be dismissed as far leftists. To anyone who is watching this or anyone who listening, this is not who we are, but only if we stand up and become who we want to be. Become the people that we want this Town to be full of for our children. She hopes that there will be an investigation into what happened that morning. A lot of people want to understand the truth because the optics of it were very bad. There are people who are willing to take the baton. Now that Shawn is leaving, this is not going to go away. Michael is on his website saying that he is glad that Ann won so he can continue to tease and harass her. If you want this to go away, everyone is going to have to get their hands dirty and maybe not worry so much about the legalities but worry about the spirit behind the law that is meant to protect and serve all of us.

Rebuttal comments by Michael Doyle: There is nothing worse than ignorance parading around as knowledge. The police officer came there way before anybody at the church knew we were there, because Bill Dehais showed up and was slamming his fist on my window and threatening to tear the sign off my car. I had to get out of the car and tell him to get away from my sign. If this is an illegal activity, no one can park their car there to do anything. While I was parked there, a person rode up on his bicycle, pulled up to a Subaru and put his bike on the bike rack and drove away. Apparently, it's okay to park there if you're riding a bicycle, but not if you have a political sign. He told the lady at the church that he is joining the church. She said, you can't join the church. I guess nobody can join the church unless they're a democrat. The cop showed up and took my information. You have no idea what you're talking about but thank you for sharing your ignorance with us.

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

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

Town Clerk, Tammy O'Donnell, administered the oath of office to Town Councilors Copp, Storey-King and Segrist.

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

Councilor Gruber nominated Councilor Vail as Town Council Chair. Councilor Copp seconded.

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

Councilor Gruber nominated Councilor Foster as Town Council Vice-Chair. Councilor Storey-King seconded.

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

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

Denny Gallaudet presented the following:



Forestry and Natural Resources Subcommittee (FS)

LANDS AND CONSERVATION COMMISSION

JUNE 14, 2021

- Linda Arnold
- Melissa Cott
- Denny Gallaudet
- John Leavitt
- Gordon Lichter
- Sally Stockwell



Highlights of FS Ordinance § 30-16(b)

- ▶ Protect sustainability and conservation values of the forests
- ▶ Identify and monitor wildlife habitats and corridors
- ▶ Create forest management plans for major properties
- ▶ Retain licensed forester to oversee plans and harvests
- ▶ Mitigate invasives where cost effective
- ▶ Promote public awareness and appreciation of the forests



## "Legacy" trees protect conservation values



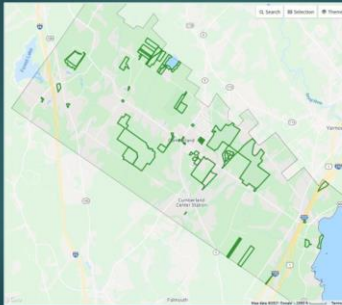
40" DBH white pine  
in Twin Brook Forest  
DOB ≈ 1821

Town owns  
4 major and  
8 minor forests

975 acres  
in total

Major #	Acres
Rines	272
Knights Pond	203
Twin Brook	129
Town	109
	713
Minor #	Acres
Range Way	57
Idlewood	47
Greely Woods	40
Crossing Brook	31
Sunnyfield	24
Broad Cove	22
Westbranch Road	21
Valley Road	20
	262
<b>Total Town-Owned</b>	<b>975</b>
<b>Other conserved:</b>	
CCLT	539
Open Space subdivisions	260
Tree Growth	3440
<b>Grand Total</b>	<b>3214</b>
(21% of Town land area)	

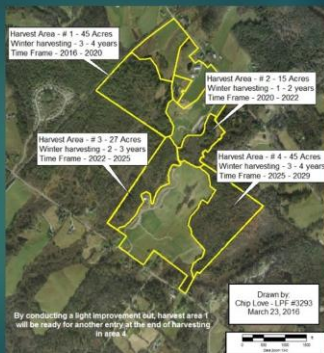
Town-Owned Forests are wide spread,  
providing ready access to residents



## Town Forest



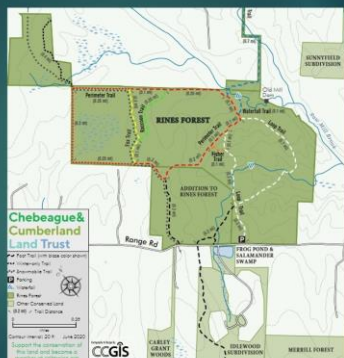
## Twin Brook Forest



## Knights Pond Forest



## Rines Forest



### Recent FS activities:

- Completed plans for 4 Majors
- Developed Guiding Principles (approved by Town Council December 2020)
- Conducted harvests at Rines, Town and Twin Brook Forests
- Initiated invasive treatments at Rines and Town Forests
- Researched deeds/lines at 8 Minors
- Held "owners' night" with forestry, tax info
- Retained Paul Larriue, Licensed Maine Forester

### Planned FS activities:

- Update Twin Brook plan to make consistent with Guiding Principles
- Conduct harvest on northwest slope of Knights Pond Forest
- Rework White Trail at Knights Pond Forest to prevent erosion
- Blaze boundary lines at all forests
- Map out potential carbon reserve for Climate Action Plan
- Work with Planning Board to bring past and future Open Space management in line with Guiding Principles
- Institute an annual "owners' night"

Questions/ Comments?

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

Motion by Councilor Gruber, seconded by Councilor Copp, to accept the Lands & Conservation Forestry Action Plan as presented.

VOTE: 7-0 UNANIMOUS

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

Town Manager Shane said that this item was presented by the Climate Action Team on March 22<sup>nd</sup>, but the Council did not accept the plan at that meeting.

Chairman Vail asked for any public comment.

No public comment.

Motion by Councilor Storey-King, seconded by Councilor Gruber, to accept the Lands & Conservation Climate Action Plan as presented at the March 22, 2021, Town Council Meeting.

VOTE: 7-0 UNANIMOUS

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

Chairman Vail explained that this is an annual housekeeping item. Any company that hauls trash is required to have a license from the Town.

Chairman Vail asked for any public comment.

No public comment.

Motion by Councilor Edes, seconded by Councilor Gruber, to approve the Commercial Hauler's license renewals for FY'22.

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

**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.**

Town Manager Shane explained that the sketch plan review process was duplicative in the RR1 and RR2 zones, so it was asked to be removed when it is not required.

Motion by Councilor Copp, seconded by Councilor Foster, to amend 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.

VOTE: 7-0 UNANIMOUS

**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.**

Town Manager Shane explained that this is a housekeeping amendment. The 5 acres was to be explicit and not implicit. The Planning Board wanted a very specific number.

Motion by Councilor Foster, seconded by Councilor Gruber, to amend 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.

VOTE: 7-0 UNANIMOUS

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

Motion by Councilor Copp, seconded by Councilor Foster, to set a Public Hearing date of June 28<sup>th</sup> to consider and act on a liquor license application for Cumberland House of Pizza.

VOTE: 7-0 UNANIMOUS

**V. NEW BUSINESS**

**Councilor Segrist** – He thanked the Town Council for being so welcoming to him and thanked the voters of Cumberland in putting their trust in him as a Town Councilor. Thank you to George Turner for 41 years of public service. George has his deep appreciation and respect. He is looking forward to getting to work for the people of Cumberland.

**Councilor Storey-King** – Thank you to Councilor Gruber for his Chairmanship.

George, we miss you. She and George had some good philosophical conversations over the years. Thank you to Chris Turner, George’s wife, for sharing George with us all those years.

There was a comment on social media that prompted her to let the public know that the Town Council has a policy to not to engage the public on social media.

She was a little disheartened listening to Teri Maloney-Kelly talk about becoming disenfranchised with her role in public service. She is thankful that Teri has gotten back into it. She suspects that she is one of the people that Teri would like to see have a term limit. She really liked Teri’s statement about growing gratitude. Gratitude has been something that has gotten her through the past year with all the conflict going on.

Kim Vine made a comment about leading by example. The Town Council policy of not making comments on social media is us leading by example. There are a lot of times that people should hold their comments for a day before posting.

The Town Council enjoys hearing from the people who come forward to speak at their meetings. If you think about posting your comment on Facebook, send the Council an email or come to a meeting instead.

Bob Leighton’s celebration of life ceremony will be held on July 25<sup>th</sup>.

**Councilor Gruber** – Welcome to Councilor Segrist.

Thank you to Brenda, Bob, and Bill for all they did for him over the past year that he was Chairman.

The Planning Board meets tomorrow evening.

Thank you to George Turner for his service. He will be missed.

The Food Pantry will change the dates that they will be opened during the summer. It will be open every other Friday beginning next week to allow the volunteer workers some much needed time off this summer.

He met with the auditors last week. We received a good report from them.

The Coastal Waters Commission will meet on Wednesday night.

**Chairman Vail** – He thanked Councilor Gruber for a job well done over the past year as Council Chairman.

He welcomed Councilor Segrist to the Town Council.

Appreciation to George Turner for his 40+ years in public service.

In regard to Mr. Sherwin's comment about posting a sign advertising when Town Council meetings are happening, we had a discussion about an illuminated sign at Town Hall a couple of years ago. We will re-visit this topic again.

In regard to Teri Maloney-Kelly's suggestion for term limits, he would be happy to have term limits for the Town Council if we could have the reverse for the School Board.

He asked the Councilor's to think about goals and what they should be talking about over the next year.

The past year has been difficult due to the pandemic and divisiveness in our community, the likes of which he hopes we never see again. It will get better. This is a welcoming community.

**Councilor Foster** – The next mental health community event "Growing Gratitude with a Former Skeptic" led by Eric Brown, will be held at Skyline Farm on Wednesday, June 30<sup>th</sup> from 6 – 8 p.m.

We have a Joint Standing Committee with North Yarmouth that does not meet unless they are talking about Knight's Pond. She suggested that a committee that includes North Yarmouth, MSAD 51, and Cumberland is formed to discuss sharing of priorities and ensuring alignment across all three of these leadership groups. Over the last year it has become very clear that there is a very strong connection with the three leadership groups that warrants a more consistent connection point throughout the year.



**Councilor Edes** – He told Councilor Segrist that one thing he will never hear from this Council is that you are wrong. There may be disagreements and differing opinions, but we really do respect each other as Town Councilors.

He was disgusted in having one of our citizens come here tonight to express their view and being called ignorant by another speaker. There is no place for that type of behavior in our community.

He thanked Councilor Gruber for his Chairmanship over the past year, and congratulated Councilor Segrist, Chairman Vail and Vice-Chair Foster.

Diane Calder passed away recently. Diane was a wonderful woman. Her son, Milt was a long time Lieutenant with the Cumberland Police Department.

**Councilor Copp** – Welcome to Councilor Segrist. Thank you to George Turner for his service to the Town. He sat beside George on the Council for 15 years, his father sat beside George for 26 years before that, and his grandfather sat beside George before that. George is a good person who we all have learned a lot from over the years.

He attended the Farmer's Market a few weeks ago with Councilors Storey-King and Vail. It was a cold and rainy day, but it was well attended. If anyone wants to speak to their Town Councilors, they will all be taking turns and will be at the Farmer's Market at Town Hall every Saturday.

Condolences to the Wilson family on the passing of Michael Wilson. He passed away at his home last Saturday after attending a 4-H event that his great-granddaughter was involved in. Mike was a true farmer and a true friend of his. He has deep roots in this community and has been a supporter of 4-H for over 50 years. He was a great guy who will be sadly missed.

The brown tail moth situation is very bad this year. He knows a lot of people, including himself, who have had horrible rashes. This truly is a health hazard, and the state should be involved and offering help.

**Town Manager Shane** – The Ordinance Committee will meet Wednesday at 5:00 p.m. to look at a couple of Contract Zone Agreements (CZA). The CZA process is a long one, so staff recommended having the Ordinance Committee look at it first to see if it should move forward in the process.

Paving around Town should start this week. MDOT will be paving Main Street from Tuttle Road to Greely Road.

We opened the 2 bids that we received for the railroad crossings on Friday. The price that we estimated was \$180,000. The low bid came in at \$290,000, from Storey Brothers. The other bid was for \$450,000. We will add this to the next agenda for Council consideration.

We had a good voter turnout for a June election. In addition to the term limit recommendation that Teri Maloney-Kelly made, another resident suggested switching the Town Council and School Board election to November. These items would require a Charter amendment, something that the Town Council will have to consider.

Town Clerk, Tammy O'Donnell and her staff did a great job during the election, as always.

**VI. ADJOURNMENT**

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

VOTE: 7-0 UNANIMOUS

TIME: 9:05 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary

# ITEM

## 21-066

To consider and act on a Mass Gathering Permit for the Maine Celebration of Lights to be held from November 26<sup>th</sup> through January 2<sup>nd</sup> at the Cumberland Fairgrounds



# MEMORANDUM

Town of Cumberland, Maine  
290 Tuttle Road  
Cumberland, ME 04021  
Telephone (207) 829-5559 • Fax (207) 829-2214

**To:** William Shane, Town Manager  
**From:** Tamara O'Donnell, Town Clerk  
**Date:** June 14, 2021  
**Re:** **Maine Celebration of Lights at Cumberland Fairgrounds  
A Drive-Thru Holiday Light Show Experience**

---

I held a meeting at 09:00 a.m., on Monday, June 14, 2021, with Police Chief Charles Rumsey, Patty Murphy Fire Dept. Rep., Mr. Lyle Merriweather, President of the Cumberland Farmers Club, and Mr. E.J. Dean, President of Fiesta Shows.

Mr. Dean discussed the proposed Celebration of Lights event in detail. The event would be the first of its kind for the Southern Maine area.

I reviewed in detail the requirements of the Mass Gathering Ordinance. The following represents our mutual understanding:

- The event will run from the Friday after Thanksgiving thru New Year's eve weekend.
- The hours will be 5-7 p.m. and 7-9 p.m. groupings. They will open at 4:30 p.m. to let cars begin to come in and close at 9:30 p.m. to allow the last car to go thru.
- The lighting will be all LED lights.
- The lanes will be double wide, 15 ft. wide and 15 ft. tall to allow emergency vehicles if necessary.
- They will be able to process up to 1,200 cars per evening max, with 5 to 8 miles per hr. speed, and as it gets busier the speed typically drops to 2 to 3 miles per hr. It also depends on how long people take to look at displays.

- 99% of ticket sales are done online.
- Communication will be by cell phone between all parties.
- There will be a notice to tune your radio to a certain station for sound, there will be no sound otherwise.
- There will be 3 or 4 staff members depending on the number of ticket sales.
- Food booths will be drive-up as well.
- Insurance certificate is attached.
- Fire Chief Small and Police Chief Rumsey have met and reviewed the plans for the show. Chief Rumsey is recommending that one officer be hired nightly if necessary, and that prominent signs for right turn only signs at the exit are very visible. Both Chief Small and Chief Rumsey would like to have Map B utilized for the route as this would negate a couple of fairly tight turns for vehicles just as they leave the venue.

Office of the Town Clerk • Town of Cumberland • 290 Tuttle Road, Cumberland, Maine 04021  
Telephone (207)829-5559 • Fax (207)829-2214

- Contact person for this event is E.J. Dean, 978-375-2541.

I believe that we have covered in full, the details required for this event. Mr. I have attached our new Mass Gathering Event Public Safety Sign-Off Sheet with the estimated Public Safety costs based on the event numbers and hours provided to us.

TOWN OF CUMBERLAND

Publication dates: \_\_\_\_\_  
Publication names: \_\_\_\_\_  
Date filed: \_\_\_\_\_  
Fee rec'd: \_\_\_\_\_  
Date Ordinance received: \_\_\_\_\_  
Issued: \_\_\_\_\_  
Denied: \_\_\_\_\_

Mass Gathering Application – Major Outdoor Event  
(5,000 or more persons)

This application must be filed with the Town Clerk not less than 60 days before the date of the event.  
Application must be accompanied by a non-refundable fee of \$500.

Name of applicant: Fest Events of New England, Inc.  
Address of applicant: 32 Stard Rd. P.O. Box 460, Seabrook, NH 03874 Tel. # 603-474-5424  
Name of event: Maine Celebration of Lights  
Facility where the event will be held: Cumberland County Fairgrounds  
Is the facility owned by the applicant: \_\_\_\_\_ yes; ☒ no, (if no, attach a copy of the contract with the owner which allows use of the property)

Name of promoter (if different from above): \_\_\_\_\_

Telephone number: 978-375-2541 (cell)

Will any food vendors be serving at the event? ☒ yes, \_\_\_\_\_ no (if yes, how many, and what types) 1 booth serving: Fried dough, cotton candy, popcorn, Fried oreos, water, soda, hot chocolate

Will any alcohol vendors be serving at the event? \_\_\_\_\_ yes, ☒ no (if yes, list name and attach a copy of the vendors license to sell alcohol, describe alcohol will be served) \_\_\_\_\_

Date of event: 11/26 - 1/2 Time (start and finish times): 4:30 pm - 10 pm

Number of tickets available: TBD (est. 800-1000 nightly) Tickets sold 5-7 pm, 7-9 pm

Expected attendance: max 3,000 daily

Description of event: A drive-thru holiday-themed light show.



Describe the three most recent outdoor performances of the group, performer, or event being proposed. Include location, date(s), number in attendance, promoter or sponsoring person or organization.

1. Lancaster Light Show, 318 Seven Bridges Rd., Lancaster, MA 11/27/20 - 1/3/21  
9,000 cars, Bolton Fair was sponsor

2. Greater Boston Light Show, 200 Trapelo Rd. Waltham, MA 11/27/20 - 1/3/21  
15,000 cars, Waltham Lions Club

3. Topsfield Drive In, 207 Boston Rd, Topsfield, MA 4/11/21 - 12/31/21  
400 cars nightly, Topsfield Fairgrounds

Description of facility:

- A. Seating capacity: N/A permanent; \_\_\_\_\_ temporary
- B. Other seating capacity: N/A festival; \_\_\_\_\_ standing room only
- C. Number of toilets available: \_\_\_\_\_ permanent; 2 portable
- D. Number of parking spaces available: N/A on-site; \_\_\_\_\_ off-site
- E. Are all parking lots lighted (applicable only if event runs into evening hours)  
\_\_\_\_\_ yes; ✓ no, if no, which lots are not lighted \_\_\_\_\_
- F. Source of potable water: Fairgrounds
- G. Refuse containers available, number and size: 1 10yd dumpster
- H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse)  
N/A
- I. When will refuse be picked up? \_\_\_\_\_

Public Safety:

- J. Describe first aid facilities: N/A
- K. Describe emergency facilities: N/A

L. Describe communication facilities: All staff have 2-way radio communication

M. Number of certified police officers: TBD by Police Dept.

N. Other security personnel (include company name and qualifications): N/A

O. Describe fire personnel: N/A

#### Traffic Plan

P. Description of routes persons attending the event are likely to take, include number of traffic controllers and deployment descriptions.

Attached

Q. Describe methods used to publicize alternate routes of reaching the scene of the event. N/A

R. Attach statement of availability of private towing firms to remove disabled vehicles.  
will coordinate with fair

#### Crowd Management

S. Plan for discouraging those not holding tickets for the event from not coming to the event site. 20% on-line discounted price

T. Plan for preventing trespassing on private property in the area.  
area is fenced in

U. Will all publicity stop as soon as it is apparent that the event is sold out? ☒ yes;  
no

V. Description of how the event will be publicized, include how a sell-out will be publicized. tickets sold and announced through website and social media

#### Other


W. Name of liability insurance Allied Specialty Insurance

Amount of coverage 10,000,000; amount of property insurance 1,000,000

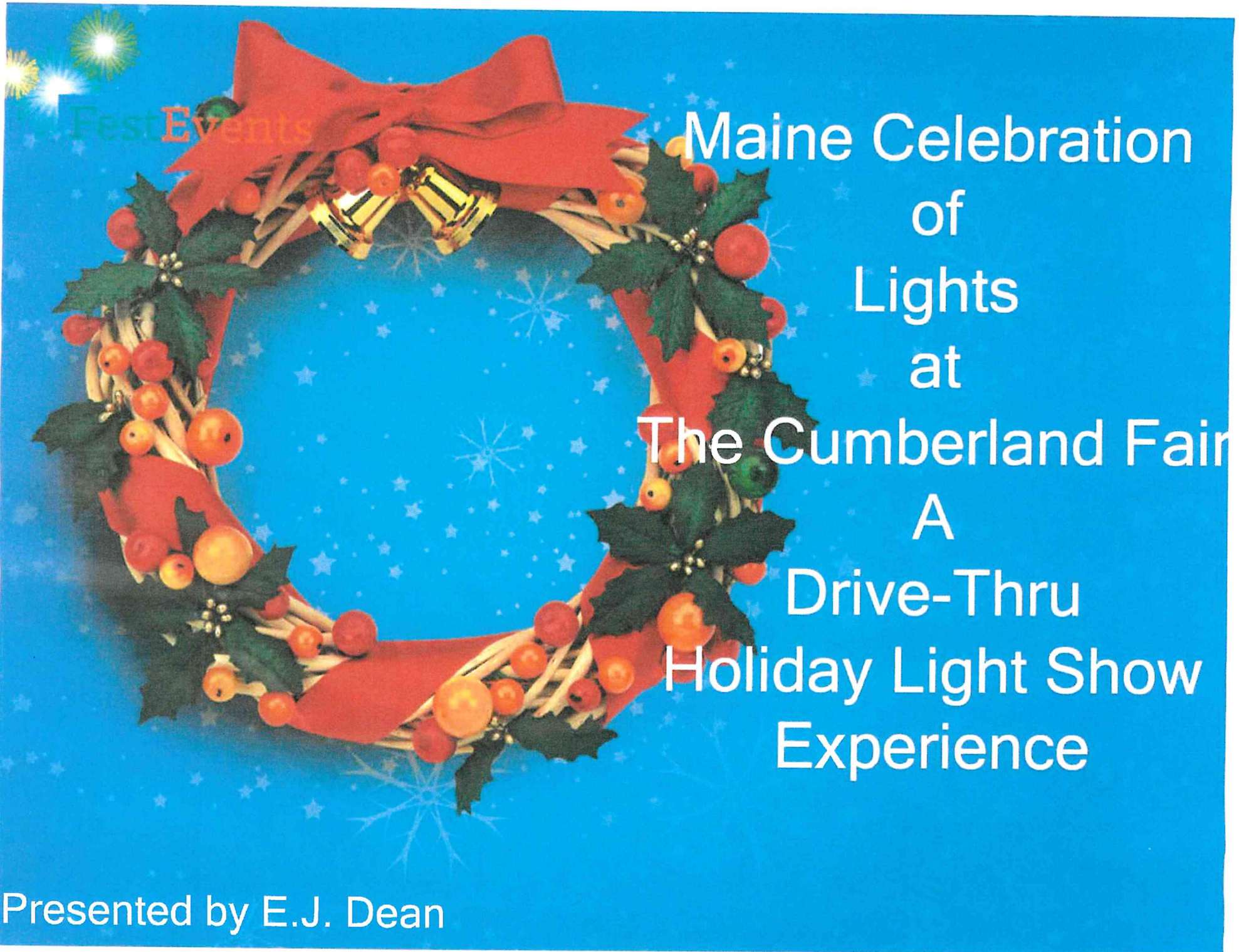
X. Preferred type of performance guarantee (i.e., escrow account, irrevocable letter of credit)



Authorized signature

On 6/14/21 (date), I received a copy of the Cumberland Mass Gathering Ordinance.  (authorized signature)





Fest Events

Maine Celebration  
of  
Lights  
at  
The Cumberland Fair  
A  
Drive-Thru  
Holiday Light Show  
Experience

Presented by E.J. Dean



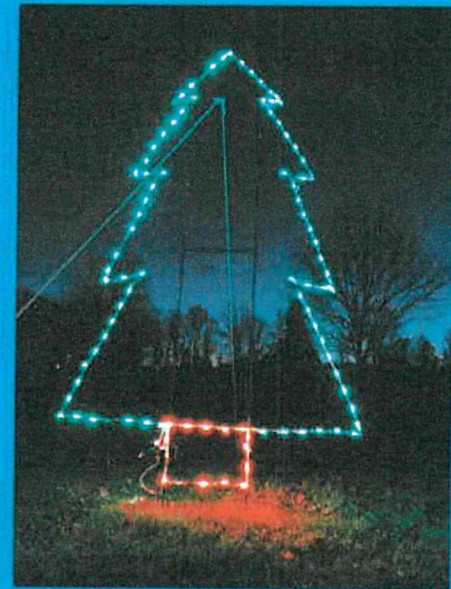


# Summary

FestEvents is looking to create a 1-mile long Drive-Thru Holiday Light Show featuring over 1-million LED lights.

Guests will enjoy the experience from the comfort of their own vehicle, while a designated fm radio station transmits holiday themed music throughout the pathway.

Fest Events has the expertise to create a memorable whole-some family Entertainment at the Cumberland County Fairgrounds this holiday season.







# Tickets and additional info

Name: Maine Celebration of Lights

Where: 175 Blanchard Rd (Cumberland Fairgrounds)

Dates: November 24th - January 2nd

Hours: Monday- Sunday 5pm - 9pm

Pricing: Monday - Thursday \$20(on-line)/per car

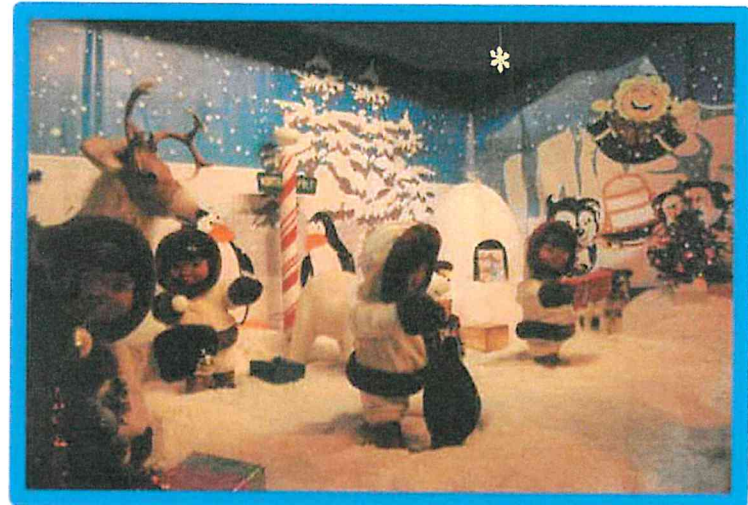
\$40 for Limousine, 12/15 Passenger Vans  
or small bus

Friday - Sunday, Holidays \$23 (on-line)/per car

\$50 for Limousine, 12/15 Passenger Vans, or  
small bus.

Website: [melightshow.com](http://melightshow.com)

Tickets can be purchased in advance on-  
line, there may be limited on-site tickets  
available on nights online sales are not sold  
out.







# Layout

A

B



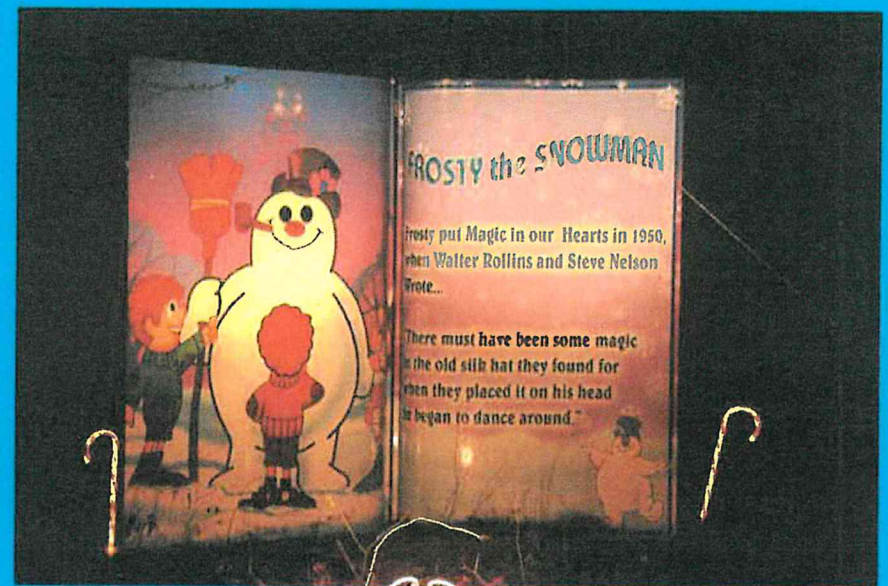
Final pathway to be mutually approved by May 1<sup>st</sup>, 2021





# Attraction Placement

- All roadways are, by design, 20' wide. They will all be one- directional flow to allow ample room for vehicles to pull over in the event of emergency access being needed.
- In addition to the road space, all displays will be a minimum of 10' off the roadway.
- All archway lighting, "tunnels", will be a minimum of 15' wide and have a minimum height of 15'. They will also be placed no less than 50' in front any corner to ensure plenty of space for maneuverability.







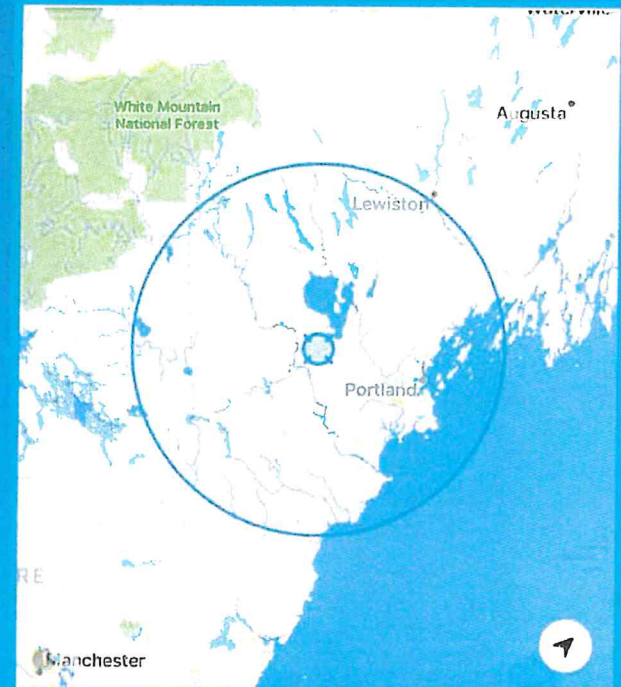
# Audience Averages

Statistical data will be generated yearly and shared with fair staff for future opportunities.

## Audience Age:

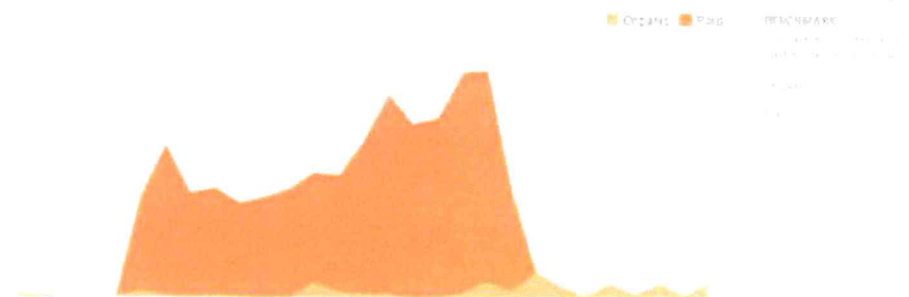
- 35-44: 40%
- 25-34: 24%
- 45-54: 22%
- 55-64: 8%
- 18-24: 3%
- 65+: 3%

- Average Household Income: \$76,227
- Average drive-time: 30 minutes
- Strategic paid social media campaigns each week
- Built-in marketing and advertising plan



## Post Reach

The number of people who saw our posts







# Covid-19 Safety

Although we are all optimistic that by the mid-summer, we will be back to near-normal Thanksgiving. This event is designed to be Covid friendly.

For 2 months this winter we operated a successful drive thru holiday light show in Waltham, MA and Lancaster, MA. The procedures we put in place were very well received by both the town and the public.



[www.lancasterlightshow.com](http://www.lancasterlightshow.com)

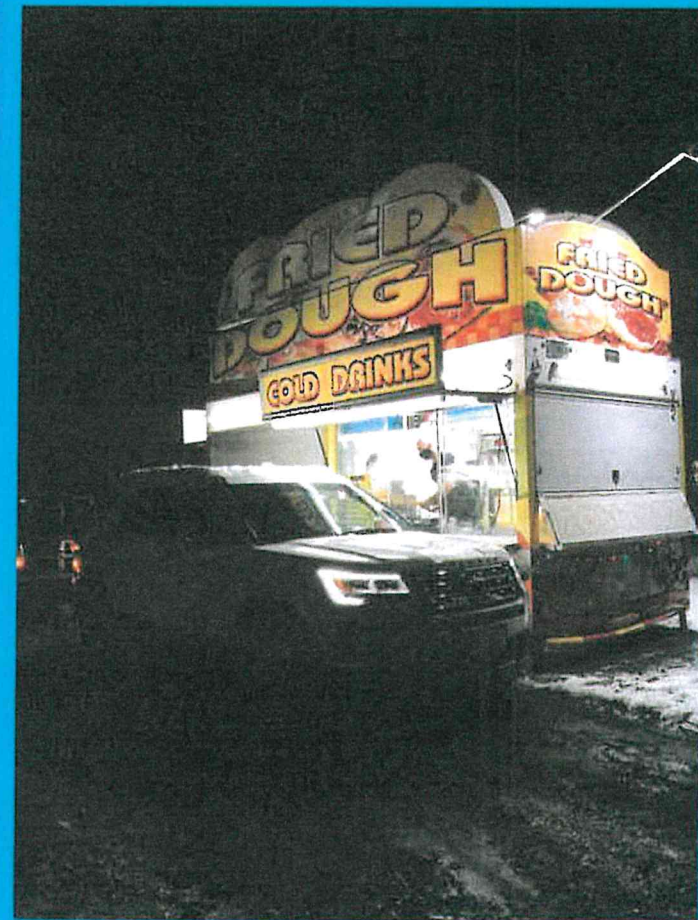
[www.greaterbostonlightshow.com](http://www.greaterbostonlightshow.com)





# Drive-Thru Food

- A Drive-Thru food booth will serve Hot Chocolate, Apple Cider, Coffee, Bottled water, Fried Dough, Popcorn, and Cotton Candy
- Serv-Safe certified staff
- Health inspection







# Responsibilities

## FestEvents will be responsible for:

- All marketing expenditures. The fair will assist in organic marketing that the fair has available (ie. Social media, local news, etc.).
- All electrical usage for operating event. FestEvents will pay the electrical usage overage compared to similar previous years usage.
- All restroom and toilet expenses.

## Cumberland County Fairgrounds will be responsible for:

- Adequate access to facilities for setup and breakdown needs. To be mutually coordinated and agreed to by June, 2021.
- Access to on-site power receptacles along the pathway. FestEvents will supply all the necessary cords and connectors needed, in compliance with NEC.
- Coordination with permitting and local requirements







Thank You!



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/15/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER  
McGowan Allied Specialty  
140 Fountain Pkwy. N, Ste. 570  
St. Petersburg FL 33716

CONTACT  
NAME: Sue VerekerPHONE  
(A/C, No, Ext): 727-547-3059FAX  
(A/C, No):E-MAIL  
ADDRESS: svereker@mcgowanallied.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: T.H.E. Insurance Company

12866

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED  
Dean and Flynn dba: Fiesta Shows, Inc.  
PO BOX 460  
Seabrook NH 03874

License#: 973  
FIESSHO-01**COVERAGES**

CERTIFICATE NUMBER: 948004800

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CPP010007111	2/15/2021	2/15/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A	WCP0005522001	3/15/2021	3/15/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.I. EACH ACCIDENT \$ 500,000 E.I. DISEASE - EA EMPLOYEE \$ 500,000 E.I. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Dates: November 1, 2021 - January 15, 2022  
Town of Cumberland

As respects to general liability and to the negligence of the name insured

**CERTIFICATE HOLDER****CANCELLATION**

The Cumberland Farmers Club  
P.O. Box 745  
Cumberland Me 04021

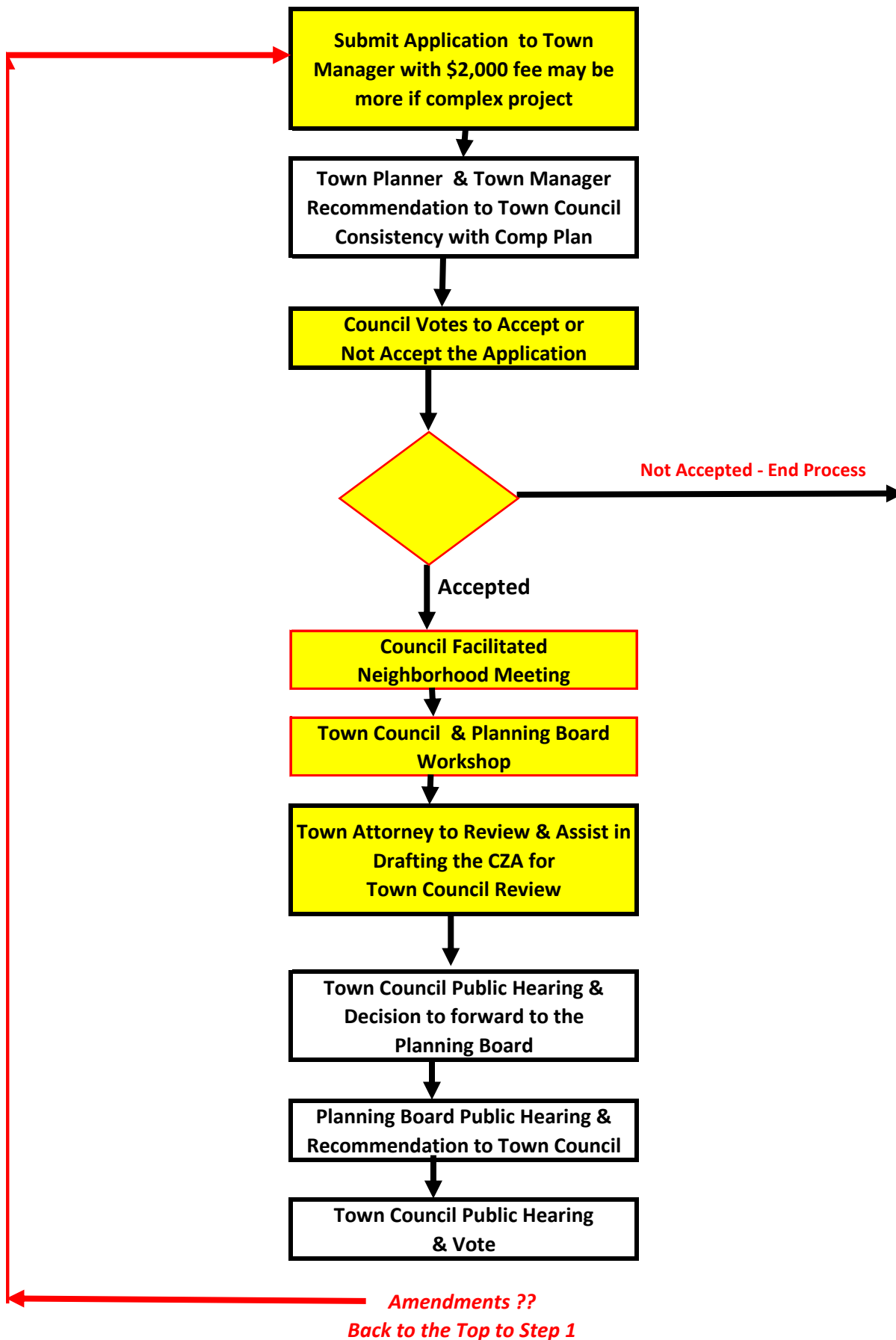
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

# ITEM

# 21-068

To consider and act on starting the Contract Zone Agreement process  
pursuant to the CZA flow chart



Date: June 22, 2021  
To: Bill Shane, Town Manager  
From: Carla Nixon, Town Planner  
Subject: Contract Zoning Proposal for the Grange at Longwoods

---

As contained in Section 315-79 (Contract Zoning) of the Cumberland Zoning Ordinance, there are specific conditions that should be met before the Town enters into a contract zoning agreement. This memo addresses Section 315-79 A. (3): Standards.

### ***Section 315-79: Contract Zoning***

*In consideration of a request for change in zoning classification for a particular property or group of properties under the provisions of Section 315-78, the Town Council may impose certain conditions on the use of the property where it finds that such conditions are necessary to protect the public health, safety, and general welfare, and when the Town Council seeks to advance desired land use objectives not inconsistent with the Comprehensive Plan.*

#### ***A. Standards:***

- (1) Any zone change adopted pursuant to this section shall be subject to a contractual agreement executed by authorized representatives of both the property owner and the Town, providing for the implementation and enforcement of the conditions of the agreement;*
- (2) The agreement shall only include conditions which relate to the physical development or operation of the property;*
- (3) Any zone change permitted under this section shall be consistent with the Comprehensive Plan of the Town and shall establish a rezoned area that is consistent with the existing and permitted uses within the original zones.*
- (4) The proposed contract zoning agreement shall clearly describe the extent of variation (if any) from the lot standards for the zone in which the parcel is located.*

I have reviewed the 2014 Comprehensive Plan and found the following areas of the plan to be consistent with the Grange at Longwoods project.

### **Chapter 2: Economy:**

Goal 2: To encourage agriculture-related businesses.

Goal 3: To promote sustainability and encourage businesses that would allow residents to more easily obtain basic goods and services.

---



## **Chapter 6: Fiscal Capacity:**

Goal 1: Continue to provide increased opportunities for non-residential development in order to shift some of the tax burden from residents to commercial taxpayers.

## **Chapter 7: Recreation and Open Space:**

Goal 5: Continue to maintain open space areas and trails and look for opportunities to expand both with minimal use of tax dollars.

Goal 9: Encourage a trail system throughout the town.

## **Chapter 10: Critical Natural Resources:**

Goal 1: To protect critical natural resources, including, but limited to, wetlands, wildlife and fisheries habitat, shoreland areas, aquifer recharge areas, and unique natural areas.

Goal 5: to strive to protect healthy populations of native wildlife and plants and their natural habitat.

## **Chapter 11: Agriculture and Forestry Resources:**

Goal 1: To encourage the preservation of land that is suitable for agricultural and forestry uses.

## **Chapter 13: Land Use:**

Goal: Work towards creating a more “livable” community.

## **Chapter 14: Future Land Use Plan**

Rural and Growth Areas: The area where this project is proposed is in a delineated “rural” area of town. Excerpt from Chapter 14: *As shown of the rural /growth map, nearly 57% of the town is designated as a rural area. These areas are zoned Rural Residential 1 and 2 and they allow primarily residential and agricultural uses. Cumberland’s early economy centered on agriculture and fortunately, there are still large areas of rolling fields and forests that truly reflect “rural character.” While there are only a handful of working farms and orchards, this plan includes actions to protect those farms and to encourage future agriculture use.*

## **Chapter 15: Sustainability:**

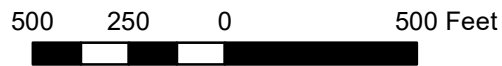
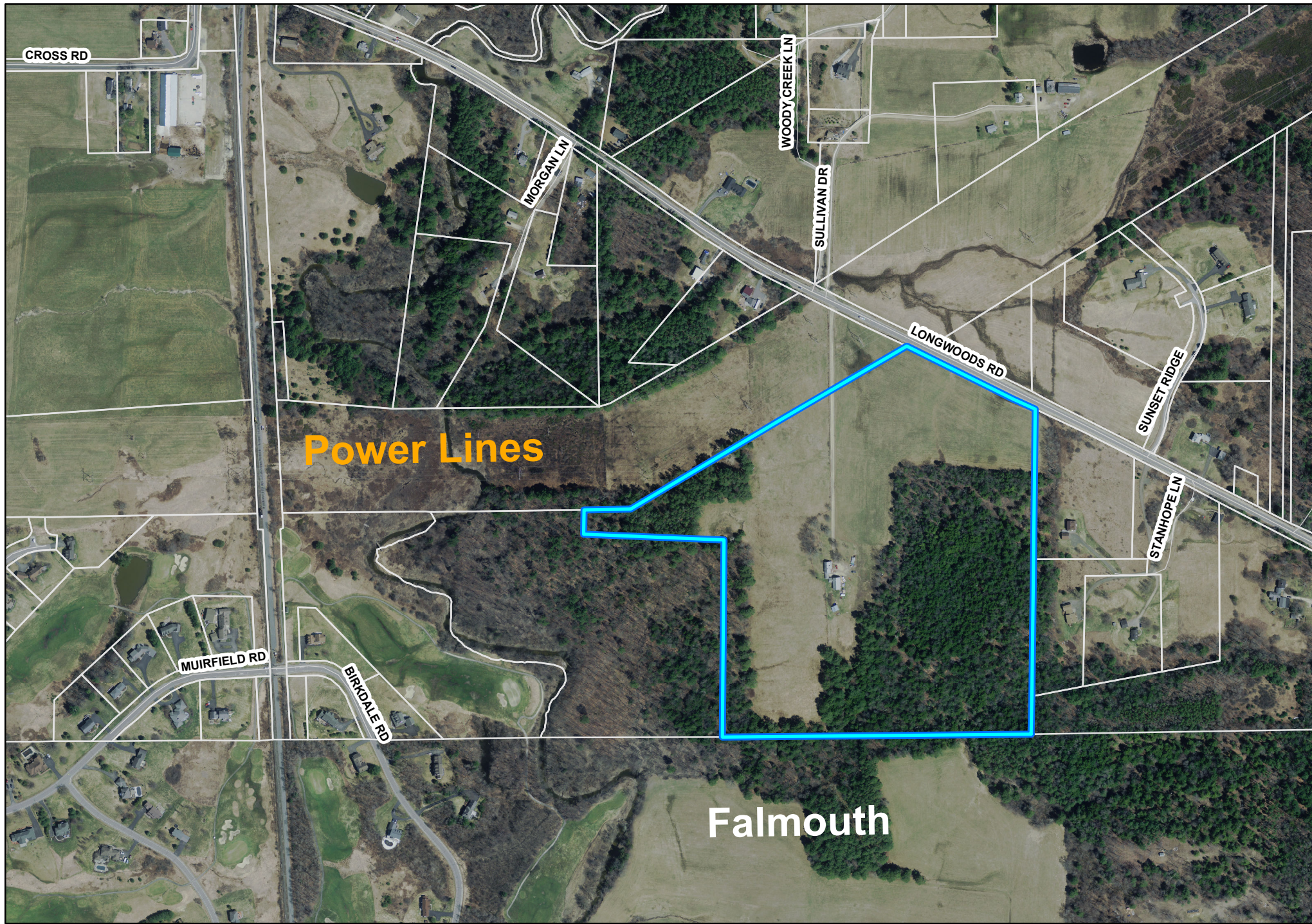
Goal 4: Facilitate the development of a diverse economic base that includes the provision of routine goods and services at the local level.

Goal 5: Create, protect and enhance “Social Places” where residents can gather together.

Goal 6: Promote Healthy and Active Lifestyles.

Goal 9: To support the growing, harvesting, and sale of locally produced food products.





1 inch = 500 feet

The Grange CZA Request- June 2021





# The Grange

## At Longwoods

# Project Description

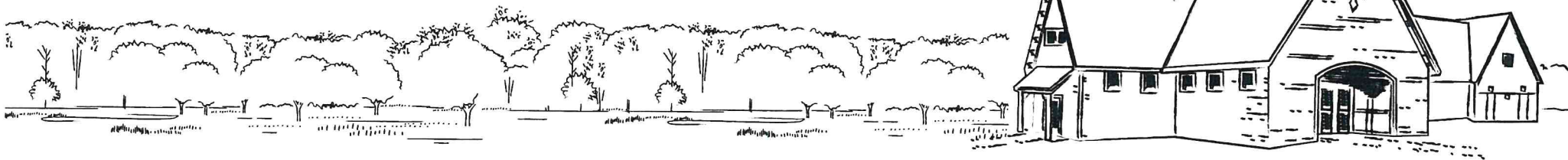
The Grange at Longwoods (working business name) will be a gathering place for the community of Cumberland and the greater Portland area.

With a family friendly, farmers market like atmosphere, our goal with this project is to provide a place for people to genuinely enjoy nature, fine local food and drink, local art, and acoustic music.

Aside from the small area set aside to build the Grange Hall itself, this entire property will be placed under permanent conservation for farming and for public use for generations to come.

The existing barn and farmhouse, built in the 1870's, will be preserved in pursuit of attracting a local farmer, to live and operate a plant based farm, under a financial arrangement conducive to the long term viability of a successful new England farm.

The Grange at Longwoods will be a partnership with the functioning farm on the property. We will source farm to table ingredients onsite, host farmers markets to help get produce to market, and host educational and community focused events to build awareness around the importance of supporting small local farms.





# Notable Attributes of the Grange at Longwoods

- Public access to a large piece of undeveloped, permanently preserved land.
- A three mile long (+/-) network of walking trails featuring fields, and a diverse array of forest habitat including scenic vistas of the East Branch of the Piscataqua river.
  - This trail system could be used for cross country skiing in the winter as well as a connector for other existing and future trails systems on nearby properties (bike paths, walking trails, etc.)
- A working farm on the property farming around (+/-) 15 acres.
- A permanently secluded grange hall, situated in the interior of the property, far removed from all abutters, thereby respecting the spirit of the rural farming zone.
  - The Grange Hall Pub will feature fine farm-to-table food/beverages as well as acoustic music from local and regional sources.
- A calendar of community events/programs.
  - Farmers markets, makers markets, educational events, environmental fundraising, after school programs.
- A focus on local partnerships.
  - Partnering with local suppliers, local ingredients, providing small businesses with a platform to reach their audience through farmers markets or exclusive product offerings.





# The Property at 76 Longwoods Road





# Property Attributes

- 60 Acres including the house and barn.
- Property serves as a valuable watershed for the East Branch of the Piscataqua River.
- Valuable watershed area to the Piscataqua/Presumpscot Rivers.
- Abutting CMP easement which can be used for limited farming and trails.
- Abutting the Falmouth Town Line.
- Abutting a large parcel of existing farmland in Falmouth - Idleknot Farm.
- Abutting Falmouth Country Club.
- Through a partnership with MFT, 15 - 20 acres will hopefully be designated as a "Forever Farm".
- A 4 acre lot in the property 's interior (*see the site plan*) is intended for the Contract Zone For the Grange Hall Pub and related parking.
- The remaining land which is a small portion of field and the rest wooded land, will be placed under a permanent conservation easement.
- Less than 20 minutes from Downtown Portland.





# A Focus on Land Conservation

The Grange at Longwoods project is relatively unique in that it joins together the attributes of a niche small business with the environmental need for more permanent open space and a perceived desire from a wide spectrum of folks seeking an authentically dynamic experience. Think of it as a cultural grange hall & park for the 21st century. Our goal for this property is threefold:

- Provide a family friendly community gathering space that enhances the cultural lives of residents of Cumberland and Greater Portland.
- Place a large parcel of land that is at risk for large scale residential development under a permanent conservation easement for the public to enjoy forever.
- Support Maines farming economy by hosting and supporting an active farm on the property in partnership with Maine Farmland Trust. This farm will be managed by an onsite farmer and it is intended that the farmer will utilize the high quality soils on the fielded acreage of the property. The Grange will source its ingredients from the farm as needed, as well as provide a platform for the farm to be as financially viable as possible through marketing and community outreach support.



# The Grange Pub /Restaurant Profile

- The Grange Hall Pub will be a year round small establishment with less than 80 seats, with additional outdoor seasonal seating.
- The menu will use simple, farm to table ingredient sourcing as much as we can from the on site farm and local vendors.
- We will partner with local business to source our ingredients, beverages, and supplies.
  - Portland Paper, Local oyster farmers, Wormell Farms Beef, Urban Farm Fermentory, Native Maine, Maine Root Beverages, Cellar door, Maine Craft Distilling, Lone Pine, etc. (for example).
- Due to the grange hall's location on this large parcel, we anticipate no detectable noise, light or scenic impact on any of our abutters in keeping with the spirit of the rural farm zone.







# Examples of The Grange Hall

Common Ground Center – Unity Maine





# Example

The Well at Jordan's Farm - Cape Elizabeth, ME





Example





Example

NEW  
FOUND  
FARM







# Site Plan - Aerial



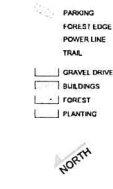
## CONCEPTUAL DESIGN LAYOUT

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PAGE SIZE: 24"x36"

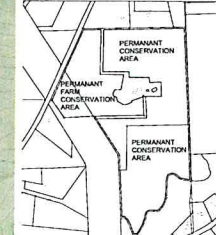
### NOTE:

CONCEPTUAL DESIGN PLAN FOR 76  
LOGWOODS ROAD COMMUNITY  
GRANGE HALL WITH  
PUB/RESTAURANT.  
THESE DRAWINGS ARE NOT FOR  
CONSTRUCTION AND ARE SUBJECT  
TO CHANGE WITH FURTHER  
SURVEYING AND DESIGN  
DEVELOPMENT.  
DISTRUBED AREA: 39,304 SQ.FT

### LEGEND



### PROPOSED CONSERVATION AREAS



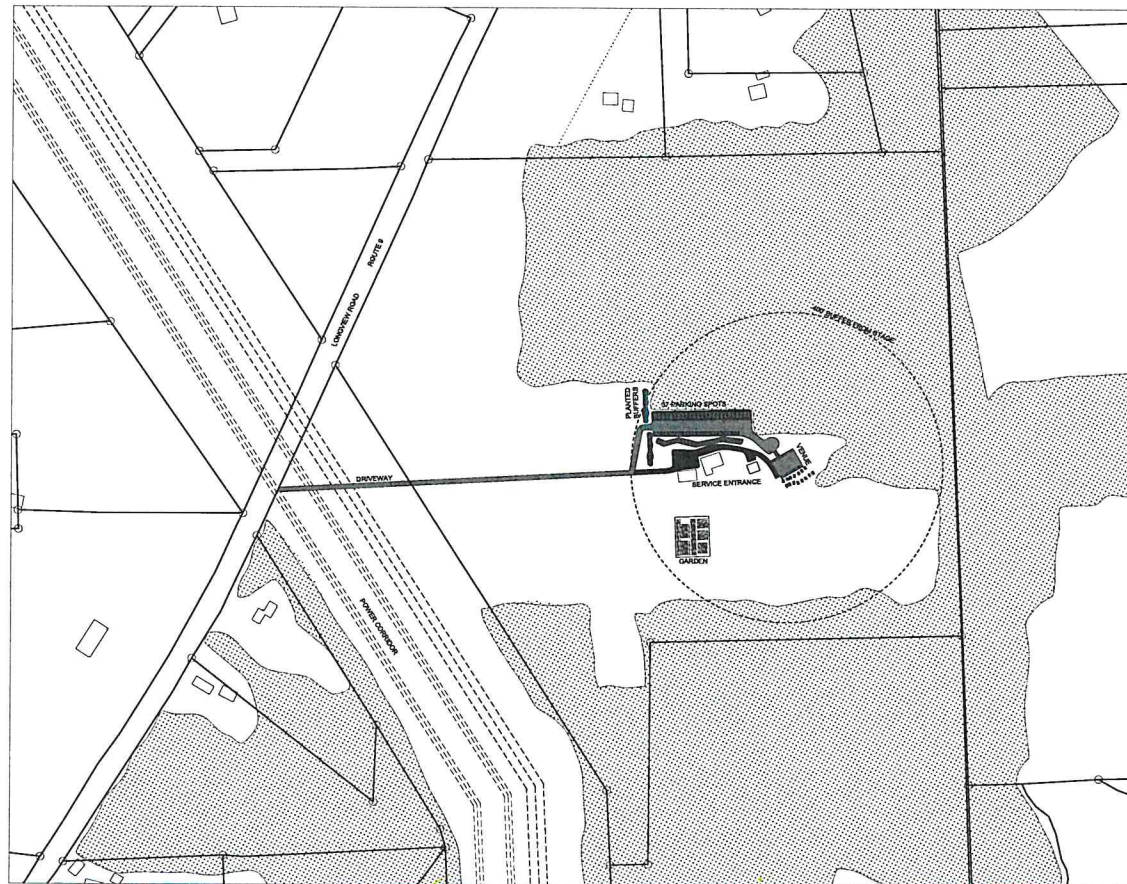
GRANGE PROPOSAL  
76 LONGWOODS ROAD  
CUMBERLAND ME  
5/17/2021

PREPARED FOR  
ALEX TIPSON





# Site Plan - Sketch



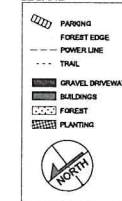
## CONCEPTUAL DESIGN LAYOUT

SCALE: 1"=100'  
PAGE SIZE: 24"X36"

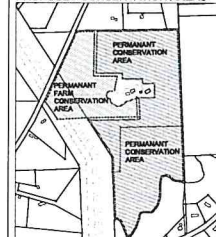
NOTE:  
CONCEPTUAL DESIGN PLAN FOR 76  
LOGWOODS ROAD COMMUNITY  
GRANGE HALL WITH  
PUB/RESTAURANT. THESE DRAWINGS  
ARE NOT FOR CONSTRUCTION AND  
ARE SUBJECT TO CHANGE WITH  
FURTHER SURVEYING AND DESIGN  
DEVELOPMENT.

DISTURBED AREA: 39,304 SQ.FT

## LEGEND



## PROPOSED CONSERVATION AREAS



GRANGE PROPOSAL  
76 LONGWOODS ROAD  
CUMBERLAND ME  
5/17/2021

PREPARED FOR  
ALEX TIPSON



# A Community Partnership

This project is focused on being good stewards of the land, good neighbors to our abutters, and being good partners to the community at large. We are open to any and all ideas from the town and residents that will contribute to the long term success of this project and enhance the quality of life in the community.

Rather than depending on government financing, the Grange Hall Pub will be the cash flow engine that makes this conservation project financially possible and viable. This project is focused in synergy:

- Between the farmers' produce and the food that is served at the Pub.
- Between a small business in partnership with the Cumberland Land Trust.
- And between the entire project and the community of Cumberland.

If successful, this unique community venue will verify that everyday people, small business, and local government can come together to create something of extraordinary value for all three of these entities.





# Thank you

*Please note that this project profile is for informational purposes and details of the project are subject to change.*

# ITEM

# 21-069

To award the contract for railroad crossing barriers at Greely Road, Tuttle Road and Longwoods Road, to Storey Brothers



Client: Town of Cumberland, Maine  
Project: Railroad Crossings Improvements  
Location: Cumberland, Maine  
Date of Bid: June 11, 2021  
JN: 3656

<b>BID SUMMARY - Route 9 Roadway Improvements</b>			
<b>Contractor Name</b>	<b>Base Bid</b>	<b>Corporate</b>	<b>Acknowledged</b>
Storey Brothers Excavating	\$277,050.00	Y	Y
A H Grover, Inc.	\$496,750.00	Y	Y

**OBSERVATIONS/FINDINGS:**

1. Based on Gorrill Palmer's review of the bids, Storey Brothers Excavating is
2. Based on Gorrill Palmer's review of Section 102 and Special Provisions

**Notes:**

1. Although Gorrill Palmer Consulting Engineers, Inc. has had working relationships with a number of the contractors, in our opinion this did not influence the preparation of the bid documents or our findings.

**Bid Summary Construction Budget Total:**

Lowest Responsive, Non-Qualified Base Bid	\$	277,050.00
<b>CONSTRUCTION SUBTOTAL - As Bid</b>	<b>\$</b>	<b>277,050.00</b>
Recommended Contingency (10% of Bid)	\$	27,705.00
<b>CONSTRUCTION TOTAL</b>	<b>\$</b>	<b>304,755.00</b>

# ITEM

# 21-071

To hold a Public Hearing 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 # <u>207-829-5400</u>	Business Telephone # <u>(207)-829-5400</u>
Fax #: <u>"</u>	Fax #: <u>"</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.

<b>Class of License</b>	<b>Type of liquor/Establishments included</b>	<b>Fee</b>
<b>Class I</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> 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
<b>Class I-A</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only hotels that do not serve three meals a day.	\$1,100.00
<b>Class II</b>	<b>For the Sale of Spirits Only</b> 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
<b>Class III</b>	<b>For the Sale of Wine Only</b> 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
<b>Class IV</b>	<b>For the Sale of Malt Liquor Only</b> 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
<b>Class III and IV</b>	<b>For the Sale of Malt Liquor and Wine Only</b> 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
<b>Class V</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Club without catering privileges.	\$ 495.00
<b>Class X</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Class A Lounge	\$2,200.00
<b>Class XI</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Restaurant Lounge	\$1,500.00





# ITEM

## 21-072

To hold a Public Hearing to consider and act on amendments to the Cumberland Zoning Ordinance, Section 315-6 (Rural Residential Districts); Section 315-7 (Low Density Residential District); Section 315-8 (Medium Density Residential District); 315-9 (Village Medium-Density Residential District) to increase the maximum number of children allowed in Day-care Centers and nursery schools from 20 to a maximum of 40 **50**, subject to site plan review and Section 315-47, as recommended by the Planning Board

## Notice of Decision

**Date:** June 16, 2021

**To:** William Shane, Town Manager

**From:** Carla Nixon, Town Planner

**Re:** Recommendation to the Town Council on amendments to the Cumberland Zoning Ordinance, Section 315-6 (Rural Residential Districts); Section 315-7 (Low Density Residential District); Section 315-8 (Medium Density Residential District); 315-9 (Village Medium-Density Residential District) to increase the maximum number of children allowed in Day-care Centers and nursery schools from 20 to a maximum of 40, subject to site plan review and Section 315-47.

This notice is to advise you that the Planning Board held a Public Hearing on June 15, 2021 to make a recommendation to the Town Council on amendments to the Cumberland Zoning Ordinance, Section 315-6 (Rural Residential Districts); Section 315-7 (Low Density Residential District); Section 315-8 (Medium Density Residential District); 315-9 (Village Medium-Density Residential District) to increase the maximum number of children allowed in Day-care Centers and nursery schools from 20 to a maximum of 40, subject to site plan review and Section 315-47. The Planning Board recommended changes adding Section 315-21 (Town Center District) and increasing the maximum number of children allowed from 40 to 50 to coincide with the State's small daycare classification number.

The Planning Board voted unanimously to recommend proposed amendments to the Cumberland Zoning Ordinance, Section 315-6 (Rural Residential Districts); Section 315-7 (Low Density Residential District); Section 315-8 (Medium Density Residential District); 315-9 (Village Medium-Density Residential District); and to Section 315-21 (Town Center District) to increase the maximum number of children allowed in daycare centers and nursery schools from 20 to a maximum of 50, subject to site plan review and Section 315-47.

Cumberland Planning Board



Paul Auclair, Chairman

### Planning Board's Recommended Amendments to Chapter 315-Zoning

#### **§ 315-6. Rural Residential Districts (RR1 and RR2).**

The RR Districts primarily allow agriculture, low-density residential and other low-density uses with the intent of maintaining significant amounts of open space and a generally rural character.

A. Rural Residential District 1 (RR1). The RR1 District requires larger minimum lot sizes than does the RR2 District on the basis of the results of the Community Groundwater Study, Cumberland, Maine, March 1989.

(1) The following uses are permitted in the RR1 District:

(r) Day-care centers and nursery schools for no more than ~~20~~50 children, subject to the provisions of § 315-47 and site plan review.



**§ 315-7. Low-Density Residential District (LDR).**

A. The following uses are permitted in the LDR District:

(13) Day-care centers and nursery schools for no more than 2050 children, subject to the provisions of § 315-47 and site plan review.

**§ 315-8. Medium-Density Residential District (MDR).**

A. The following uses are permitted in the MDR District:

(12) Day-care centers and nursery schools for no more than 2050 children, subject to the provisions of § 315-47 and site plan review.

**§ 315-9. Village Medium-Density Residential District (VMDR).**

The purpose of the VMDR Zone is to provide an area for medium- density residential use with reduced lot standards to enable the development of affordable housing.

A. The following uses are permitted in the VMDR District:

(11) Day-care centers and nursery schools for no more than 2050 children, subject to the provisions of § 315-47 and site plan review.

**§ 315-21. Town Center District (TCD).**

B. The following uses are permitted in the TCD:

(12) Day-care centers and nursery schools for no more than 2050 children, subject to the provisions of § 315-47 and site plan review.

# ITEM

## 21-073

To hold a Public Hearing to consider and act on approval of annual  
Victualer's Licenses for non-profit organizations for the period of  
July 1, 2021 – June 30, 2022





# MEMORANDUM

Town of Cumberland, Maine  
290 Tuttle Road  
Cumberland, ME 04021  
Telephone (207) 829-5559 • Fax (207) 829-2214

**To:** William Shane, Town Manager  
**From:** Tamara O'Donnell, Town Clerk  
**Date:** June 23, 2021  
**Re:** 2021-2022 Temporary Victular's Licenses

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I have included the 2021-2022 list of Temporary Victular's License applicants with this memo. These are applications that we review on an annual basis for our volunteer organizations. Thank you.

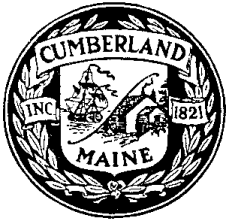
## FY 2021-2022 TEMPORARY NON-PROFIT VICTULAR'S LICENSES

BUSINESS		ADDRESS	TOWN	STATE
<u>Non-Profits:</u>				
Cumberland/No. Yarmouth Lions Club	Marilyn Matthews	P.O. Box 24	Cumberland	ME
Cumberland Soccer Club	Brett Austin-CoryCrocker	P.O. Box 352	Cumberland	ME
Greely Football Boosters	C/O Steve Cary	21 Mill Ridge Road	Cumberland	ME
Suburban Little League	C/O Heath MacArthur	9 Shady Run Lane	Cumberland	ME
West Cumberland United Methodist Church	C/O Carol Myers	268 Gray Road	Cumberland	ME
4-H (William Stiles)	Pat Stack	226 Range Road	Cumberland	ME
Tuttle Road Methodist Church	C/O Linda Brewster	52 Tuttle Road	Cumberland	ME
Cumberland Boys Lacrosse Boosters	C/O Jonathan Becker	66 Schooner Ridge Rd	Cumberland	Fsde. ME
Cumberland Girls Lacrosse Boosters	C/O Jonathan Becker	66 Schooner Ridge Rd	Cumberland	Fsde. ME
Cumberland Congregational Church	C/O Brenda Novak	282 Main Street P.O. Box 247	Cumberland	Me

# ITEM 21-074

Town Council Committee assignments





# Memorandum

Town of Cumberland  
290 Tuttle Road  
Cumberland, ME 04021  
Phone 829-2205 • Fax 829-2224

**To:** Town Council  
**From:** Brenda Moore  
**Date:** June 28, 2021  
**Re:** 2021-2022 Council Assignment

## AD HOC COMMITTEES:

Aging In Place Committee	<u>Councilors Foster and Gruber</u>
Board of Appeals	<u>Councilor Foster</u>
Coastal Waters Commission	<u>Councilors Gruber, Segrist and Vail</u>
Historical Society Building Committee	<u>Councilors Gruber and Vail</u>
Housing Authority	<u>Councilor Gruber and Vail</u>
Lands & Conservation Commission	<u>Councilors Foster, Gruber and Segrist</u>
Planning Board	<u>Councilor Gruber and Vail</u>
Prince Memorial Library Advisory Board	<u>Councilor Storey-King</u>
Recreation/Community Education Advisory Board	<u>Councilor Storey-King</u>
Shellfish Conservation Commission	<u>Councilor Gruber</u>

## COUNCIL COMMITTEES:

Board/Committee Nominating Committee	<u>Councilor Copp, Gruber, and Segrist</u>
Senior Property Tax Committee	<u>Councilors Copp, Foster and Storey-King</u>
Cumberland/No. Yarmouth Joint Standing Comm.	<u>Councilors Edes, Foster and Storey-King</u>
Falmouth/Cumberland Chamber of Commerce	<u>Councilor Vail, Alternate, Councilor Segrist</u>
Finance Committee	<u>Councilors Foster, Gruber, Segrist and Vail</u>
Ordinance Committee	<u>Councilors Edes, Storey-King, and Vail</u>
TIF Committee	<u>Councilors Copp, Gruber, Segrist</u>
ECOMAINE (RWS)	<u>Manager Shane</u>
ECOMAINE – Alternate	<u>Assistant Manager Bolduc</u>
Greater Portland Council of Government	<u>Councilor Storey-King and Vail</u>
PACTS Policy Committee	<u>Manager Shane</u>
PACTS Policy Committee – Alternate	<u>Councilor Gruber</u>

# BUDGET REPORT

# Revenues

06/24/2021  
09:16:27

## TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1  
glactrpt

FOR PERIOD 13 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	-2,342,492.09	-1,735,000.00
0011 0304 Boat Excise Tax	-18,402.19	-16,043.70	-16,697.40	-19,649.59	-14,000.00
0011 0324 Change in Deferred Taxes	66,128.74	21,911.96	-34,883.00	.00	.00
0011 0325 Supplemental Taxes	.00	.00	-38,940.00	-14,315.72	.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	-2,128,559.51	-2,216,924.76	-2,210,113.47	-2,437,211.09	-1,828,000.00
0012 License & Permit Revenues					
<hr/>					
0012 0311 Hunting/Fishing Lic Agent Fees	-488.50	-481.25	-320.75	-385.00	-541.00
0012 0312 Marriage Lic & Vital Records	-2,090.60	-2,503.80	-2,119.20	-2,496.60	-2,436.00
0012 0313 Birth Certificates	-1,667.20	-1,491.40	-1,398.60	-1,444.80	-1,361.00
0012 0314 Death Certificates	-1,391.00	-1,994.00	-1,344.20	-1,573.20	-1,713.00
0012 0315 Clerk Licenses	-4,615.00	-5,170.00	-1,810.00	-2,040.00	-4,608.00
0012 0316 Shellfish Licenses	-593.85	-662.95	-679.61	-975.97	.00
0012 0317 Conservation Fees	-146.15	-177.05	-150.39	-254.03	.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	-34,293.00	-21,406.00
0012 0362 Boat Reg. Agent Fees	-706.00	-681.00	-529.50	-720.00	-1,098.00
0012 0366 Building Permits	-68,660.01	-74,055.25	-75,552.82	-130,235.86	-75,000.00
0012 0367 Electrical Permits	-25,610.10	-22,440.55	-19,894.35	-32,886.41	-21,634.00
0012 0368 Plumbing Permits	-18,252.50	-15,056.00	-15,457.50	-26,668.75	-18,789.00
0012 0369 Other Permits	-1,000.00	-976.00	-586.00	-609.00	-1,751.00
0012 0383 ATV Reg. Agent Fees	-94.00	-122.00	-99.00	-139.00	-37.00
0012 0390 Misc. Revenue	.00	-1,350.00	-1,900.00	-2,250.00	.00
0012 0398 Application Fee	-1,450.00	-4,150.00	-1,550.00	-1,550.00	-1,300.00
0012 0401 Dog Reg. Clerk Fees	-1,999.00	-937.00	-839.00	-705.00	-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	-239,894.62	-154,974.00
0013 Intergovernmental Revenues					
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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 13 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	-18,184.00	-18,184.00
0013 0342 North Yarmouth Library Share	-155,424.00	-160,072.00	-169,360.92	-183,393.00	-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	-1,169,225.02	-773,057.00
0015 Other Revenues					
0015 0305 Interest & Penalties	-24,351.71	-31,902.49	-46,433.49	-29,292.11	-30,000.00
0015 0306 Over/Short	1,207.02	-442.16	-1,791.40	356.32	-100.00
0015 0364 Growth Permits	-3,000.00	-2,400.00	-2,600.00	-3,400.00	-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	-33,594.26	-25,000.00
0015 0399 Staff Review Fee	-23,332.50	-11,250.00	-9,725.00	-11,450.00	-14,117.00
0015 0403 Mooring Fees	-4,100.13	-4,387.92	-7,706.00	-6,602.00	-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	-97,669.60	-60,000.00
TOTAL Other Revenues	-147,211.54	-171,568.76	-172,205.72	-182,151.65	-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	-1,060.00	-2,000.00
0021 0353 Police Insurance Reports	-562.00	-446.00	-430.00	-440.00	-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	-1,541.00	-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	-3,172.38	-2,200.00
TOTAL Police Related Revenues	-58,073.71	-58,231.57	-21,771.47	-7,415.68	-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 13 OF 2021

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
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0022 0504 Rescue Billing	-166,729.49	-180,580.79	-178,854.64	-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	-174,344.55	-180,580.79	-180,261.90	-121,431.32	-160,000.00
 0031 Public Services Revenues					
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0031 0390 Misc. Revenue	-615.00	-23,706.60	-26,626.07	-25,775.57	-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	-311,753.65	-314,056.35	-365,367.50	-266,112.50	-295,015.00
0031 0539 Brush Passes	-10,200.00	-10,730.00	-6,541.00	-25,668.00	-8,277.00
0031 0617 Twin Brooks Donations	-143.00	.00	-100.00	-1,885.00	-92.00
TOTAL Public Services Revenues	-332,486.05	-356,136.75	-402,666.37	-319,441.07	-328,884.00
 0035 VH Other Revenues					
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0035 0329 Payment in Lieu of Taxes	-3,000.00	.00	-4,000.00	.00	-6,000.00
0035 0378 Soda Sales	-2,860.30	-2,604.60	-2,141.80	-3,400.89	-2,500.00
0035 0560 Rental Income	-25,091.49	-23,151.91	-6,750.00	-7,500.00	-14,000.00
0035 0565 Cell Tower Land Lease	-21,600.00	-21,600.00	-21,600.00	-23,760.00	-21,600.00
TOTAL VH Other Revenues	-52,551.79	-47,356.51	-34,491.80	-34,660.89	-44,100.00
 0037 VH Golf Revenues					
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0037 0306 Over/Short	-5.43	250.38	506.73	458.36	.00
0037 0357 Golf Memberships	-223,335.69	-220,646.15	-214,046.93	-329,639.80	-230,000.00
0037 0358 Greens Fees	-131,917.19	-132,082.98	-148,690.19	-225,664.25	-120,000.00
0037 0359 Golf Cart Rentals	-93,134.10	-76,800.09	-85,424.93	-127,224.44	-82,000.00
0037 0416 Practice Range	-9,798.00	-5,281.75	-2,263.25	-9,117.97	-7,000.00
0037 0417 VH Program Revenues	-78,586.57	-69,027.70	-60,589.00	-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	-47,529.00	-46,430.00
0037 0617 Donations Received	-845.00	.00	.00	.00	.00

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TOWN OF CUMBERLAND  
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FOR PERIOD 13 OF 2021

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
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TOTAL VH Golf Revenues	-598,009.98	-569,945.22	-583,494.57	-834,745.73	-573,645.00
0041 Recreation Related Revenues					
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0041 0440 41100 After School Programs	-304,583.25	-315,864.87	-201,863.50	-319,146.50	-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	-16,083.50	-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	-30,108.43	-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	-14,890.00	-30,000.00
0041 0447 41170 Adult Fitness Revenue	-62,142.14	-61,279.49	-47,140.20	-35,401.00	-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	-640,262.63	-511,798.50	-929,770.00
0045 Library Related Revenues					
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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	-711.25	-1,000.00
TOTAL Library Related Revenues	-4,568.16	-4,420.73	-4,172.42	-1,458.94	-4,500.00
TOTAL General Fund	-5,370,011.62	-5,516,656.99	-5,383,038.47	-5,859,434.51	-4,937,295.00
TOTAL REVENUES	-5,370,011.62	-5,516,656.99	-5,383,038.47	-5,859,434.51	-4,937,295.00
GRAND TOTAL	-5,370,011.62	-5,516,656.99	-5,383,038.47	-5,859,434.51	-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	556,475.46	616,244.00
140 Assessor	95,385.43	109,157.82	105,860.04	107,173.09	112,471.00
150 Town Clerk	214,723.00	246,662.88	267,629.17	233,651.47	275,187.00
160 Technology	212,556.07	210,954.94	261,838.87	315,078.45	212,517.00
165 Elections	13,976.40	10,827.72	17,016.37	12,624.70	14,241.00
170 Planning	62,423.48	63,159.04	60,567.46	59,396.42	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	1,345,881.96	1,472,754.00
220 Fire	910,153.34	943,893.75	996,511.61	965,152.22	1,070,962.00
240 Code Enforcement	136,336.13	142,020.09	137,167.04	147,192.87	143,113.00
250 Harbor Master	6,058.23	5,745.97	14,676.21	16,933.73	25,226.00
260 Animal Control	32,632.30	30,710.58	37,689.25	12,204.76	35,412.00
310 Public Works	1,169,641.28	1,128,220.95	1,121,686.32	1,087,768.55	1,269,713.00
320 Waste Disposal	505,919.34	524,667.39	578,593.25	552,452.92	592,696.00
350 Valhalla-Club	36,267.41	35,775.72	23,564.78	24,666.87	27,231.00
360 Valhalla-Course	470,687.73	484,837.81	533,010.20	550,172.84	515,427.00
370 Valhalla-Pro Shop	232,683.07	269,057.44	209,943.32	206,695.37	238,467.00
410 Recreation	993,842.74	1,088,124.62	988,397.66	715,206.09	914,018.00
420 Aging in Place	185.50	24,793.90	68,754.10	67,783.60	85,105.00
430 Parks	298,141.16	313,321.36	297,779.43	331,304.90	318,355.00
440 West Cumberland Rec	6,294.36	6,184.03	5,965.28	4,859.52	8,204.00
450 Library	449,610.27	491,453.33	506,691.03	492,895.56	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	21,545.75	35,000.00
590 Health Services	13,875.30	13,875.30	17,726.25	1,192.40	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	334,193.23	277,823.00
800 Fire Hydrants	76,381.42	80,355.12	82,011.56	77,091.12	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	59,298.49	100,000.00
840 Municipal Building	102,005.57	102,248.17	92,836.39	99,274.77	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	9,702,196.86	10,438,509.00
TOTAL EXPENSES	9,462,375.20	9,748,945.84	10,000,152.75	9,702,196.86	10,438,509.00
GRAND TOTAL	9,462,375.20	9,748,945.84	10,000,152.75	9,702,196.86	10,438,509.00