

## **AGENDA**

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, June 6, 2022**

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

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

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

May 23, 2022

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

- Report from Historical Society re: Scavenger Hunt
- Report from Chief of Police

### **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 – 068.** To hold a Public Hearing to consider and act on a Consent Order with Randall and Elvin Copp for property located at Map R007/Lot 57C, Pointer Way.

**22 – 069.** 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, 2022 – June 30, 2023.

**22 – 070.** To consider and act on the formation of a Housing Task Force to be appointed by the Town Council to provide recommendations on ways to facilitate the development of affordable housing in the community.

**22 – 071.** To authorize the Town Manager to accept payment for delinquent FY'19 and a portion of FY'20 taxes in the amount of \$12,893.25 on property identified as Map R03/Lot 39B.

**VI. NEW BUSINESS**

**VII. BUDGET REPORT**

**VIII. EXECUTIVE SESSION** pursuant to 1 M.R.S.A., § 405(6)(A) re: Town Managers evaluation.

**IX. ADJOURNMENT**

# MINUTES

Cumberland Town Council Meeting  
Town Council Chambers

**MONDAY, May 23, 2022**

**6:00 P.M. Workshop re: Appointment of Housing Task Force**

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

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

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

Motion by Councilor Copp, seconded by Councilor Segrist, to accept the meeting minutes from the May 3, 2022 Special Meeting and May 9, 2022 regular meeting, as presented.

VOTE: 6-0-1 (Storey-King abstained) MOTION PASSES

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

The next meeting of the Rail Use Advisory Council will be held on May 31st at 10:30 a.m. This will be a virtual meeting. More information can be found on the MDOT website. All supporting documents can be found on the website under Portland to Auburn Line.

The new State laws regarding affordable housing and lot splits are just that, new. It will not be in effect until July 1, 2023, so we will be working with Greater Portland Council of Government, Maine Municipal Association, as well as our neighboring Towns on developing strategies around these new laws.

We have been meeting with the Towns of North Yarmouth, Pownal, Windham, Gorham and Falmouth for a regional trash collection contract and new automated trash pick-up. Ecomaine believes we will have a plan together for the Town Councils and Selectboards to consider by the end of the year.

Some paving will start around Town this week. If asphalt prices continue to climb, we may need to take a timeout.

### **III. PUBLIC DISCUSSION**

Mike Doyle invited everyone to stand up and join him in the Pledge of Allegiance. Nobody in the room chose to stand up and Mr. Doyle did not recite the Pledge of Allegiance.

Mr. Doyle said that he is here this evening to speak about the Chief of Police, the District Attorney, the School Board and Ann Maksymowicz. Last June, they all held a meeting at the Police Department to conspire against him. They hatched a plan and came up with a bunch of phony charges against him. He was dragged into court and was even arrested in court while he was talking to the Judge about Ann. It's been one fake charge after another. Everything that he has ever said about Ann Maksymowicz is protected under free speech. He has a trial coming up this Thursday on a 14<sup>th</sup> Amendment violation from when Jeff Porter had his sign removed from the school fence and he was issued a criminal trespass notice. Once you put a sign on a fence, it becomes a public bulletin board and it called equal protection of the law. Who is running this place? If Chairman Vail spent more time running this Town instead of worrying about patriotism tests, things might be better. It is very disgusting to see a conspiracy run in a Town Hall against him. He was stunned when he received the discovery from the Town. He wasn't committing any

crimes, but they went looking to create fake charges. Is this the way you should run a Town? Where departments run a conspiracy against somebody? It is very disappointing.

Bill Stiles of Range Road reported on the Historical Society's Scavenger Hunt last Friday. It was a very well planned and very well attended.

Town Manager Shane added that the Historical Society will be at the next meeting presenting a video of the scavenger hunt.

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

##### **22 – 062 To hold a Public Hearing to consider and act on a Medical Marijuana Registered Caregiver License application for Evergreen Cannabis Co., LLC (owner Andrew Pettingill) located at 222 Gray Road.**

Chairman Vail said that the application is complete and has been signed off by the appropriate staff members.

Chairman Vail opened the Public Hearing.

Andrew Pettingill said that he is the business owner and thanked the Town for working with him. He is happy to answer any questions.

Chairman Vail closed the Public Hearing.

Motion by Councilor Foster, seconded by Councilor Segrist, to approve the Medical Marijuana Registered Caregiver License application for Evergreen Cannabis Co., LLC (owner Andrew Pettingill) located at 222 Gray Road.

VOTE: 6-0 UNANIMOUS

##### **22 – 063 To hold a Public Hearing to consider and act on a Medical Marijuana Registered Caregiver License application for Evergreen Cannabis Co., LLC (owner Kristin Pettingill) located at 222 Gray Road.**

Councilor Segrist wanted to clarify that this is the second license for this location, which would be the maximum allowed for the premises.

Chairman Vail opened the Public Hearing.

No public comment.

Chairman Vail closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Segrist, to approve the Medical Marijuana Registered Caregiver License application for Evergreen Cannabis Co., LLC (owner Kristin Pettingill) located at 222 Gray Road.

VOTE: 6-0 UNANIMOUS

##### **22 – 064 To hold a Public Hearing to consider and act on extending the Mass Gathering Permit for The Garden Brothers Family Circus to add an additional show date of July 4, 2022.**

Chairman Vail said that we have an application requesting the addition of a show date of July 4<sup>th</sup>, and we have a negative response from our Public Safety Chief's due to the inability to properly staff the event.

Councilor Foster said that she was not surprised by the Chief's feedback being that July 4<sup>th</sup> could be a busy time for them. It does not seem like a good idea to grant the additional day, considering the number of people that are expected at the event and our public safety staff not being able to be there due to the potential needs of the entire community.

Councilor Edes said that in theory, he is not necessarily against the additional day, except for the strain on our public safety personnel. We should keep in mind that when we issued a Farmed Based Specialty License on Bruce Hill Road, one of the conditions we had was that we wanted to be sure the events were not held on holidays, due to the strain on our public safety staff. We have been consistent on this.

Chairman Vail opened the Public Hearing.

Liz Tarantino, Secretary of the Farmer's Club said that she appreciates the thought that the Town Council has put into this. She is slightly disappointed because of the revenue that the Farmer's Club will be losing from an additional day of rental, but the Farmer's Club certainly appreciates the continued support that the Town Council shows them.

Motion by Councilor Storey-King, seconded by Councilor Foster, to deny extending the Mass Gathering Permit for The Garden Brothers Family Circus to add an additional show date of July 4, 2022.

VOTE: 6-0 UNANIMOUS

**22 – 065 To consider and act on authorizing the Town Manager to amend the Maine Public Employees Retirement System service retirement plan for eligible Cumberland Fire/EMS employees from Special Plan 2C to Special Plan 3C, effective July 1, 2022.**

Town Manager Shane explained that we are very close to finalizing the new union contract with the full-time Fire/EMS employees. Maine Public Employees Retirement System requested that we complete this step to allow them to have the plan in place for a July 1, 2022, effective date.

Chairman Vail asked for any public comment.

No public comment.

Motion by Councilor Segrist, seconded by Councilor Storey-King, to authorize the Town Manager to amend the Maine Public Employees Retirement System service retirement plan for eligible Cumberland Fire/EMS employees from Special Plan 2C to Special Plan 3C, effective July 1, 2022.

VOTE: 6-0 UNANIMOUS

**22 – 066 To appoint members to the Aging in Place Committee.**

Motion by Councilor Copp, seconded by Councilor Segrist, to appoint Sherry Boothby and Amy Hatch to the Aging in Place Committee.

VOTE: 6-0 UNANIMOUS

**22 – 067 To authorize the Town Manager to accept a payment for delinquent FY'18 and a portion of FY'19 taxes in the amount of \$8,000.00 on property identified as Map R07/Lot 69.**

Town Clerk, Tammy O'Donnell explained that the property owner has requested that their delinquent tax payment be accepted. The property owner has informed her that their intention is to pay the remaining balance that is due within the next 4 months.

Town Manager Shane added that the Town Council is required to vote to accept any payments for back taxes.

Motion by Councilor Copp, seconded by Councilor Segrist, to authorize the Town Manager to accept a payment for delinquent FY'18 and a portion of FY'19 taxes in the amount of \$8,000.00 on property identified as Map R07/Lot 69.

VOTE: 6-0 UNANIMOUS

V. **NEW BUSINESS**

**Councilor Segrist** – for residents of Ole Musket and Long Meadows Roads, there will be a meeting this Wednesday, May 25<sup>th</sup> to walk the roads with the Town Manager, and hopefully himself, to talk about some road repairs that will be done (drainage, piping, concrete curbing) to help fix some of the drainage issues. The meeting place on Ole Musket will be in front of house number 18 at 6:00 p.m. and on Long Meadows in front of house number 20 at 6:45 p.m.

**Councilor Storey-King** – she is sorry for missing the last Council meeting and the opportunity to say her public thank you to Tom Gruber for his service on the Town Council. She sent him a note and he is already missed.

There was a Library Advisory Committee meeting last week and there will be some changes coming in how a book is checked out at our library. New library cards will be issued, and the cards will have to be in your possession when checking out materials at the library.

Gratitude to the Climate Action Committee for applying on behalf of the library for a grant to help with some heat pumps, and to our Public Works department for helping to control the invasive plants in front of the library.

The Memorial Day parade is coming up next Monday.

The Cumberland Fair is celebrating its 150<sup>th</sup> birthday during the first weekend in June.

**Councilor Foster** – yesterday was the 4<sup>th</sup> Kids' Triathlon in Town. It is an amazing site to watch the kids at this event. One of the best sites of the day was seeing our Police Chief give the kids their safety instructions. Thank you, Chief Rumsey and the other officers who helped out at the event.

**Councilor Edes** – he agreed with Councilor Storey-King that Councilor Gruber is missed and he wished him well.

**Councilor Copp** – he made his donation to the 4-H fund that benefits the Food Pantry as he does at every meeting. This is a very worthy cause that he promised Bill Stiles he would continue to promote. He challenged 1,000 residents of Cumberland and North Yarmouth to donate just \$10. Councilor Foster made a \$20 donation.

**Chairman Vail** – the Lion's Club is having their annual Charter night this evening where they will honor a local business. This year's recipient is Maine Line Fence. Congratulations to them.

**VI. EXECUTIVE SESSION** pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.  
Motion by Councilor Segrist, seconded by Councilor Copp, to recess to Executive Session pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.  
VOTE: 6-0 UNANIMOUS  
TIME: 7:49 P.M.

Reconvene to regular session at 8:42 P.M.

Motion by Councilor Copp, seconded by Councilor Storey-King, to execute a release deed on foreclosed property identified as Tax Map U13A/Lot 11 upon receipt of all taxes and fees due on the property.  
VOTE: 6-0 UNANIMOUS

**VII. ADJOURNMENT**  
Motion by Councilor Foster, seconded by Councilor Edes, to adjourn.  
VOTE: 6-0 UNANIMOUS  
TIME: 8:43 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary

# ITEM

# 22-068

To hold a Public Hearing to consider and act on a Consent Order with Randall and Elvin Copp for property located at Map R007/ Lot 57C, Pointer Way



STATE OF MAINE  
CUMBERLAND, ss.

SUPERIOR COURT  
Civil Action  
Docket No. AP-18-53

ELVIN COPP and RANDALL COPP, )  
)  
Plaintiffs/Counterclaim Defendants, )  
)  
v. )  
)  
WILLIAM LONGLEY, )  
)  
Defendants, )  
)  
and )  
)  
TOWN OF CUMBERLAND, )  
)  
Defendant/Counterclaim Plaintiff. )

**CONSENT ORDER**

NOW COME the Parties in the above-captioned matter, Plaintiffs/Counterclaim Defendants Elvin Copp and Randall Copp (collectively "Copp"), Defendant William Longley and Defendant/Counterclaim Plaintiff Town of Cumberland (collectively the "Town").

The Parties agree to resolve the Town's Partial Motion for Summary Judgment as to its Counterclaim in this matter, which was granted by this Court on February 26, 2020, as follows:

1. At its sole expense, Copp shall prepare an engineered remediation and revegetation plan (the "Plan") which shall include a design to finalize driveway construction on Copp's property, located at Pointer Way in Cumberland (the "Property"). The Plan shall include at a minimum: (i) current and proposed grades of the entire Property; (ii) erosion and sedimentation control measures; (iii) a schedule of values consistent with bid values established by the Maine Department of Transportation for all work to be completed; (iv) the proposed location for the storage of all materials; (v) a time schedule for when all materials will be brought onto the Property; and (vi) the identity and contact information of all contractors to be used to complete the work contemplated by the Plan. All construction and other work necessary to comply with the Plan shall be referred to herein as the "Work."

2. The Plan will be reviewed by the Cumberland County Soil and Water Conservation District ("CCSWCD") and must be satisfactory to CCSWCD. Copp shall provide a version of the Plan satisfactory to CCSWCD within **120 days of the date of this Consent Order**.

3. The Plan shall establish the date by which the Work must be completed based on the professional judgment of the engineer preparing the plan (the "Completion Date"), provided, however, that: (i) the Work may not be approved until all grasses and other ground cover planted

have undergone at least two mowings, and all needed overseeding and reseeded of the Property is approved by CCSWCD, and (ii) the Completion Date shall be no later **October 15, 2023**.

4. All parties, or their representatives, shall attend a pre-construction meeting to discuss all matters pertaining to completion of the Plan prior to the commencement of the Work.

5. Prior to beginning the Work, Copp or Copp's contractor(s) shall post a performance bond in an amount equal to 100% of anticipated construction costs of the Work and in a form acceptable to the Town. Said performance bond shall only be released by the Town upon the completion of a successful final inspection of the Work, as determined by CCSWCD.

6. CCSWCD will also perform inspections of the Work necessary to determine continued compliance with the Plan and with this Consent Order.

7. CCSWCD shall prepare an interim report providing an assessment of all progress made toward completion of the Plan, **sixty (60)** days prior to the Completion Date noted in Paragraph 3 of this Consent Order, which Copp shall be entitled to receive a copy of.

8. Copp will be responsible for all CCSWCD costs, including but not limited to costs associated with the review and approval of the Plan and all inspections of the Work indicated in Paragraph 1, above.

9. The Town shall maintain an escrow account into which Copp shall contribute at least **\$5,000.00** prior to beginning the Work. CCSWCD shall bill the Town for all inspection costs associated with the Plan and the Work, and the balance of the escrow account will be applied to those costs. In the event that the amount invoiced by CCSWCD exceeds the balance of the escrow account then the Town shall bill Copp for reimbursement, which shall be made within **thirty (30) days** of receipt. Any remaining balance in the escrow account will be returned to Copp within **thirty (30) days** of receipt of a final approval of the Work from CCSWCD.

10. In the event that Copp does not substantially complete the Work to the satisfaction of CCSWCD by the Completion Date, the Town may, in its sole discretion: (i) allow additional time for Copp to substantially complete all of the remaining Work, (ii) call the performance bond provided by Copp pursuant to Paragraph 5 of this Consent Order and thereafter take over and perform all remaining Work required by the Plan to the satisfaction of CCSWCD at Copp's sole expense, or (iii) file a motion to enforce this Consent Order with this Court, which shall not be considered a motion for contempt under M.R. Civ. P. 66.

11. In the event that the Town undertakes any of the Work, as allowed for in Paragraph 10, above, Copp shall reimburse the Town for all costs incurred within **180 days** of the completion of the Work.

12. Except as may be permitted pursuant to a lawful building permit, after **sixty-ninety (960) days** of the date of this Consent Order, Copp shall have removed all excavation and processing equipment from the Property except: one (1) bulldozer no larger than a Caterpillar D5 or model of comparable size and weight, and one (1) ten-wheeled dump truck.

13. The Town shall not require Copp to perform any additional work on the Property's driveway that would not otherwise be required by the Town of Cumberland Code of Ordinances, provided that: (i) this limitation shall only apply to Copp's existing single-family home and any further development of the Property shall require the improvement of said driveway, consistent with the applicable standards of the Code; (ii) no additional processing of raw materials may occur on the Property; and (iii) existing processed materials remaining on the Property as of the date of this Consent Decree, being specifically one (1) sand pile adjacent to the Property's existing single-family home, of approximately 300 cubic yards in size ("Pile 1"), and one (1) sand pile adjacent to Pointer Way, of approximately 750 cubic yards in size ("Pile 2"), may be removed as follows: From Pile 2, Copp may (a) remove no more than 750 cubic yards of total sand, (b) on or before October 15, 2023, (c) between the hours of 8AM and 5PM, Monday through Friday, excluding holidays, and (d) over the course of no more than ten (10) removal trips per day.

14. The terms of this Consent Order do not constitute a certificate of occupancy for the single-family home currently existing on the Property.

15. Copp shall be subject to a civil penalty to be paid to the Town in the amount of **\$19,000.00**. This penalty will be suspended in whole if Copp completes the Work to the satisfaction of CCSWCD by the Completion Date.

16. Copp shall remit to the Town the amount of **\$20,000.00**, representing the reasonable attorney's fees and costs incurred by the Town in this matter. Half of this amount (**\$10,000.00**) shall be remitted to the Town within **sixty (60)** days of the date of this Consent Order, while the remaining **\$10,000.00** shall be remitted to the Town within **120 days** of the date of this Consent Order.

17. Notwithstanding the foregoing, should Copp, or their heirs or assigns, fail or refuse to comply with the requirements of this Consent Order, the Town may enforce the same by filing a Motion to Enforce Consent Order with this Court, which shall not be considered a motion for contempt, nor be subject to the procedures prescribed by M.R. Civ. P. 66. In the event that the Town is deemed to be the prevailing party following hearing on such a Motion to Enforce Consent Order, Copp shall be liable to the Town for: (i) the suspended civil penalty of \$19,000.00 described in Paragraph 15, above, (ii) an additional civil penalty of an amount to be determined by this Court, (iii) the Town's costs and attorney's fees incurred in enforcing this Consent Order, and (iv) any additional relief that this Court may deem just under the circumstances.

18. Should Copp, or their heirs or assigns, fail or refuse to pay the sums specified in Paragraphs 11, 15, and 16 by the deadlines specified therein, the Town may obtain a writ of execution for the Property for the remaining amounts outstanding under the terms of this Consent Order upon the submission of an affidavit from the Town's Treasurer setting forth such remaining amounts outstanding. The Clerk is hereby authorized and directed to issue a writ of execution upon receipt of such affidavit.

19. This Court shall retain jurisdiction over this matter until July 1, 2024.

20. This Consent Order shall be incorporated by reference on the Docket pursuant to M.R. Civ. P. 79(a).

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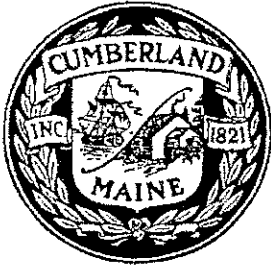
DATE: \_\_\_\_\_

\_\_\_\_\_  
Justice, Maine Superior Court

# ITEM

# 22-069

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, 2022 – June 30, 2023



# 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 2, 2022  
**Re:** **2022-2023 Temporary Victular's Licenses**

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I have included the 2022-2023 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 2022-2023 TEMPORARY NON-PROFIT VICTULAR'S LICENSES

BUSINESS		ADDRESS	TOWN	STATE
<b>Non-Profits:</b>				
Cumberland/No. Yarmouth Lions Club	Glen Spoerri	P.O. Box 24	Cumberland	ME
Cumberland Soccer Club	Todd Dominski	P.O. Box 352	Cumberland	ME
Greely Football Boosters	C/O Steve Cary	21 Mill Ridge Road	Cumberland	ME
Suburban Little League	C/O Chris Byrne	P.O. Box 41	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 Carrie Jowett	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
North Yarmouth Congregational Church Mens C	C/O Norman Smith	43 The Lane	North Yarmouth	Me

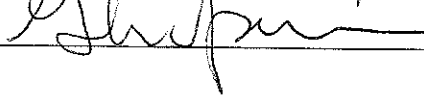
TOWN OF CUMBERLAND  
APPLICATION FOR TEMPORARY VICTUALER'S LICENSE

Business or Trade Name: Cumberland-North Yarmouth Lions Club

Business Address: P.O. Box 24, Cumberland, ME

Name of Manager: Glen Spoerri

Date of Event of New License: June 11, 2022

Signature of Authorized Person: 

Date: 5/11/2022

Establishment operated by Non-Profit organization - No Fee

Please return application to Town of Cumberland, 290 Tuttle Road, Cumberland, Maine, 04021.



TOWN OF CUMBERLAND  
APPLICATION FOR TEMPORARY VICTUALER'S LICENSE

Business or Trade Name: West Cumberland United Methodist Church

Business Address: 5 Upper Methodist Road

Name of Manager: Carol Myers

Date of Event of New License: 2022

Signature of Authorized Person: Carol Myers

Date: 5/9/2022

Establishment operated by Non-Profit organization - No Fee

Please return application to Town of Cumberland, 290 Tuttle Road, Cumberland, Maine, 04021.

TOWN OF CUMBERLAND  
APPLICATION FOR TEMPORARY VICTUALER'S LICENSE

Business or Trade Name: Cumberland County 4H leaders Association

Business Address: Cumberland Fair Grounds \*

Name of Manager: PAT STACK

Date of Event of New License: Fiscal year 2023

Signature of Authorized Person: William C Stites

Date: 5-9-2022

Establishment operated by Non-Profit organization - No Fee

\* c/o William C Stites, 226 Range Rd Cumberland, Me  
04021

Please return application to Town of Cumberland, 290 Tuttle Road, Cumberland, Maine,  
04021.

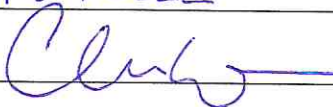
TOWN OF CUMBERLAND  
APPLICATION FOR TEMPORARY VICTUALER'S LICENSE

Business or Trade Name: Cumberland NorthYarmouth Little League

Business Address: PO Box 41 Cumberland, ME 04021

Name of Manager: CHRIS BURNE

Date of Event of New License: 4/30/2022

Signature of Authorized Person: 

Date: 5/9/2022

Establishment operated by Non-Profit organization - No Fee

Please return application to Town of Cumberland, 290 Tuttle Road, Cumberland, Maine, 04021.

TOWN OF CUMBERLAND  
APPLICATION FOR TEMPORARY VICTUALER'S LICENSE

Business or Trade Name: North Yarmouth Congregational Church Men's Club

Business Address: 43 The Lane, North Yarmouth, ME 04097

Name of Manager: Norman Smith

Date of Event of New License: 2023

Signature of Authorized Person: Norman Smith

Date: May 9, 2022

Establishment operated by Non-Profit organization - No Fee

Please return application to Town of Cumberland, 290 Tuttle Road, Cumberland, Maine, 04021.

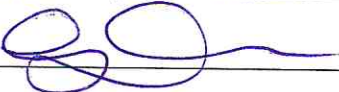
TOWN OF CUMBERLAND  
APPLICATION FOR TEMPORARY VICTUALER'S LICENSE

Business or Trade Name: Tuttle Road Community Church

Business Address: 52 Tuttle Rd, Cumberland, ME 04021

Name of Manager: Cindy Fulton

Date of Event of New License: Fiscal Year 2023

Signature of Authorized Person: 

Date: 5/17/22

Establishment operated by Non-Profit organization - No Fee

Please return application to Town of Cumberland, 290 Tuttle Road, Cumberland, Maine, 04021.

# ITEM

## 22-070

To consider and act on the formation of a Housing Task Force to be appointed by the Town Council to provide recommendations on ways to facilitate the development of affordable housing in the community

CUMBERLAND TOWN COUNCIL CHARGE

TO THE

**Housing Task Force (HTF)**

ADVISORY COMMITTEE

The Cumberland Affordable Housing Development Advisory Committee (CAHDAC) shall consist of up to 7 (seven) Cumberland residents appointed by the Cumberland Town Council to provide recommendations on ways to facilitate the development of affordable housing in the community.

The actions of the Housing Task Force shall include, but shall not necessarily be limited to, the following:

1. Review the results of the 2022 Community Survey to determine the level of concern that respondents expressed regarding the availability of affordable housing.
2. Review the 2020 U.S. Census data regarding demographics of the town and data related to the existing number, and types of, housing units.
3. Review the 2014 Comprehensive Plan to determine if the Housing chapter needs to be updated to reflect current conditions.
4. Review the 2014 Comprehensive Plan to determine if the current designated “Rural” and “Growth” areas should be revised to reflect new public utility locations, potential for public transit, and available land for development.
5. Make recommendations to the Cumberland Town Council on ways to facilitate the creation of affordable housing such as increasing density, reducing minimum lot sizes and expanding infrastructure (roads, water sewer). **This is where I think the Task force could weave in new state laws on density**
6. Review the potential for development of all types of housing to include single family, duplex, multiplex, accessory dwelling units, tiny homes, and manufactured homes, which includes single-wide mobile, double-wide mobile and modular homes.

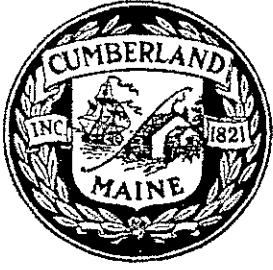
The Task Force shall submit a final report to the Cumberland Town Council for consideration and action no later than **December 15, 2022** \_\_\_\_\_.

# ITEM

# 22-071

To authorize the Town Manager to accept payment for delinquent FY'19 and a portion of FY'20 taxes in the amount of \$12,893.25 on property identified as Map R03/Lot 39B





# 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 2, 2022  
**Re:** Payment of Delinquent Property Taxes

I have received a request for acceptance of payment in the amount of \$12,893.25, for payment of delinquent property taxes for fiscal year 2019, and a portion of fiscal year 2020 for property located at Map R03/Lot 39B. This property is in tax foreclosure and the residents are hoping to work with the Town to pay the remaining balance due on the property.

# BUDGET REPORT

# Revenues



06/02/2022  
13:00:25

TOWN OF CUMBERLAND  
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1  
glactrpt

FOR PERIOD 11 OF 2022

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
<hr/>					
0011 Other Tax Revenues					
0011 0303 Motor Vehicle Excise Tax	-1,983,817.78	-1,776,474.20	-2,165,671.80	-2,050,319.46	-2,003,000.00
0011 0304 Boat Excise Tax	-12,865.10	-11,623.10	-16,873.39	-13,496.00	-17,000.00
0011 0325 Supplemental Taxes	.00	-38,940.00	.00	-1,212.60	.00
0011 0328 Outer Islands Property Tax	-22,020.50	-47,027.48	-22,947.69	-22,947.68	-46,000.00
0011 0329 Payment in Lieu of Taxes	-31,918.00	-32,122.96	-37,806.00	-38,079.00	-33,000.00
TOTAL Other Tax Revenues	-2,050,621.38	-1,906,187.74	-2,243,298.88	-2,126,054.74	-2,099,000.00
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0012 License & Permit Revenues					
0012 0311 Hunting/Fishing Lic Agent Fees	-457.25	-298.75	-365.00	-897.18	-541.00
0012 0312 Marriage Lic & Vital Records	-2,212.80	-2,051.60	-2,416.00	-2,543.80	-2,400.00
0012 0313 Birth Certificates	-1,288.60	-1,262.80	-1,318.40	-1,852.40	-1,400.00
0012 0314 Death Certificates	-1,994.00	-1,344.20	-1,403.60	-988.00	-1,500.00
0012 0315 Clerk Licenses	-4,345.00	-1,790.00	-1,955.00	-4,360.00	-4,608.00
0012 0316 Shellfish Licenses	-609.39	-568.94	-945.03	-959.15	-600.00
0012 0317 Conservation Fees	-160.61	-111.06	-244.97	-240.85	-100.00
0012 0334 Snowmobile Reg. Agent Fees	-223.00	-225.00	-268.00	-257.00	.00
0012 0361 Motor Vehicle Reg. Agent Fees	-19,913.00	-21,343.00	-31,792.00	-30,196.00	-21,406.00
0012 0362 Boat Reg. Agent Fees	-551.00	-306.00	-589.00	-536.25	-500.00
0012 0366 Building Permits	-68,688.05	-62,747.35	-121,383.38	-155,279.25	-75,000.00
0012 0367 Electrical Permits	-19,986.15	-18,238.75	-31,083.51	-34,844.22	-21,634.00
0012 0368 Plumbing Permits	-14,316.00	-13,440.00	-23,748.75	-24,698.75	-18,789.00
0012 0369 Other Permits	-976.00	-476.00	-595.00	-1,667.00	-1,751.00
0012 0383 ATV Reg. Agent Fees	-101.00	-76.00	-108.00	-75.00	-60.00
0012 0390 Misc. Revenue	-1,350.00	-1,750.00	-2,150.00	-1,630.00	.00
0012 0398 Application Fee	-3,950.00	-1,450.00	-1,950.00	-1,500.00	-1,300.00
0012 0401 Dog Reg. Clerk Fees	-929.00	-825.00	-691.00	-798.00	-900.00
0012 0404 Commercial Haulers License	-400.00	-100.00	-100.00	-500.00	-500.00
TOTAL License & Permit Revenue	-142,450.85	-128,404.45	-223,106.64	-263,822.85	-152,989.00
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0013 Intergovernmental Revenues					
0013 0331 State Revenue Sharing	-411,268.43	-673,790.45	-887,509.58	-1,160,490.35	-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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FOR PERIOD 11 OF 2022

ACCOUNTS FOR:	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001 General Fund					
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0013 0338 Federal Grants	.00	.00	-13,262.44	.00	.00
0013 0341 North Yarmouth Recreation Shar	-14,190.00	1,742.50	-4,546.00	-96,912.00	-129,216.00
0013 0342 North Yarmouth Library Share	-120,054.00	-127,020.67	-45,848.25	-144,326.25	-192,435.00
0013 0390 Misc. Revenue	.00	.00	.00	-13,619.95	.00
TOTAL Intergovernmental Revenue	-614,156.43	-870,548.62	-1,018,042.27	-1,487,984.55	-1,213,651.00
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0015 Other Revenues					
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0015 0305 Interest & Penalties	-30,879.09	-28,011.37	-21,965.42	-11,769.66	-30,000.00
0015 0306 Over/Short	3,775.34	2,014.25	300.14	-3,257.76	-100.00
0015 0364 Growth Permits	-2,300.00	-2,000.00	-3,200.00	-2,600.00	-2,000.00
0015 0365 Board of Appeals	-100.00	-200.00	-100.00	.00	.00
0015 0390 Misc. Revenue	-40,663.59	-32,105.83	-33,537.26	-53,846.30	-25,000.00
0015 0399 Staff Review Fee	-10,750.00	-9,325.00	-10,800.00	-5,550.00	-9,700.00
0015 0402 Cable TV Revenue	-128,633.84	.00	.00	.00	.00
0015 0403 Mooring Fees	-3,755.92	-7,624.00	-5,788.00	-17,754.00	-5,000.00
0015 0410 Private Ways	-1,000.00	.00	-400.00	-200.00	-400.00
0015 0508 Impact Fees	-69,941.90	-62,249.60	-91,565.60	-108,407.60	-60,000.00
TOTAL Other Revenues	-284,249.00	-139,501.55	-167,056.14	-203,385.32	-132,200.00
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0021 Police Related Revenues					
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0021 0337 State Grant revenue	-1,195.00	-1,846.00	-951.30	.00	.00
0021 0351 Police Issued Permits	-2,095.00	-9,724.00	-970.00	-612.00	-2,000.00
0021 0353 Police Insurance Reports	-416.00	-420.00	-380.00	-882.00	-500.00
0021 0390 Miscellaneous Police Revenue	-805.25	-192.00	-51.00	-455.00	-648.00
0021 0427 Parking Tickets	-375.00	-600.00	-200.00	-25.00	-100.00
0021 0431 Outside Detail	737.52	.00	.00	.00	.00
0021 0536 Dog Licenses ACO Revenue	-2,920.00	-3,041.00	-1,417.00	-2,427.00	-1,800.00
0021 0540 MSAD #51 SRO Reimbursement	-49,000.00	.00	.00	.00	.00
0021 0546 Court Reimbursements	-1,059.32	-4,846.72	-3,122.38	-1,306.64	-2,200.00
TOTAL Police Related Revenues	-57,128.05	-20,669.72	-7,091.68	-5,707.64	-7,248.00
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0022 Fire Related Revenues					
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0022 0390 Misc. Revenue	.00	-15.00	-15.00	.00	.00

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FOR PERIOD 11 OF 2022

ACCOUNTS FOR:	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001 General Fund					
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0022 0431 Outside Details	.00	-103.76	.00	.00	.00
0022 0504 Rescue Billing	-165,031.35	-141,301.37	-121,717.84	-135,496.41	-160,000.00
0022 0507 Paramedic Intercepts	.00	.00	-300.00	.00	.00
0022 0617 Donations Received	.00	-1,340.00	592.53	.00	.00
0022 0617 COVID Donations Received	.00	.00	8.99	.00	.00
TOTAL Fire Related Revenues	-165,031.35	-142,760.13	-121,431.32	-135,496.41	-160,000.00
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0031 Public Services Revenues					
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0031 0390 Misc. Revenue	-3,471.00	-26,492.07	-25,654.57	-28.00	-20,500.00
0031 0391 Field Usage Fees	-5,383.20	-4,031.80	.00	-4,446.60	-5,000.00
0031 0431 Outside Details	-1,234.03	-852.16	.00	.00	.00
0031 0517 Bags/Universal Waste	-283,012.50	-230,261.50	-263,715.00	-236,875.00	-295,015.00
0031 0539 Brush Passes	-9,611.00	-4,458.00	-24,767.00	-19,544.00	-8,277.00
0031 0617 Twin Brooks Donations	.00	-100.00	-1,885.00	-562.00	.00
TOTAL Public Services Revenues	-302,711.73	-266,195.53	-316,021.57	-261,455.60	-328,792.00
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0035 VH Other Revenues					
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0035 0329 Payment in Lieu of Taxes	.00	-9,000.00	.00	.00	.00
0035 0378 Soda Sales	-2,206.60	-1,703.40	-2,728.89	-3,458.00	-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	-19,800.00	-19,800.00	-21,690.00	-22,770.00	-24,840.00
TOTAL VH Other Revenues	-32,282.85	-37,253.40	-31,168.89	-33,728.00	-41,340.00
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0037 VH Golf Revenues					
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0037 0306 Over/Short	242.99	507.22	-2.84	78.06	.00
0037 0357 Golf Memberships	-211,707.15	-199,014.68	-322,539.80	-404,469.60	-235,542.00
0037 0358 Greens Fees	-113,205.83	-111,344.04	-192,076.25	-219,935.30	-179,737.00
0037 0359 Golf Cart Rentals	-65,153.19	-64,467.65	-108,714.44	-125,806.10	-92,257.00
0037 0416 Practice Range	-4,911.75	-1,248.25	-7,221.97	-6,501.00	-8,860.00
0037 0417 VH Program Revenues	-57,392.70	-45,943.00	-79,028.63	-86,923.00	-70,500.00
0037 0419 Advertising Sales	-16,631.50	-4,000.00	-17,000.00	-11,000.00	-22,500.00
0037 0522 Outing Golf	-42,978.43	-66,487.00	-36,038.00	-65,208.00	-48,290.00

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FOR PERIOD 11 OF 2022

ACCOUNTS FOR:	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001 General Fund					
TOTAL VH Golf Revenues	-511,737.56	-491,997.40	-762,621.93	-919,764.94	-657,686.00
<u>0041 Recreation Related Revenues</u>					
0041 0440 41100 After School Programs	-306,877.09	-256,051.50	-309,363.50	-333,539.00	-272,000.00
0041 0441 41110 Youth Enrichment Programs	-166,495.20	-124,347.32	-22,287.50	-97,060.50	-175,000.00
0041 0441 41180 Youth Summer Enrichment Re	.00	.00	.00	-71,495.00	.00
0041 0442 41120 Youth Sports Programs	-109,762.75	-69,723.00	-15,513.50	-112,509.75	-115,000.00
0041 0443 41130 Skiing Programs	-53,362.00	-57,274.00	-14,282.50	-39,685.00	-45,020.00
0041 0444 41140 Day Camps	-162,722.75	-30,108.43	-72,644.50	-211,997.90	-165,000.00
0041 0445 41150 Swimming Programs	-25,585.29	-20,141.00	-1,155.00	6,363.80	-21,250.00
0041 0446 41160 Adult Enrichment Revenue	-38,020.43	-19,789.40	-14,350.00	-18,310.40	-31,715.00
0041 0447 41170 Adult Fitness Revenue	-61,860.83	-44,129.20	-33,106.00	-71,961.80	-45,000.00
0041 0448 41190 Special Events/Trips Reven	-4,189.00	-4,415.00	.00	-5,396.00	-5,000.00
0041 0449 41190 Recreation Programs	-2,151.00	-6,104.28	.00	.00	-1,995.00
0041 0570 41190 Rec Soccer Revenue	-21,355.00	-22,330.00	-9,123.00	-29,827.00	-23,000.00
0041 0571 41190 Rec Ultimate Frisbee Reven	-14,519.00	-12,035.00	-6,545.00	-15,455.00	-14,000.00
0041 0606 41190 CPR/First Aid Revenues	400.00	-630.00	-240.00	-1,675.00	-250.00
TOTAL Recreation Related Reven	-966,500.34	-667,078.13	-498,610.50	-1,002,548.55	-914,230.00
<u>0044 W Cumberland Hall Revenues</u>					
0044 0377 Hall Rental	.00	.00	.00	-1,280.00	.00
TOTAL W Cumberland Hall Revenu	.00	.00	.00	-1,280.00	.00
<u>0045 Library Related Revenues</u>					
0045 0392 Library Fines	-3,026.73	-3,177.22	-744.69	-49.15	.00
0045 0394 Misc. Library Revenue	-1,151.90	-995.20	-654.00	-462.58	.00
TOTAL Library Related Revenues	-4,178.63	-4,172.42	-1,398.69	-511.73	.00
TOTAL General Fund	-5,131,048.17	-4,674,769.09	-5,389,848.51	-6,441,740.33	-5,707,136.00
TOTAL REVENUES	-5,131,048.17	-4,674,769.09	-5,389,848.51	-6,441,740.33	-5,707,136.00
GRAND TOTAL	-5,131,048.17	-4,674,769.09	-5,389,848.51	-6,441,740.33	-5,707,136.00

# Expenses



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HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 11 OF 2022

ACCOUNTS FOR:	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001 General Fund					
130 Administration	566,537.53	594,289.58	517,669.58	578,030.45	664,743.00
140 Assessor	101,288.27	97,514.56	99,086.57	104,703.42	118,867.00
150 Town Clerk	219,226.70	246,416.16	213,195.05	279,198.85	291,177.00
160 Technology	184,525.12	230,052.71	298,266.65	257,833.83	280,613.00
165 Elections	8,400.30	9,148.99	11,852.93	33,531.09	35,127.00
170 Planning	58,418.54	56,026.21	54,219.89	63,821.45	74,035.00
190 Legal	56,463.85	43,209.17	54,680.73	50,469.11	47,500.00
210 Police	1,214,673.24	1,233,397.14	1,253,398.64	1,362,417.97	1,552,217.00
220 Fire	855,154.79	869,624.69	890,564.77	891,367.91	1,078,586.00
240 Code Enforcement	130,729.35	126,516.58	136,234.60	145,593.00	150,858.00
250 Harbor Master	4,682.18	14,676.21	14,911.93	14,506.55	22,480.00
260 Animal Control	28,239.64	32,758.51	20,011.15	35,710.09	36,179.00
310 Public Works	1,054,396.32	1,065,606.17	1,020,752.55	1,175,502.74	1,302,955.00
320 Waste Disposal	435,562.21	478,964.64	494,535.31	567,879.75	637,459.00
350 Valhalla-Club	34,317.10	20,590.50	23,355.85	21,919.75	26,241.00
360 Valhalla-Course	435,215.33	460,987.77	502,611.88	514,706.54	559,899.00
370 Valhalla-Pro Shop	244,893.41	175,813.02	189,008.98	211,403.02	240,351.00
410 Recreation	983,754.70	941,889.46	668,840.19	971,879.96	955,292.00
420 Aging in Place	22,635.96	67,773.74	66,486.60	81,147.02	101,716.00
430 Parks	282,610.03	267,450.41	307,392.26	302,908.87	327,477.00
440 West Cumberland Rec	5,608.25	5,768.87	4,751.29	6,717.10	8,744.00
450 Library	450,268.49	466,699.03	456,235.66	509,017.44	550,098.00
470 Historical Society Building	7,146.28	4,335.30	204.00	2,556.25	11,364.00
580 General Assistance	30,990.78	30,067.94	20,330.78	14,240.64	35,000.00
590 Health Services	13,577.20	17,577.20	894.30	3,577.20	3,875.00
620 Cemetery Association	28,450.00	26,700.00	27,575.00	26,700.00	26,700.00
630 Conservation	6,212.20	2,383.61	9,917.43	20,349.10	21,000.00
650 Debt Service	969,023.35	1,053,399.23	1,156,096.72	1,238,180.21	1,262,301.00
750 Insurance	280,834.13	269,670.68	331,399.60	343,248.61	319,619.00
800 Fire Hydrants	73,523.06	68,456.54	76,957.62	71,243.81	83,500.00
810 Street Lighting	30,794.42	35,241.92	45,000.00	45,000.00	45,000.00
830 Contingent	5,907.19	3,809.31	59,298.49	27,231.75	10,000.00
840 Municipal Building	90,460.25	84,609.55	91,569.52	131,101.48	109,837.00
850 Abatements	23,670.91	35,285.20	10,555.87	14,378.85	1.00
TOTAL General Fund	8,938,191.08	9,136,710.60	9,127,862.39	10,118,073.81	10,990,811.00
TOTAL EXPENSES	8,938,191.08	9,136,710.60	9,127,862.39	10,118,073.81	10,990,811.00
GRAND TOTAL	8,938,191.08	9,136,710.60	9,127,862.39	10,118,073.81	10,990,811.00

CUMBERLAND TOWN COUNCIL CHARGE

TO THE

**Housing Task Force (HTF)**

ADVISORY COMMITTEE

The Cumberland Affordable Housing Development Advisory Committee (CAHDAC) shall consist of up to 7 (seven) Cumberland residents appointed by the Cumberland Town Council to provide recommendations on ways to facilitate the development of affordable housing in the community.

The actions of the Housing Task Force shall include, but shall not necessarily be limited to, the following:

1. Review the results of the 2022 Community Survey to determine the level of concern that respondents expressed regarding the availability of affordable housing.
2. Review the 2020 U.S. Census data regarding demographics of the town and data related to the existing number, and types of, housing units.
3. Review the 2014 Comprehensive Plan to determine if the Housing chapter needs to be updated to reflect current conditions.
4. Review the 2014 Comprehensive Plan to determine if the current designated “Rural” and “Growth” areas should be revised to reflect new public utility locations, potential for public transit, and available land for development.
5. Make recommendations to the Cumberland Town Council on ways to facilitate the creation of affordable housing such as increasing density, reducing minimum lot sizes and expanding infrastructure (roads, water sewer). **This is where I think the Task force could weave in new state laws on density**
6. Review the potential for development of all types of housing to include single family, duplex, multiplex, accessory dwelling units, tiny homes, and manufactured homes, which includes single-wide mobile, double-wide mobile and modular homes.

The Task Force shall submit a final report to the Cumberland Town Council for consideration and action no later than **December 15, 2022** \_\_\_\_\_.