

## **AGENDA**

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, February 14, 2022**

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

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

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

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

January 24, 2022

### **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**

**22 – 011.** To hear a report from MSAD 51 Superintendent, Jeff Porter re: new school building plan.

**22 – 012.** To hold a Public Hearing to amend Chapter 86 (Medical Marijuana Registered Caregiver Licensing), Section 86-4 (Applicability and effect) of the Cumberland Code.

**22 – 013.** To hold a Public Hearing to consider and act on a Farm Based Special Events License renewal for Joanne Fryer of Mowfield Farm, LLC.

**22 – 014.** To accept a donation from the Foreside Garden Club to be used for the Butterfly

Garden, as recommended by the Lands & Conservation Commission.

**22 – 015.** To set a Public Hearing date of February 28<sup>th</sup> to consider and act on a liquor license renewal for Rachel's on the Green.

**22 – 016.** To hear a presentation from the Town Manager re: FY2023 Municipal Budget.

## **VI. NEW BUSINESS**

Budget review workshops:

- Tuesday, March 1<sup>st</sup> at 6:00 p.m.
- Monday, March 7<sup>th</sup> at 6:00 p.m.
- Monday, March 14<sup>th</sup> at 6:00 p.m.
- Monday, March 21<sup>st</sup> at 6:00 p.m.
- Monday, March 28<sup>th</sup> at 6:00 p.m.
- Saturday, April 2<sup>nd</sup> at 8:00 a.m.

## **VII. BUDGET REPORT**

## **VIII. ADJOURNMENT**

# MINUTES

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, January 24, 2022**

**6:00 P.M. WORKSHOP re: Community Survey**

## **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 Gruber, seconded by Councilor Foster, to accept the January 10, 2022 meeting minutes as presented.

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

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

Covid cases throughout Town Departments seem to have subsided. During the last snowstorm, 1/3 of our snowplow operators were out sick. Thank you to Geoff Michalak and our School Department for stepping up and assisting us with plowing and keeping our roads safe.

Thank you to Nick Knight who emailed me some information on lowering our use of road salt. We have been in contact with our salt companies and will be considering the use of an alternative product next winter.

I am considering moving the February 28<sup>th</sup> Town Council meeting scheduled to be held in West Cumberland to a non-Council meeting night in March, in order to give us a little more time to get out of this latest Covid wave. I will broadcast the presentation about a commercial redevelopment plan along Route 100 from Old Gray Road to Mill Road and share a draft vision which has been seen by our TIF Committee. Then we can do a mini overview in March at the Community Hall to get some local input about the idea.

The budget is coming together well. I expect to have our first meeting on February 28<sup>th</sup> with a preview on Feb 14<sup>th</sup> when the FY'23 budget books are distributed to the Town Council.

We get our Assistant Town Manager back the end of this month. He has been on loan to the Town of North Yarmouth since August. Their new manager, Diane Barnes, will begin January 31<sup>st</sup>.

We will need to hold an Executive Session at the end of this meeting to discuss a real estate matter.

### **III. PUBLIC DISCUSSION**

No public discussion

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

##### **22 – 006 To hold a Public Hearing to consider and act on the adoption of Chapter 86 (Medical Marijuana Registered Caregiver Licensing) to the Cumberland Code, as recommended by the Ordinance Committee.**

Councilor Storey-King explained that this is our 3<sup>rd</sup> Public Hearing on this item. At the last meeting, the licensing fee was discussed, and it was decided to lower the fee to \$2,000 with a \$1,000 renewal fee. The Town Attorney is here this evening to answer any questions. She thanked the Licensed Caregivers who attended our meetings for their assistance with this ordinance.

Chairman Vail said that there will be a 90-day period for those caregivers operating in our Town to come in and fill out an application. Then Town staff will review it and make a recommendation to the Town Council for licensing approval.

Chairman Vail opened the Public Hearing.

No public comment.

Chairman Vail closed the Public Hearing.

Councilor Edes said that he would like to see the fee reduced for a short period of time in order to incentivize people to come forward and get their business licensed. He recommended 30 days.

Town Attorney, Ben McCall, said that there is nothing that prohibits the Town from reducing the fee for 30 days, but we want to be clear in the language about exactly what is allowed and why.

Motion by Councilor Storey-King, seconded by Councilor Foster, to adopt Chapter 86 (Medical Marijuana Registered Caregiver Licensing) to the Cumberland Code, as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

Motion by Councilor Edes, seconded by Councilor Gruber, to incentivize that the fee for the first 30 days will be reduced to \$1,000.00.

VOTE: 7-0 UNANIMOUS

##### **22 – 007 To hold a Public Hearing to consider and act on amendments to the Official Cumberland Overlay Zoning Map to eliminate the Medical Caregiver Overlay Zone from the Village Center Commercial District, as recommended by the Planning Board.**

Town Manager Shane said that the Planning Board voted unanimously to eliminate the Medical Caregiver Overlay Zone from the Village Center Commercial District. The overlay district will remain in the Highway Commercial and the Office Commercial South Zones. The 3 business that are currently licensed in the Village Center Commercial Zone will be grandfathered and allowed to continue to operate.

Councilor Copp asked what if one of the grandfathered businesses wants to sell their business in 5 years? Can a Medical Caregiver sell their business to another Medical Caregiver, and would the new owner be able to operate the business?

The Town Attorney said that if a current licensee (in the Village Center Commercial Zone) sells their business to another person, that person would have to apply for a new license. It is a separate question of what is allowed in regard to land use and he has to review the ordinance in order to determine what the correct answer is. One section

of the licensing ordinance talks about properties and whether they are located inside or outside of the overlay district. As it was drafted, the intent was to only allow licensed premises to exist inside the overlay district, unless they existed before the overlay district was established in 2018. He has to look at our land use ordinance and determine whether a non-conforming use can be transferred from owner to owner.

Town Manager Shane said that Ben will get the answer to the question and we may have to amend the ordinance slightly, depending on what he finds.

Chairman Vail opened the Public Hearing.

Adam Copp of 210 Gray Road said that he does not agree with creating the overlay zone, then taking it away after he built a building for a specific use. His business is in his wife's name. What if something happens to her? He doesn't have a business license in his name.

Town Manager Shane said that if Mr. Copp stopped operating as a caregiver and sold his property, he would have up to 2 years to have another caregiver take over the business. They would get a license from the Town, and they could operate in that same location as long as it's in with in the 2-year period. This is what the Town Attorney is going to research and make sure it gets added to the ordinance.

Chairman Vail closed the Public Hearing.

Motion by Councilor Copp seconded by Councilor Gruber, to amend the Official Cumberland Overlay Zoning Map to eliminate the Medical Caregiver Overlay Zone from the Village Center Commercial District, as recommended by the Planning Board.

VOTE: 7-0                      UNANIMOUS

**22 – 008    To repeal and rescind the Town of Cumberland Extension of Moratorium Ordinance Regarding Medical Marijuana Caregiver Uses that was adopted by the Town Council on January 10, 2022.**

No public discussion.

Motion by Councilor Copp, seconded by Councilor Edes, to repeal and rescind the Town of Cumberland Extension of Moratorium Ordinance Regarding Medical Marijuana Caregiver Uses that was adopted by the Town Council on January 10, 2022.

VOTE: 7-0                      UNANIMOUS

**22 – 009    To forward to the Planning Board for a Public Hearing and recommendation, a Contract Zone Agreement for The Grange at Longwoods.**

Town Manager Shane said that we are excited to move this project on to the next step in the process, which is to forward it to the Planning Board for a recommendation.

Chairman Vail asked for any public comment.

Chris Cabot, Executive Director of the Chebeague and Cumberland Trust, thanked the Town for the time that was put into this project and allowing them the time necessary to go through their process with the conservation easements. They are excited about this project and are working with Maine Farmland Trust on some fundraising.

Motion by Councilor Segrist, seconded by Councilor Storey-King, to forward to the Planning Board for a Public Hearing and recommendation, a Contract Zone Agreement with Synergosity, LLC for The Grange at Longwoods.  
VOTE: 7-0 UNANIMOUS

**22 – 010 Discussion (and possible action) re: Community Survey.**

Chairman Vail explained that the Council held a workshop earlier this evening to discuss a Town wide survey. We are looking for a broad stroke response from the community. The survey replicates what we did in the last Comprehensive Plan survey, and it is intended to give the Town Council some direction.

Motion by Councilor Copp, seconded by Councilor Segrist, to accept the Community Survey as presented, and to authorize the collection of data as recommended by the Communications Committee.

VOTE: 6-1 (Storey-King opposed) MOTION PASSES

**V. NEW BUSINESS**

**Councilor Segrist** – at the last Council meeting, we very briefly talked about the development of a Senior Property Tax Deferral Pilot Program. It has been forwarded to the Town Attorney for review and the development of some ordinance language that we can hopefully review soon. Thank you to the Town Attorney and Town Staff for all their work on this.

**Councilor Storey-King** – since our last meeting, she has attended 2 meetings in regard to the library. One was with a small group of people who are tasked to present to the Council what has been going on at the library. They will present at one of the February Council meetings.

She voted against the community survey. One of her reasons for doing so is because she feels that the survey is an opportunity for the entire Town to give feedback on plans for the library and its future expansion. The Library Advisory Committee will be coming to the Council in February to tell us all about the changes at the library.

**Councilor Gruber** – the Planning Board has a new Chairman. Jason Record will replace Paul Auclair as Chairman. Paul did a great job as Chairman, thank you Paul!

Thank you to the Food Pantry volunteers. They are all remarkable.

**Chairman Vail** – he and the Town Manager met with the President of the Farmer's Club last week. We have been invited to meet with the entire Farmer's Club Board to discuss ways to provide food security for the community. He hopes to be able to report back some positive news.

We received a nice letter from a user of Twin Brooks. It's pleasing to hear from people who have appreciation for what that facility has to offer. If you look at all the facilities that we have in our Town, they are used a lot and they are investments that have paid dividends.

**Councilor Foster** – back in November, when we came together with municipal leaders from North Yarmouth and MSAD 51, one of the takeaways was to host some coffee chats to engage the community in how they can become community leaders. We've all collectively seen a lot of uncontested races, and that puts those leaders in a position where they may be ready to pass the baton, but not knowing who to pass the baton to. We are going to be doing a series at the library with different themes every week to talk about who can run for elected office, how to run, and serving on committees. More information will be advertised very soon in the Crier.

**Councilor Edes** – no new business.

**Councilor Copp** – he was absent at the last Council meeting. One of his employees tested positive for COVID and he felt that it wasn't safe to attend the meeting. He hopes that everybody takes COVID seriously. He lost a close friend to it last week. He is 62 years old and healthy. He was just reaching the point in his life where he should be able to enjoy himself and was robbed of that privilege. It's very sad.

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

Motion by Councilor Segrist, seconded by Councilor Gruber, to recess to Executive Session pursuant to 1 M.R.S.A. § 405(6)(C) re: real property.

VOTE: 7-0 UNANIMOUS

TIME: 8:22 P.M.

Reconvene to regular session at 8:44 P.M.

**VII. ADJOURNMENT**

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

VOTE: 7-0 UNANIMOUS

TIME: 8:44 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary

# ITEM

# 22-012

To hold a Public Hearing to amend Chapter 86 (Medical Marijuana Registered Caregiver Licensing), Section 86-4 (Applicability and effect) of the Cumberland Code



# DRAFT

## Chapter 86

### Medical Marijuana

### Registered Caregiver Licensing

#### § 86-1 Title.

This Chapter shall be known and may be cited as "Medical Marijuana Registered Caregiver Licensing."

#### § 86-2 Purpose; authority; interpretation.

The purpose of this Chapter is to provide for and regulate the issuance of local licenses for Registered Caregivers in the Town of Cumberland. Such licensing shall provide for annual review of and reasonable control over Registered Caregivers' operations and to ensure that life safety and nuisance concerns are properly addressed.

This Chapter is adopted pursuant to the Town of Cumberland's home rule authority, under Art. VIII, Part Second of the Maine Constitution, and 30-A M.R.S. § 3001. This Chapter is also adopted consistent with the Town's statutory authority pursuant to 22 M.R.S. § 2429-D, as may be amended or recodified.

This Chapter does not authorize the operation of adult-use "marijuana establishments" as that term is defined in 28-B M.R.S. § 102(29), as may be amended or recodified. In addition, this Chapter does not authorize the operation of medical marijuana "caregiver retail stores," medical marijuana "manufacturing facilities," medical "marijuana testing facilities," or medical marijuana "registered dispensaries," as those terms are defined in 22 M.R.S. §§ 2422(1-F), 2422(4-R), 2422(5-C), and 2422(6), respectively, as may be amended or recodified.

This Chapter does not, and shall not be interpreted to limit the rights and privileges afforded by the Maine Medical Use of Marijuana Act, 22 M.R.S. § 2421, et seq.

#### § 86-3 Definitions.

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

**Cardholder:** A "cardholder," as that term is defined in 22 M.R.S. § 2422(1), as may be amended or recodified.

**Disqualifying Drug Offense:** A "disqualifying drug offense," as that term is defined in 22 M.R.S. § 2422(4), as may be amended or recodified.

**Licensed Premises.** The parcel of property, *i.e.*, a Lot on the Tax Maps of the Town of

Cumberland, where a Registered Caregiver is licensed to operate, consistent with a Registered Caregiver License issued by the Town Council under this Chapter.

**Medical Marijuana:** Marijuana possessed or used by a Qualifying Patient for medical use, in accordance with 22 M.R.S. § 2423-A, as may be amended or recodified. For the avoidance of doubt, “medical marijuana” does not refer to marijuana possessed or used by an individual of at least 21 years of age for recreational purposes, as more particularly defined and permitted by Title 28-B of the Maine Revised Statutes, as may be amended or recodified.

**Qualifying Patient:** A “qualifying patient,” as defined in 22 M.R.S. § 2422(9), as may be amended or recodified.

**Registered Caregiver:** A “registered caregiver,” as defined in 22 M.R.S. § 2422(11), as may be amended or recodified, that is required to register with the State of Maine Office of Marijuana Policy pursuant to 22 M.R.S. § 2425-A. For the avoidance of doubt, a “Registered Caregiver” does not include those categories of caregiver expressly exempted from state registration requirements, as more specifically listed in 22 M.R.S. § 2423-A(3)(C)(1) – (3), as may be amended or recodified.

**Registered Caregiver Cultivation Area:** An indoor area enclosed by four (4) walls and a permanent roof, including but not limited to a greenhouse, used by a Registered Caregiver for cultivation of medical marijuana that is enclosed and equipped with locks or other security devices that permits access only by a person authorized to have access to the area under Maine law. For the avoidance of doubt, the cultivation of marijuana outside of an enclosed, roofed space, is expressly prohibited.

#### **§ 86-4 Applicability and effect.**

**A.** No Registered Caregiver may operate within the Town of Cumberland in a physical location that is not within the Registered Caregiver Overlay District, as established and defined in § 315-28.5 of the Town of Cumberland Code of Ordinances, unless: (i) that Registered Caregiver was legally existing and operating in that physical location prior to November 26, 2018 and has not materially expanded their operation since that date, or (ii) that Registered Caregiver was legally existing and operating in a physical location within the Village Center Commercial Zone, as is more specifically shown on the Official Zoning Map of the Town of Cumberland, prior to January 24, 2022, and has not materially expanded operation since that date.

**B.** Regardless of its physical location, beginning on the effective date of this Chapter, no Registered Caregiver may operate within the Town of Cumberland without first receiving a Registered Caregiver License from the Town Council in a manner consistent with the procedures and requirements of this Chapter.

#### **§ 86-5 Effective date; initial licensing application deadline.**

This Chapter shall be effective upon adoption by the Town Council. All Registered Caregivers operating within the Town of Cumberland on the Effective Date shall submit licensing applications to the Town Clerk within ninety (90) days of the Effective Date. Failure to do so shall subject a Registered Caregiver to enforcement action, and potential civil penalties, as detailed in § 86-12 of

this Chapter.

**§ 86-6 License required; application procedure.**

**A.** The operation or performance of conduct consistent with a Registered Caregiver without first receiving a Registered Caregiver License from the Town Council shall be considered a violation of this Chapter, subjecting the violating party to civil fines and other penalties as further outlined herein.

**B.** The Town Council shall be empowered to issue licenses to individuals to operate as Registered Caregivers in the Town of Cumberland. Registered Caregiver Licenses issued under this Chapter shall be reviewed and approved, approved with conditions, or denied at a Town Council meeting to be held following public notice and public hearing.

**C.** Each applicant for a new or renewal Registered Caregiver License shall complete and file an application on a form prescribed by the Town Council. Applications for new Registered Caregiver Licenses shall be accompanied by a Two Thousand Dollar (\$2,000) non-refundable application fee. Applications for renewal of previously-granted Registered Caregiver Licenses shall be accompanied by a One Thousand Dollar (\$1,000) non-refundable application fee. Such applications shall contain the following:

- (1) Evidence of state registration and other approvals (if any) required to operate as a Registered Caregiver, including but not limited to the Registered Caregiver's caregiver registration card issued by the Maine Office of Marijuana Policy.
- (2) A description of the form of ownership of the business enterprise together with the attested copies of any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of association that govern the entity that will own and/or operate the Registered Caregiver operation.
- (3) An affidavit that identifies all owners, officers, members, managers, or partners of the applicant, their ownership interests and their places of residence at the time of the application and for the immediately preceding three (3) years.
- (4) Evidence of all land use approvals or conditional land use approvals required to operate a Registered Caregiver pursuant to the Town of Cumberland Code of Ordinances, including but not limited to, a building permit, a site plan approval, and/or a certificate of occupancy.
- (5) If the proposed Licensed Premises is not owned by the applicant, then a signed letter of approval from the proposed Licensed Premises' owner shall be provided.
- (6) A detailed depiction of the proposed Licensed Premises.
- (7) All other information necessary for the Applicant to demonstrate compliance with all performance standards imposed by § 86-8 of this Chapter, including but not limited to documentation and other supporting information regarding: (i) access to the proposed

Licensed Premises, (ii) safety and security of the proposed Licensed Premises, (iii) a ventilation plan for the proposed Licensed Premises, (iv) a waste disposal plan for the Licensed Premises, (v) certificates of insurance demonstrating coverage and terms consistent with the requirements of this Chapter, and (vi) an operations plan for the proposed Licensed Premises.

**D.** Registered Caregiver License applicants submitting applications and supporting information that is confidential under 22 M.R.S. § 2425-A(12), as may be amended or recodified, and the Maine Freedom of Access Act, 1 M.R.S. § 403(3)(F), as may be amended, shall mark such information as confidential. An individual who possesses a valid State medical marijuana registered caregiver registration card need not identify themselves in an application for a Registered Caregiver License under this Chapter. The Cardholder must, however, identify themselves and provide all relevant application materials to the Town Clerk for examination, but the identity of the Cardholder shall not be a public record and the Town shall not share the identity of the Cardholder, except as necessary by law in the performance of the Town's official functions. At the time that the application is submitted, the Cardholder may appoint a representative to appear before the Town Council on their behalf. Advertisements for the requisite public hearing shall contain the location of the proposed Licensed Premises and the identity of the owner of the real estate and the identity of the designated representative.

**E.** The Town Council may only issue one (1) Registered Caregiver License to a single business, individual, or owner. For purposes of this restriction, a "business" or "owner" shall include a separate business entity where the majority of ownership interests are held by the same individual(s) or entity/entities.

#### **§ 86-7 Public hearing; granting license; term; renewal.**

**A.** The Town Council shall hold a public hearing within sixty (60) days of receipt of a completed licensing application, as determined by the Town Clerk. At such a public hearing, the testimony of the applicant and that of any interested members of the public shall be taken.

**B.** Property owners whose property lines are within 500 feet of the proposed Licensed Premises shall be notified in writing by the Town of the public hearing for the initial licensing application and all subsequent licensing renewals sought.

**C.** Following a public hearing, the Town Council shall consider the application and determine whether the application is consistent with all provisions of this Chapter, as well as all other applicable portions of the Town of Cumberland Code of Ordinances. In line with this determination, applications for licensure shall be granted, granted with conditions, or denied by the Town Council. Conditions may be imposed on any Registered Caregiver License issued pursuant to this Chapter as necessary to protect the health, safety, and welfare of the public and to achieve the goals and objectives of this Chapter.

**D.** A Registered Caregiver License shall be valid for a period of one (1) year from date of issuance and must be renewed annually.

**E.** Applications for renewal of existing Registered Caregiver Licenses shall include all materials required by § 86-6(C) of this Chapter, and shall be processed in the same manner as initial licenses

and shall be subject to all provisions of this Chapter. Applications for the renewal of a Registered Caregiver License shall be submitted to the Town Clerk at least sixty (60) days prior to the expiration of the existing license and shall be considered by the Town Council in the manner prescribed for initial license applications in this Section. In considering applications for renewal of existing Registered Caregiver Licenses, the Town Council shall also consider any and all fire, EMS, and/or police reports, as well as all code enforcement complaints and notices of violation (if any), related to the Licensed Premises created during the previous licensing term.

#### **§ 86-8 License performance standards.**

No Registered Caregiver License may be granted or renewed by the Town Council and no Registered Caregiver may operate, even after issuance of a Registered Caregiver License, except in compliance with the performance standards contained in this Section. Such performance standards shall automatically be incorporated into all Registered Caregiver Licenses granted by the Town Council as conditions of approval:

- A.** Access. Convenient and safe access for the ingress and egress of pedestrian and vehicular traffic exists.
- B.** Traffic. The establishment of a Registered Caregiver operation will not create an unreasonable increase in the frequency or intensity of vehicle traffic in proximity to the Licensed Premises.
- C.** Location. No Registered Caregiver may operate in a location that is less than 500 feet from the property line of a pre-existing public or private school serving grades Pre-K through 12<sup>th</sup> grade, or a day care center licensed by the State of Maine.
- D.** Safety.
  - (1)** Where an electrical system is installed within the Licensed Premises, it shall be installed and maintained in accordance with the provisions of the applicable state standards and regulations and the Town's electrical codes.
  - (2)** The Licensed Premises shall be maintained and used in a manner as to prevent fire and in accordance with the applicable local fire prevention regulations.
  - (3)** Internal and external foot traffic and security control shall meet requirements of the applicable state and local law enforcement agencies.
  - (4)** The Town of Cumberland Police and Fire Departments have determined that adequate public safety protection equipment is available to provide service to the Licensed Premises.
- E.** Noise. No amplification of sound shall occur on or from the Licensed Premises as measured by a sound-level meter and frequency-weighting network (manufactured according the standards prescribed by the American National Standards Institute), inherently and recurrently generated, shall not exceed a maximum of 60 decibels, as detected at any lot line of the Licensed

Premises.

**F.** Number of plants; Location of Cultivation Area. A Licensee may not possess or cultivate more than thirty (30) mature marijuana plants, or 500 square feet of plant canopy, and sixty (60) immature plants on a Licensed Premises. All marijuana must be cultivated in an indoor Registered Caregiver Cultivation Area, as that term is defined in this Chapter. No outdoor cultivation or storage of marijuana is allowed.

**G.** Marijuana cultivation by a Registered Caregiver is prohibited where any portion of the Licensed Premises lies within the Shoreland Zone.

**H.** Ventilation. All Registered Caregivers shall have an odor mitigation system installed within the Licensed Premises, the design of which has been approved by a Maine licensed engineer. The odor control system installed shall be sufficient to ensure that no odors will be perceptible from any adjoining property line of the Licensed Premises.

**I.** Waste disposal. Any marijuana waste generated on the Licensed Premises must be disposed of in a manner consistent with all rules established by the Maine Office of Marijuana Policy, as the same may be amended from time to time. The Licensed Premises shall not dispose of waste and/or residue from the growth, cultivation, processing, and storage of medical marijuana in an unsecured waste receptacle not in its possession and control.

**J.** Loitering. The Registered Caregiver shall make adequate provisions to prevent Qualifying Patients or other persons from loitering on the Licensed Premises. It shall be the Licensee's obligation to ensure that anyone found to be loitering or using marijuana or marijuana products in the parking lot or other outdoor areas of the Licensed Premises is ordered to leave.

**K.** Security. The Licensed Premises must meet the following security requirements:

(1) The Licensed Premises shall have lockable doors and windows and shall be served by an alarm system that includes both an audible alarm and a police department notification component. Said alarm systems must also be professionally monitored, and maintained in good working condition.

(2) The Licensed Premises shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four (24) hours per day, seven (7) days per week, and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.

**L.** Insurance; indemnification.

(1) Each Licensee shall procure and maintain occurrence-based commercial general liability insurance coverage in the minimum amount of \$1,000,000 per occurrence / \$2,000,000 aggregate for bodily injury, death, and property damage. Such coverage shall not include any bodily injury or property damage restrictions or exclusions associated with cultivation or sale of medical marijuana.

(2) Evidence of insurance required herein shall be a condition of the issuance of any Registered Caregiver License under this article, and shall be submitted to the Town as part of the applicant's license application. Certificates shall guarantee ten days' notice to the Town of termination of insurance or any material change from the insurance provider or agent. The Town's acceptance or lack of such evidence shall not be construed as a waiver of the applicant's obligation to obtain and maintain such insurance as required by this Chapter.

(3) By accepting a Registered Caregiver License from the Town, the Licensee knowingly and voluntarily waives, releases, and discharges the Town from all claims, causes of action and demands, both known and unknown, which it has ever had, or may have against the Town, officers, agents, employees, representatives, insurers, successors, and assigns for any injuries, damages or liabilities, resulting from the arrest, prosecution or other consequence of the Registered Caregiver or its parties of control for a violation of local, state or federal laws, rules or regulations.

**M.** Frequency of patient visits; hours of operation. If the Licensed Premises are not located within the Registered Caregiver Overlay District, as shown on the Town of Cumberland's Official Zoning Map and further defined in § 315-28.5 of the Town of Cumberland Code of Ordinances, a Registered Caregiver may not sell or dispense marijuana to more than five (5) Qualifying Patients in a 24-hour period and may only do so between the hours of 9 AM to 5 PM Monday through Friday.

**N.** Limit on Registered Caregiver Licenses Per Licensed Premises.

(1) No more than one (1) Registered Caregiver License may be granted for a Licensed Premises located outside of the Registered Caregiver Overlay District.

(2) No more than two (2) Registered Caregiver Licenses may be granted for each Licensed Premises located within the Registered Caregiver Overlay District.

For the avoidance of doubt, Registered Caregivers seeking to operate on the same Licensed Premises must each receive and maintain a separate Registered Caregiver License consistent with this Chapter.

**O.** No Caregiver Retail Stores. The Town of Cumberland does not allow medical marijuana "caregiver retail stores," as that term is defined in 22 M.R.S. § 2422(1-F), as may be amended. As such, Licensees shall not: (a) post regular business hours for the Licensed Premises on said Licensed Premises or in any advertising or marketing materials; (b) allow access to the Licensed Premises by members of the general public; (c) permit more than two (2) Qualifying Patients to enter the Licensed Premises for the purposes of purchasing or otherwise receiving medical marijuana at a time; (d) permit Qualifying Patients to enter the Licensed Premises without first having an appointment to do so; (e) sell goods or services other than Medical Marijuana, including but not limited to t-shirts, hats, mugs, or other such merchandise, directly to any Qualifying Patient; or (f) operate the Licensed Premises with any other attribute that is generally associated with retail stores.

**P.** Signs. All Licensees shall display a sign on the Licensed Premises to enable emergency responders to locate said Licensed Premises. Such signs may only contain the Licensee's business name or trade name and the street address of the Licensed Premises, both of which shall be displayed

in plain, non-stylized typeface. No additional content, including logos, are permitted. All such signs must receive a sign permit from the Code Enforcement Officer prior to installation or erection, and shall comply in all respects with § 315-63 of the Town of Cumberland Code of Ordinances.

### **§ 86-9 Inspections.**

A Licensee and its agents and employees shall, at any reasonable time, permit inspection of the Licensed Premises by the Town if necessary to ensure compliance with the provisions of this Chapter or any other applicable portion of local ordinance or state law.

### **§ 86-10 Decision on licensing application; revocation of license.**

**A.** Any applicant requesting a Registered Caregiver License from the Town Council shall be notified in writing of the Town Council's decision no more than fourteen (14) calendar days from the date of the Town Council's decision. In the event that a license application is denied, or is granted with conditions, the applicant shall be provided with the reasons for the denial or the conditional grant in writing. The applicant may not reapply within thirty (30) days after an application for a license that has been denied.

**B.** The Town Council may, after notice and hearing, suspend or revoke a Registered Caregiver License issued under this Chapter if the Licensee, or any of the Licensee's officers, members, directors, or partners:

- (1)** Fails to maintain compliance with all requirements of this Chapter, or with any applicable provision of state law or administrative regulation, including but not limited to 22 M.R.S. § 2421, *et seq.*, as may be amended or recodified;
- (2)** Has not acquired and maintained all necessary State of Maine and local approvals prior to and during the term of the License;
- (3)** Has been convicted of a Disqualifying Drug Offense;
- (4)** Has had a license issued under this Chapter, or any other applicable state or local approval revoked;
- (5)** Has provided false or misleading information in connection with the license application; or
- (6)** Has, after receiving written notice and demand, refused to allow the Licensed Premises to be inspected for compliance with this Chapter, or has otherwise interfered with a Town officer, official, or employee's performance of their official duties.

### **§ 86-11 Appeals.**

Any appeal of a decision of the Town Council to grant, grant with conditions, deny, suspend, or revoke a Registered Caregiver License pursuant to this Chapter, shall be to Maine Superior Court within thirty (30) days of the date of the decision, in a manner consistent with Rule 80B of the



Maine Rules of Civil Procedure.

**§ 86-12 Violations and penalties.**

The Town of Cumberland shall enforce this Chapter through its Code Enforcement Officer. In addition to revocation and/or suspension of a Registered Caregiver License as provided in this Chapter, any violations of this Chapter shall be subject to a minimum fine of \$100.00 per day and a maximum fine of \$2,500.00 per day, pursuant to 30-A M.R.S. § 4452. Each day that a violation remains constitutes a separate violation. The Town Council, or its authorized agent, is authorized to initiate legal proceedings in Maine District Court to enjoin the unlawful operation of a Registered Caregiver, as provided in this Chapter. If the Town is the prevailing party in such proceedings, the Town shall be entitled to recover its costs of enforcement, including its attorney's fees.

**§ 86-13 Waivers.**

The Town Council may, in its discretion, waive any of the requirements under § 86-6 of this Chapter if it finds the submittal of certain materials is unnecessary or irrelevant to the review of a particular Registered Caregiver License application.

**§ 86-14 Transfer of license.**

A Registered Caregiver License may not be assigned or transferred to another person or entity. Any change in ownership or change in officers of the licensee requires a new license. The new owners of any Registered Caregiver, as defined in this Chapter, shall apply to the Town Council for a new license prior to beginning operation. Registered Caregiver Licenses are limited to the premises for which they are issued and are not transferable to any other property. All Licensees who desire to relocate to a new location shall apply to the Town Council or its designee for a new license and if approved they shall relinquish their permit/license from the previous location.

**§ 86-15 Validity and severability.**

Should any section or provision of this Chapter be declared by any court of competent jurisdiction to be invalid, such decision shall not invalidate any other section or provision of this Chapter.

Chapter Originally Adopted January ~~—~~, 24, 2022

# ITEM

# 22-013

To hold a Public Hearing to consider and act on a Farm Based Special  
Events License renewal for Joanne Fryer of Mowfield Farm, LLC



# TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland, Maine 04021

Telephone (207) 829-5559 • Fax (207) 829-2214

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To: William Shane, Town Manager  
From: Tammy O'Donnell, Town Clerk  
Date: January 10, 2022  
Subject: Farm Based Special Events License

I would like to submit to you the paperwork for Mowfield Farm's annual renewal of their "Farm Based Special Events License". Mrs. Joanne Fryer has submitted the required documentation and paid her required fees. I have included a copy of the original Site Plan Notice of Decision and a copy of the list of abutters that were notified of the Public Hearing.

There are only three events that will be held this year on the premises:

July 30th from 4 - 10 p.m.

August 20th from 4 - 10 p.m.

September 4th from 4 - 10 p.m.



## FARM BASED SPECIAL EVENTS LICENSE

Chapter 81 of Town of Cumberland Code

### Application

Name: Joanne Fryer  
Address: 111 Bruce Hill Rd  
Email: ~~j.fryer@~~ joanne@joannofryer.com  
Telephone: (207) 829-8430  
PB Site Plan Approval Date: 2017-2018

### Submission Requirements

Please submit one paper copy and one electronic copy of your Site Plan (Planning Board Submission), Notice of Decision and Conditions of Approval along with this cover sheet.

### License Fee-\$50

License fee is to cover costs of Public Hearing Notices and advertisement to neighbors and abutters.

## **Notice of Decision**

**Date:** December 20, 2017

**To:** Joanne Fryer  
111 Bruce Hill Rd.  
Cumberland, ME 04021

**Re:** ***Public Hearing: Site Plan Review to allow for Farm Based Special Events, 111 Bruce Hill Road, Tax Map R05, Lot 42 A, Owner and Applicant: Joanne Fryer.***

This is to advise you that on December 19, 2017 the Planning Board held a public hearing for Site Plan Review to allow for Farm Based Special Events, 111 Bruce Hill Road, Tax Map R05, Lot 42 A, and voted to approve Site Plan Review to allow for Farm Based Special Events, 111 Bruce Hill Road, Tax Map R05, Lot 42 A, Owner and Applicant: Joanne Fryer subject to the Standard Condition of Approval and 4 Conditions of Approval.

**Findings of Fact:** See Below  
**Waivers granted:** None  
**Waivers Denied:** None

**Standard Condition of Approval:** This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted by the applicant. Any variation from the plans, proposals and supporting documents, except de minimis changes as so determined by the Town Planner which do not affect approval standards, is subject to review and approval of the Planning Board prior to implementation.

**Conditions of Approval:**

1. The applicant shall obtain a sign permit from the Town of Cumberland.
2. The applicant shall comply with all state and local fire regulations.
3. All fees shall be paid prior to the Town Council's issuance of the Farm Based Event License.
4. Any temporary outdoor storage of fuels, petroleum products or chemicals shall be limited to the needs of a single event and will be temporary in nature and in approved containers.

Cumberland Planning Board

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Stephen Moriarty, Board Chair

# TOWN OF CUMBERLAND

## Individual Permit

### Farm Based Specialty Events License (Approved by Town Clerk & Town Manager)

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 **\$250 Per Event (\$750 Max per year)**

Name of Applicant: Joanne Fryer

Address of Applicant: 111 Bruce Hill Rd, Cumberland

Facility where the event will be held: 111 Bruce Hill Rd, Cumberland

Is the facility owned by the applicant: ☒ yes; ☐ no, (if no, attach a copy of the contract with the owner which allows use of property)

Telephone number: (207) 829-8430 cell! (207) 423-7406

Date of Event: 7/30/22 Markovchick Time (start and finish times): 4:05 until 10 p.m.

Expected attendance: <200 depends on catering costs.

Description of event: Weddy ceremony / Reception

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 what alcohol will be served) Not decided yet.

Planning Board Site Plan Approved: 12-20-17 Date 2018

Town Council License Approvals: \_\_\_\_\_ Date \_\_\_\_\_

Code Enforcement Office Approval  
For no outstanding code violations: [Signature] Date 1-10-22

[Signature]  
Town Clerk

[Signature]  
Town Manager

# TOWN OF CUMBERLAND

## Individual Permit

### Farm Based Specialty Events License (Approved by Town Clerk & Town Manager)

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 **\$250 Per Event (\$750 Max per year)**

Name of Applicant: Joanne T. Foyer

Address of Applicant: 111 Bruce Hill Rd., Cumberland

Facility where the event will be held: Mountain - 111 Bruce Hill Rd.

Is the facility owned by the applicant: ☒ yes; ☐ no, (if no, attach a copy of the contract with the owner which allows use of property)

Telephone number: (202) 229-8430 (cell) (202) - 423-7406

Date of Event: 8/20/22 Time (start and finish times): 4:55 to 10 p.m.

Expected attendance: 200 ± (depends on catering costs)

Description of event: Wedding ceremony; reception

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 what alcohol will be served) TBD - not decided yet

Planning Board Site Plan Approved: 12-20-17 Date 2018

Town Council License Approvals: \_\_\_\_\_ Date \_\_\_\_\_

Code Enforcement Office Approval  
For no outstanding code violations: [Signature] Date 1-10-22

[Signature]  
Town Clerk

[Signature]  
Town Manager

# TOWN OF CUMBERLAND

## Individual Permit

### Farm Based Specialty Events License (Approved by Town Clerk & Town Manager)

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 **\$250 Per Event (\$750 Max per year)**

Name of Applicant: Joanne Fryer

Address of Applicant: 111 Bruce Hill Rd., Cumberland

Facility where the event will be held: 111 Bruce Hill Rd.; Cumberland

Is the facility owned by the applicant: ☒ yes; ☐ no, (if no, attach a copy of the contract with the owner which allows use of property)

Telephone number: (207) 829-8430 ; (207) 423-7406

Date of Event: 9/4/22 Time (start and finish times): 4:05 to 10 p.m.  
Chevermont LeBlanc

Expected attendance: 200 - may change due to catering cost increases

Description of event: Wedding ceremony / Reception

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 what alcohol will be served) Not decided yet

Planning Board Site Plan Approved: 12-20-17 2018  
Date

Town Council License Approvals: \_\_\_\_\_  
Date

Code Enforcement Office Approval W.H. Fryer 1-10-22  
For no outstanding code violations: \_\_\_\_\_  
Date

Sammara P. O'Donnell  
Town Clerk

W.H. Fryer  
Town Manager





**Town of Cumberland  
Cumberland Town Hall, Council Chambers  
Monday, February 14, 2022, at 7:00 p.m.**

**Notice from the Town of Cumberland**

The following item will be heard at **the February 14, 2022, Town Council**  
Meeting: Renewal of Farm Based Special Events License for Mowfield Farm,  
Mrs, Joanne Fryer, 111 Bruce Hill Road, Cumberland, Maine.

For More Information call the Cumberland Town Clerk's Office at (207) 829-5559, email [todonnell@cumberlandmaine.com](mailto:todonnell@cumberlandmaine.com) or stop by the Cumberland Town Hall, 290 Tuttle Road, Cumberland, Maine 04021.

For cancellations check Channel 6, 8, 13 or the town website @ [cumberlandmaine.com](http://cumberlandmaine.com).

Agenda items are subject to change without notice. The most current agenda is available on our website or by contacting the Town Clerk's Office.

Please inform us of any special requirement you may have due to a disability.

TOWN OF CUMBERLAND 290 TUTTLE ROAD CUMBERLAND CTR, ME 4021	WATERHOUSE, MEGAN H 42 SHAW FARM RD CUMBERLAND, ME 4021	MAY BENJAMIN R & HANNAH A 229 RANGE RD CUMBERLAND, ME 4021
DOLLOFF JOHN R 75 BRUCE HILL ROAD CUMBERLAND, ME 4021	DAIGLE DAVID P 91 BRUCE HILL ROAD CUMBERLAND, ME 4021	PERRY-SMITH ELIZABETH G 95 BRUCE HILL ROAD CUMBERLAND CTR, ME 4021
KNOWLES, BRADFORD & MARLI L. 97 BRUCE HILL RD CUMBERLAND CTR, ME 4021	HOUGHTON JOSHUA J 99 BRUCE HILL RD CUMBERLAND, ME 4021	AVERY F LINCOLN 85 BRUCE HILL ROAD CUMBERLAND, ME 4021
HIGGINS DAVID R III 107 BRUCE HILL ROAD CUMBERLAND, ME 4021	PITASSI FRANK J 129 BRUCE HILL ROAD CUMBERLAND, ME 4021	PITASSI FRANK 129 BRUCE HILL RD CUMBERLAND, ME 4021
STEBBINS, NICOLE L. - TRUSTEE 6 HULIT WAY CUMBERLAND CTR, ME 4021	RAFTICE JAMES F 5 HULIT WAY CUMBERLAND, ME 4021	O'BRIEN, BRENDAN 6 RIDGE DR CUMBERLAND, ME 4021
HUDDY LAURA A 5 RIDGE DRIVE CUMBERLAND, ME 4021	CUMBERLAND FARMERS CLUB P O BOX 745 CUMBERLAND, ME 4021	JACOBSON CHRISTIAN G 27 ANGLERS DRIVE CUMBERLAND, ME 4021
JACOBSON SCOTT R 41 ANGLERS DRIVE CUMBERLAND CTR, ME 4021	HOLTZMAN, CLAYTON M 125 BRUCE HILL RD CUMBERLAND, ME 4021	GIFFORD DAVID R 135 BRUCE HILL ROAD CUMBERLAND, ME 4021
WELLS BRADLEY F 32 ANGLERS DR CUMBERLAND, ME 4021		

# ITEM

## 22-014

To accept a donation from the Foreside Garden Club to be used for the  
Butterfly Garden, as recommended by the Lands & Conservation  
Commission

**From:** [ellenhoffman@maine.rr.com](mailto:ellenhoffman@maine.rr.com)  
**To:** [Brenda Moore](#)  
**Cc:** [Mike Schwindt](#)  
**Subject:** motion  
**Date:** Thursday, February 3, 2022 7:45:56 AM

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Good morning Brenda. At the LCC meeting last night a motion was passed unanimously that the LCC recommend the Town accept a gift of \$200 from the Foreside Garden Club to be used for the BFG (Butterfly Garden) or the surrounding area as we see fit. Bill wanted to make sure I made you aware of this so it could be put on the Council Agenda.

Thanks - Ellen

## Revenues

02/10/2022  
09:25:28

### TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 08 OF 2022

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	-1,426,915.98	-1,495,192.12	-1,594,548.67	-1,405,379.05	-2,003,000.00
0011 0304 Boat Excise Tax	-3,465.00	-3,494.30	-4,943.00	-3,515.90	-17,000.00
0011 0325 Supplemental Taxes	.00	-38,940.00	.00	.00	.00
0011 0328 Outer Islands Property Tax	-22,020.50	-23,513.74	-22,947.69	.00	-46,000.00
0011 0329 Payment in Lieu of Taxes	-15,959.00	-16,061.48	-18,903.00	-19,039.50	-33,000.00
TOTAL Other Tax Revenues	-1,468,360.48	-1,577,201.64	-1,641,342.36	-1,427,934.45	-2,099,000.00
0012 License & Permit Revenues					
<hr/>					
0012 0311 Hunting/Fishing Lic Agent Fees	-293.25	-280.75	-240.00	-767.18	-541.00
0012 0312 Marriage Lic & Vital Records	-1,807.60	-1,827.00	-1,916.00	-1,921.00	-2,400.00
0012 0313 Birth Certificates	-968.80	-1,095.40	-916.80	-1,201.40	-1,400.00
0012 0314 Death Certificates	-1,278.20	-1,331.20	-1,170.60	-537.00	-1,500.00
0012 0315 Clerk Licenses	-2,370.00	-1,760.00	-1,310.00	-2,415.00	-4,608.00
0012 0316 Shellfish Licenses	-474.92	-483.26	-660.57	-684.37	-600.00
0012 0317 Conservation Fees	-115.08	-76.74	-149.43	-145.63	-100.00
0012 0334 Snowmobile Reg. Agent Fees	-216.00	-223.00	-263.00	-217.00	.00
0012 0361 Motor Vehicle Reg. Agent Fees	-13,672.00	-19,109.00	-21,815.00	-19,492.00	-21,406.00
0012 0362 Boat Reg. Agent Fees	-158.00	-188.00	-189.00	-146.25	-500.00
0012 0366 Building Permits	-53,117.88	-49,544.31	-87,627.55	-97,940.63	-75,000.00
0012 0367 Electrical Permits	-13,284.80	-14,806.55	-23,708.82	-18,022.21	-21,634.00
0012 0368 Plumbing Permits	-10,573.50	-9,832.50	-16,100.00	-14,026.25	-18,789.00
0012 0369 Other Permits	-720.00	-446.00	-401.00	-1,321.00	-1,751.00
0012 0383 ATV Reg. Agent Fees	-69.00	-71.00	-59.00	-48.00	-60.00
0012 0390 Misc. Revenue	.00	.00	-100.00	-80.00	.00
0012 0398 Application Fee	-3,400.00	-1,250.00	-450.00	-1,100.00	-1,300.00
0012 0401 Dog Reg. Clerk Fees	-860.00	-809.00	-615.00	-731.00	-900.00
0012 0404 Commercial Haulers License	.00	.00	-100.00	.00	-500.00
TOTAL License & Permit Revenue	-103,379.03	-103,133.71	-157,791.77	-160,795.92	-152,989.00
0013 Intergovernmental Revenues					
<hr/>					
0013 0331 State Revenue Sharing	-314,563.09	-513,481.29	-681,122.66	-871,523.91	-825,000.00
0013 0335 Local Rd Asst Prog	-68,644.00	-71,480.00	-66,876.00	-72,636.00	-67,000.00

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TOWN OF CUMBERLAND  
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 08 OF 2022

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
<hr/>					
0013 0341 North Yarmouth Recreation Shar	-9,460.00	1,742.50	-4,546.00	-32,304.00	-129,216.00
0013 0342 North Yarmouth Library Share	-80,036.00	-84,680.42	-45,848.25	-48,108.75	-192,435.00
0013 0390 Misc. Revenue	.00	.00	.00	-5,898.75	.00
TOTAL Intergovernmental Revenue	-472,703.09	-667,899.21	-798,392.91	-1,030,471.41	-1,213,651.00
 0015 Other Revenues					
<hr/>					
0015 0305 Interest & Penalties	-12,362.66	-24,314.29	-11,214.99	-5,251.23	-30,000.00
0015 0306 Over/Short	5,105.60	572.03	456.18	-5,600.48	-100.00
0015 0364 Growth Permits	-2,300.00	-2,000.00	-2,600.00	-1,700.00	-2,000.00
0015 0365 Board of Appeals	-100.00	-200.00	.00	.00	.00
0015 0390 Misc. Revenue	-39,961.09	-31,976.27	-32,388.66	-44,140.87	-25,000.00
0015 0399 Staff Review Fee	-9,250.00	-9,025.00	-4,350.00	-3,650.00	-9,700.00
0015 0403 Mooring Fees	-2,021.92	-2,846.00	-2,644.00	-1,434.00	-5,000.00
0015 0410 Private Ways	-600.00	.00	-200.00	.00	-400.00
0015 0508 Impact Fees	-58,932.30	-58,209.20	-72,982.00	-73,049.20	-60,000.00
TOTAL Other Revenues	-120,422.37	-127,998.73	-125,923.47	-134,825.78	-132,200.00
 0021 Police Related Revenues					
<hr/>					
0021 0337 State Grant revenue	-965.00	-1,846.00	-951.30	.00	.00
0021 0351 Police Issued Permits	-1,670.00	-7,734.00	-765.00	-302.00	-2,000.00
0021 0353 Police Insurance Reports	-356.00	-390.00	-250.00	-722.00	-500.00
0021 0390 Miscellaneous Police Revenue	-753.00	-177.00	-51.00	-125.00	-648.00
0021 0427 Parking Tickets	-325.00	-575.00	-225.00	-25.00	-100.00
0021 0431 Outside Detail	737.52	.00	.00	.00	.00
0021 0536 Dog Licenses ACO Revenue	-2,104.00	-2,851.00	-1,301.00	-1,435.00	-1,800.00
0021 0540 MSAD #51 SRO Reimbursement	-24,500.00	.00	.00	.00	.00
0021 0546 Court Reimbursements	46.00	-3,492.28	-119.02	-932.88	-2,200.00
TOTAL Police Related Revenues	-29,889.48	-17,065.28	-3,662.32	-3,541.88	-7,248.00
 0022 Fire Related Revenues					
<hr/>					
0022 0390 Misc. Revenue	.00	-15.00	.00	.00	.00
0022 0504 Rescue Billing	-114,762.73	-96,561.77	-75,052.39	-82,954.83	-160,000.00

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TOWN OF CUMBERLAND  
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 08 OF 2022

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
0022 0507 Paramedic Intercepts	.00	.00	-300.00	.00	.00
0022 0617 Donations Received	.00	-1,000.00	-4,295.00	.00	.00
0022 0617 COVID Donations Received	.00	.00	8.99	.00	.00
TOTAL Fire Related Revenues	-114,762.73	-97,576.77	-79,638.40	-82,954.83	-160,000.00
0031 Public Services Revenues					
0031 0390 Misc. Revenue	-3,140.00	-5,976.00	-3,560.00	-28.00	-20,500.00
0031 0391 Field Usage Fees	-5,383.20	-4,031.80	.00	-60.00	-5,000.00
0031 0431 Outside Details	-1,234.03	-852.16	.00	.00	.00
0031 0517 Bags/Universal Waste	-207,547.50	-152,681.50	-180,765.00	-84,222.50	-295,015.00
0031 0539 Brush Passes	-1,820.00	-1,717.00	-6,409.00	-3,034.00	-8,277.00
0031 0617 Twin Brooks Donations	.00	-100.00	-1,885.00	-2,908.60	.00
TOTAL Public Services Revenues	-219,124.73	-165,358.46	-192,619.00	-90,253.10	-328,792.00
0035 VH Other Revenues					
0035 0329 Payment in Lieu of Taxes	.00	-9,000.00	.00	.00	.00
0035 0378 Soda Sales	-2,039.60	-1,594.40	-2,085.40	-2,745.00	-2,500.00
0035 0560 Rental Income	-10,276.25	-6,750.00	-6,750.00	-7,500.00	-14,000.00
0035 0565 Cell Tower Land Lease	-14,400.00	-14,400.00	-15,480.00	-16,560.00	-24,840.00
TOTAL VH Other Revenues	-26,715.85	-31,744.40	-24,315.40	-26,805.00	-41,340.00
0037 VH Golf Revenues					
0037 0306 Over/Short	-7.24	506.47	-3.89	-.64	.00
0037 0357 Golf Memberships	-117,410.40	-93,154.48	-123,701.55	-175,161.10	-235,542.00
0037 0358 Greens Fees	-99,893.75	-80,082.44	-125,666.61	-146,279.50	-179,737.00
0037 0359 Golf Cart Rentals	-56,108.29	-52,915.45	-72,911.19	-87,765.00	-92,257.00
0037 0416 Practice Range	-4,911.75	-1,248.25	-6,478.97	-4,888.00	-8,860.00
0037 0417 VH Program Revenues	-46,365.70	-42,284.00	-50,811.63	-80,230.00	-70,500.00
0037 0419 Advertising Sales	-5,681.50	.00	.00	.00	-22,500.00
0037 0522 Outing Golf	-41,978.43	-66,487.00	-36,038.00	-64,708.00	-48,290.00
TOTAL VH Golf Revenues	-372,357.06	-335,665.15	-415,611.84	-559,032.24	-657,686.00
0041 Recreation Related Revenues					

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TOWN OF CUMBERLAND  
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 08 OF 2022

ACCOUNTS FOR:		PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001	General Fund					
0041	0440 41100 After School Programs	-197,522.09	-223,123.50	-201,727.00	-204,409.00	-272,000.00
0041	0441 41110 Youth Enrichment Programs	-100,843.70	-117,886.07	-19,613.50	-141,408.50	-175,000.00
0041	0442 41120 Youth Sports Programs	-56,399.25	-60,503.00	-7,372.50	-94,680.75	-115,000.00
0041	0443 41130 Skiing Programs	-53,362.00	-57,274.00	-13,802.50	-25,255.00	-45,020.00
0041	0444 41140 Day Camps	-29,100.65	-30,108.43	-71,445.50	-211,997.90	-165,000.00
0041	0445 41150 Swimming Programs	-20,567.29	-20,171.00	-1,155.00	-5,015.00	-21,250.00
0041	0446 41160 Adult Enrichment Revenue	-30,730.43	-32,691.26	-7,975.00	-14,271.40	-31,715.00
0041	0447 41170 Adult Fitness Revenue	-44,574.33	-43,060.20	-20,223.00	-36,447.00	-45,000.00
0041	0448 41190 Special Events/Trips Reven	-3,260.00	-3,481.00	.00	-5,346.00	-5,000.00
0041	0449 41190 Recreation Programs	-1,056.00	-5,984.28	.00	.00	-1,995.00
0041	0570 41190 Rec Soccer Revenue	-18,175.00	-20,190.00	-9,123.00	-29,782.00	-23,000.00
0041	0571 41190 Rec Ultimate Frisbee Reven	-5,419.00	-6,890.00	-720.00	-3,265.00	-14,000.00
0041	0606 41190 CPR/First Aid Revenues	5.00	-575.00	-165.00	-15.00	-250.00
	TOTAL Recreation Related Reven	-561,004.74	-621,937.74	-353,322.00	-771,892.55	-914,230.00
0044	W Cumberland Hall Revenues					
0044	0377 Hall Rental	.00	.00	.00	-555.00	.00
	TOTAL W Cumberland Hall Revenu	.00	.00	.00	-555.00	.00
0045	Library Related Revenues					
0045	0392 Library Fines	-2,001.30	-2,995.02	-636.59	-49.15	.00
0045	0394 Misc. Library Revenue	-796.10	-885.20	-480.62	-161.52	.00
	TOTAL Library Related Revenues	-2,797.40	-3,880.22	-1,117.21	-210.67	.00
	TOTAL General Fund	-3,491,516.96	-3,749,461.31	-3,793,736.68	-4,289,272.83	-5,707,136.00
	TOTAL REVENUES	-3,491,516.96	-3,749,461.31	-3,793,736.68	-4,289,272.83	-5,707,136.00
	GRAND TOTAL	-3,491,516.96	-3,749,461.31	-3,793,736.68	-4,289,272.83	-5,707,136.00



# Expenses



02/10/2022  
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## TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 08 OF 2022

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
130 Administration	415,051.36	431,607.69	374,869.26	390,100.14	664,743.00
140 Assessor	72,378.46	66,711.64	71,314.52	71,753.74	118,867.00
150 Town Clerk	158,772.11	177,610.75	144,523.34	160,776.37	291,177.00
160 Technology	140,726.63	178,811.34	211,589.77	176,076.10	280,613.00
165 Elections	5,701.69	7,530.43	5,666.78	20,632.72	35,127.00
170 Planning	41,846.50	40,860.03	37,012.83	41,666.16	74,035.00
190 Legal	30,476.30	38,266.83	39,969.65	22,488.66	47,500.00
210 Police	855,854.94	915,092.02	908,468.26	898,763.31	1,552,217.00
220 Fire	601,216.06	630,770.45	638,802.25	589,848.57	1,078,586.00
240 Code Enforcement	89,268.15	93,933.39	96,954.16	100,822.77	150,858.00
250 Harbor Master	3,961.64	12,012.04	14,154.76	13,079.15	22,480.00
260 Animal Control	22,103.53	24,221.95	35,244.22	41,651.37	36,179.00
310 Public Works	806,454.25	818,134.99	760,313.32	754,169.29	1,302,955.00
320 Waste Disposal	327,233.21	352,860.03	363,941.44	387,550.13	637,459.00
350 Valhalla-Club	23,184.89	17,278.41	19,795.14	18,253.26	26,241.00
360 Valhalla-Course	339,756.53	357,325.98	371,242.57	395,646.84	559,899.00
370 Valhalla-Pro Shop	205,195.73	154,740.63	139,478.42	146,712.54	240,351.00
410 Recreation	704,298.15	769,756.90	489,506.61	657,034.09	955,292.00
420 Aging in Place	17,181.71	63,951.48	62,563.52	71,934.96	101,716.00
430 Parks	216,305.20	206,500.61	221,913.03	204,355.83	327,477.00
440 West Cumberland Rec	3,708.83	3,569.47	3,403.33	4,179.19	8,744.00
450 Library	317,850.65	338,545.86	322,529.65	328,268.43	550,098.00
470 Historical Society Building	5,419.81	4,317.30	204.00	1,625.22	11,364.00
580 General Assistance	20,045.25	28,690.53	19,599.29	10,303.41	35,000.00
590 Health Services	12,533.85	16,533.85	.00	2,384.80	3,875.00
620 Cemetery Association	28,450.00	26,700.00	26,700.00	26,700.00	26,700.00
630 Conservation	5,598.52	2,327.69	9,889.47	19,326.81	21,000.00
650 Debt Service	528,987.24	383,488.71	300,580.47	174,808.25	1,262,301.00
750 Insurance	253,432.62	240,176.06	293,701.86	301,017.37	319,619.00
800 Fire Hydrants	45,686.76	47,960.36	48,840.87	49,424.68	83,500.00
810 Street Lighting	20,568.32	24,899.28	45,000.00	45,000.00	45,000.00
830 Contingent	2,907.19	2,722.00	59,248.51	25,134.28	10,000.00
840 Municipal Building	67,045.98	56,225.18	71,305.26	100,868.80	109,837.00
850 Abatements	23,670.91	34,592.46	5,327.14	9,605.08	1.00
TOTAL General Fund	6,412,872.97	6,568,726.34	6,213,653.70	6,261,962.32	10,990,811.00
TOTAL EXPENSES	6,412,872.97	6,568,726.34	6,213,653.70	6,261,962.32	10,990,811.00
GRAND TOTAL	6,412,872.97	6,568,726.34	6,213,653.70	6,261,962.32	10,990,811.00