

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, June 20, 2022

6:00 P.M. Executive Session

7:00 P.M. Call to Order

- I. **EXECUTIVE SESSION** pursuant to 1 M.R.S.A., § 405(6)(D) re: contract negotiations between the Town of Cumberland and the Teamsters Local Union No. 340 for the Cumberland Fire Department

II. CALL TO ORDER

III. APPROVAL OF MINUTES

June 6, 2022

IV. MANAGER'S REPORT

V. 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.

VI. LEGISLATION AND POLICY

22 – 072. To swear in newly elected Town Councilors.

22 – 073. To hear a recommendation from the Appointments Committee, and vote to appoint a new Town Councilor to fill the vacant Town Council seat and swear in newly selected Town Councilor.

22 – 074. To elect a Town Council Chair and Vice-Chair.

22 – 075. To hear a report from the Finance Director re: end of year financials.

22 – 076. To hold a Public Hearing to consider and act on a Credit Enhancement Agreement for Yarmouth Veterinary Center, as recommended by the TIF Committee.

22 – 077. To hold a Public Hearing to consider and act on authorizing the Town Manager to enter into a labor contract agreement with the Teamsters Local Union No. 340 for the Cumberland Fire Department, for the period of July 1, 2022 – June 30, 2024.

22 – 078. To consider and act on Commercial Hauler's license renewals for FY'23.

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

22 – 080. To authorize the Town Manager to advertise for the vacant M.S.A.D. 51 School Board seat.

22 – 081. To authorize the Town Manager to transfer assignment of a Credit Enhancement Agreement from Seafax to Maine Colloids, LLC.

VII.NEW BUSINESS

VIII.ADJOURNMENT

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, June 6, 2022

7:00 P.M. Call to Order

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

Excused: Councilor Segrist

I. CALL TO ORDER

II. APPROVAL OF MINUTES

Motion by Councilor Copp, seconded by Councilor Storey-King, to accept the May 23, 2022 meeting minutes as presented.

VOTE: 5-0 UNANIMOUS

III. MANAGER'S REPORT

Town Manager Shane introduced Police Chief Rumsey to give an update to the Town Council and the community on the multitude of projects and safety initiatives ongoing within the Police Department.

Chief Rumsey said that following the events in Uvalde, Texas, most people in the community likely have some concerns about school safety. When the report is completed on the incident there, he will be one of the first people to read it so he can learn what happened, and what can be learned to better prepare ourselves for a potential catastrophe here. He wants to let everyone know what we are doing to make sure that our school campuses can be just as safe as they can be. We do a very good job here in Cumberland of equipping our police officers with modern tools, so they have what they need to respond. He also wants everyone to know that he has the utmost confidence in our School Resource Officer, Amie Owen, and the work that she does on campus. She is quick to respond, she is nuanced in her approach in dealing with students to try to make sure that the school campus is safe, that concerns are investigated, and that the welfare and safety of all the students are considered. MSAD 51 has an active school safety committee and he pleased that Officer Owen and himself, along with Chief Small are very involved in that committee. The school does a process called Behavioral Threat Assessments, which is a violence prevention strategy that involves identifying student threats to commit a violent act, determining the seriousness of that threat, and developing intervention plans to protect potential victims and address the underlying problem or conflict that stimulated the threatening behavior. This is accomplished by a multi-disciplinary team of professionals, including school officials, and our School Resource Officer. He is excited that this fall, the school is going to be instituting an anonymous threat reporting system. Any threat to commit violence will be reported to all school administrators and members of the Police Department. His department is committed to immediately and thoroughly investigating any threat that occurs on the campus or is made outside the campus. This fall, right before school starts, we will be helping the MSAD in training every faculty and staff member in ALICE (Alert-Lockdown-Inform-Counter-Evacuate). This is an active assailant response system that gives folks on campus some options on how to respond if there is an active assailant in the school. He wants the community to know that his department will take the proper action if it were ever required. He wrote a letter and he is very pleased that it was signed by every single member of the Cumberland Police Department, which he read:

Dear Members of the MSAD #51 Community:

We, the undersigned members of the Cumberland Police Department, grieve with you over the recent tragedy in Uvalde, Texas. We appreciate the anxiety and concern that you may be feeling as you send your children, our most precious community members, to school. Perhaps you wonder if your police department is trained, equipped, prepared, and resolved to defeat an active assailant on our campus.

Most of us are parents. Many of us are siblings. All of us were once children and students. We know in our hearts that if we had experienced the terror of an armed intruder intent on harming us, our teachers, and our classmates, we would have hoped for one thing: a brave, unflinching, uniformed police officer to rush in and save us.

We are united and unwavering in our commitment to take any measure necessary, including the sacrifice of our lives, to protect your children and your children's teachers. We are trained to respond immediately and to move decisively toward any threat. We are prepared to neutralize any such threat using physical force, including lethal force. We are equipped with modern tools to make entry into any school, even if it has been barricaded to deny us entry. We have trained, and will continue to train, with our public safety partners at the Cumberland Fire Department to assist with the delivery of lifesaving treatments to injured students, faculty, and staff during an incident.

News of mass casualty incidents around the nation rightfully spark fear and uncertainty in parents, faculty, staff, and even students. Please know that for us, these concerns are ever-present. We are proud of the collaborative and proactive relationship we maintain with MSAD 51 administration regarding school safety and pre-incident planning. We consider how and where we will enter buildings in an emergency and ensure our equipment is accessible and in working order.

In the coming months, we will seek to learn any lessons available from Texas. We will continue training, planning, and preparing. We will enhance, at any opportunity, our skills and equipment. The solemn vow we make to you today will never change: we pledge that without hesitation, we will act.

Very Respectfully,

*Amie Owen
School Resource Officer*

*Antonio Ridge
Sergeant*

*Scott Hendee
Sergeant*

*Jacob Lachance
Sergeant*

*Benjamin Burnes
Detective*

*Matthew Merriman
Patrol Officer*

*Joseph Burke
Patrol Officer*

*Ryan Pynchon
Patrol Officer*

*Nicholas D'Ascanio
Patrol Officer*

*Christopher Schofield
Patrol Officer*

*Charles Rumsey
Chief of Police*

Town Manager Shane gave an update on the Rail & Trail project. The next meeting will be to ride the route to look at the challenging areas.

- Not all sections will make sense
- Any trail only option will only be temporary and may revert back to a rail in the future
- Consultant is working on economic impacts and design of cross sections

- Abutter issues are still a concern, especially since the local public meetings don't happen until the end of the process
- Lots of trail advocates – not many rail proponents

The Tuttle Road bridge project is very much in the preliminary stages, but the Bucknam and Johnson Road projects have gone out to bid. A lot of coordination between the Towns from a public safety standpoint will be ongoing. He has asked the Maine Department of Transportation to make sure the bridge has adequate shoulders and a sidewalk on the southern end of the bridge.

The Cumberland Farmer's Club had their 150th Celebration at the Fairgrounds this past weekend. He was honored to congratulate the Farmer's Club on behalf of the Town Council. It was a great event and Representative Steve Moriarty provided a Legislative sentiment from our state leadership.

We were supposed to have a presentation from the Historical Society this evening regarding their scavenger hunt, but it will need to be rescheduled for some time later this summer. Judy Gagnon couldn't be here tonight, and it is important to have Judy and Deb Dugas available to present. They have done so much with this program.

Councilor Foster read the joint comment that is being submitted to the Public Utilities Commission from Cumberland, Falmouth, and Yarmouth in regard to the Summit Natural Gas rate increase: *The Towns of Cumberland, Falmouth, and Yarmouth (collectively the "Towns") submit the following Joint Comment in response to Summit Natural Gas of Maine, Inc.'s ("Summit") Petition for an Alternative Rate Plan (the "ARP") and the Commission's April 20, 2022 Procedural Order Directing Filing of Comments.*

Residential gas customers within Cumberland, Falmouth, and Yarmouth collectively account for over half of Summit's total customer base. As such, any increase in Summit's rate will disproportionately affect the Towns' citizens and is thus of great concern to the Towns.

Specifically, Summit's ARP proposes a sixteen percent increase in residential rates in Year 1 and then requests an allowance for additional annual increases of up to fifteen percent in Years 2-7. If approved and fully utilized, a typical residential gas customer in Cumberland, Falmouth, or Yarmouth could see their monthly gas bill triple over the next seven years.

A substantial increase in the cost of a basic utility – that provides for heating, cooking, and the production of hot water – will have an undoubtedly negative effect on all residents, especially those who are living on fixed incomes, and particularly when coupled with the current upward trajectory of the cost of other basic goods and services.

The Towns do not dispute that Summit is entitled to a reasonable return on its investment in the infrastructure that provides this service, consistent with appropriate accounting principles used by the Commission across all rate cases. The Towns are also interested in seeing Summit remain a viable service provider within these communities. However, ratepayers should not be held captive to rate increases that are largely necessitated by Summit's miscalculation of the cost and rate of return on its substantial infrastructure buildout over the past decade. Many of these ratepayers have already spent thousands of dollars to convert their homes from oil to natural gas, and now will have no other option than to shoulder the brunt of this proposed rate increase to offset this miscalculation. The impact of the ARP on customers within the Towns and in other territories served by Summit necessitates both careful review and substantial scrutiny of the ARP by the Commission.

Respectfully submitted,

*Alyssa C. Tibbetts, Esq.
Benjamin T. McCall, Esq.*

*Attorneys for the Towns of Cumberland, Falmouth and Yarmouth
Jensen Baird
Ten Free Street
P.O. Box 4510
Portland, ME 04112*

Chairman Vail shared that Councilor Segrist is absent this evening. He and his wife welcomed their new daughter, Ingrid Winter. Best wishes to the Segrist family.

IV. PUBLIC DISCUSSION

Teri Maloney-Kelly of Maloney's Ridge Way congratulated Deb Dugas and Judy Gagnon on their successful scavenger hunt for the Historical Society. This year, they included some living treasures within our Town, which included her father, Bob Maloney, Glen Hutchins and Carolyn Small. Since she was the photographer at her location, she had the pleasure of watching the teams come to her dad's house. This was a wonderful event to see the community participate in.

Thank you to all the folks in Town who help put on the Memorial Day parade. It was fabulous to have it back and Chairman Vail's speech was heartfelt and very touching.

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.

Councilor Copp recused himself from this item and stepped off the dais.

Chairman Vail explained that this was discussed at the last meeting and there were two amendments made to the Consent Order that was presented that evening. An agreement has been reached between Mr. Copp and the Town to mitigate the damage that was done on the property and bring it into conformance with our zoning.

Town Manager Shane said that the amendments to the order from the last meeting were on items 6 and 15. Specifically, it now reads "the work shall commence no later than May 1, 2023" and "the terms of the Consent Order do not constitute a certificate of occupancy for the single-family home currently existing on the property".

Chairman Vail opened the Public Hearing.

Public comment: Teri Maloney-Kelly, Maloney's Ridge Way, said that she is a property owner adjacent to the property owned by Randy Copp. She read the following:

Do you remember what you were doing on October 11, 2010? Perhaps not because that was 11 years, 7 months and 26 days ago. It was the first time I came before the elected leadership of my town asking for help and protection in our neighborhood for what was then and throughout the 8 years of operation, an illegal gravel extraction business. My request also included reviewing the ordinance that allows water extraction

and storage. These industrial operations were allowed in residential zones affecting 80% of our citizens. Not only were our natural resources under attack but our daily lives were being bombarded with the effects that this type of operation brings with it.

This was the beginning of many years of noise, lost sleep, environmental violations, daily destruction of our public roadways from the illegal loaded dump trucks, thousands of hours of wasted time, resources and taxpayer monies spent by our Town officials and employees monitoring and negotiating with Mr. Copp and fielding complaints from citizens whose quality of life was being invaded 7 days a week at any given time of the day.

The Town Council at that time decided to make amendments to the ordinance to remove water extraction and storage. However, they declined to take action on the residential gravel extraction ordinance. We formed a citizens group, gathered signatures and put a referendum question on the June 14, 2011 ballot to remove gravel extraction from residential zones. The citizens of this Town made their voices heard and 63% approved the gravel ordinance change. Although we thought that would put an end to the industrial operation next door, it did not.

The next 5-7 years were a daily test of acceptance because of the violation of the quality of life in our neighborhood. One would think you would become accustomed to the house shaking, the dust flying in the air, the loud sounds from the equipment, the dump trucks beeping and banging their tailgates, equipment being left in the "reverse" gear putting out the backup beeps for up to an hour or more at a time, having to keep the windows closed during the summer to soften the noise, finding alternative sleeping arrangements when family members were on night shift and having to sleep during the day, having to move outdoor outings inside because of the noise, lastly and the hardest for me to deal with was when my husband would have to wear earplugs while trying to rest during the summer of 2016 while battling cancer. There was no getting away from it. In addition, the illegal operation gave a black eye to the earth extraction business as well as the large, long standing Copp Family even though many were opposed to what was going on.

The upsides were few but worth mentioning. I became active in the business of the Town. Through that journey I have met many wonderful neighbors, old and new. I watched our town become something I never would have imagined in less than 10 years. We are now the wealthiest per capital town in Maine and growing every day. Our school system is one of the best and folks are flocking to partake of the benefits. Anyone wanting to sell their home is living the dream. Our ordinances have been actively reviewed and revamped. New citizens have been elected to Town Council to help Cumberland navigate its new status. Our new times have put a higher degree of importance on the residential quality of life for our citizens.

What remained the same throughout the past 11+ years is that our Town Manager Bill Shane, Code Enforcement Officer Bill Longley and all the staff at Town hall have respected us, advocated, fought, listened, and put in long hours defending our neighborhood and our right to a quality of life. A thank you is hardly adequate for the support and trust given and taken during the years.

It has been 4,265 days since I came asking for help. Today I ask that you approve the proposed Consent Agreement with Mr. Copp. It is time that Mr. Copp is made to comply with all of the rules and regulations that any other residential citizen has to comply with. There is nothing special about him. By consenting to this Agreement it demonstrates support for all of the dedication put forth by our Town staff over this long period of time. Lastly, it will signal a new era for our neighborhood, one that will bring us in line with my fellow citizens throughout Cumberland.

Chairman Vail closed the Public Hearing.

Chairman Vail said that it is unfortunate that so much time has elapsed. It is unfortunate that people live in a community and don't respect the desires of the majority.

Motion by Councilor Storey-King, seconded by Councilor Foster, to approve and authorize for submission to the Maine Superior Court a proposed Consent Judgment in litigation pertaining to the property of Randall E. Copp and Elvin Copp, located on Pointer Way (Map R07, Lot 57C).

VOTE: 4-0-1 (Copp abstained) MOTION PASSES

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.

Chairman Vail explained that this is an annual approval for non-profit organizations.

Councilor Storey-King said that we do not have applications for any of the sports organizations. She emailed the Athletic Director and requested that he contact the booster organizations and ask them to get their applications into the Town Clerk. She proposed that we accept the Victualer's Licenses for the organizations that have submitted their application.

Town Manager Shane that he is happy bring the booster club's licenses back at a future date.

Chairman Vail said that the licenses to be approved this evening are for the Lion's Club, West Cumberland United Methodist Church, Cumberland County 4-H Leaders Association, Cumberland/North Yarmouth Little League, North Yarmouth Congregational Church Men's Club, and Tuttle Road Community Church.

Chairman Vail opened the Public Hearing.

Public comment: none

Chairman Vail closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Foster, to approve the annual Victualer's Licenses for the following non-profit organizations for the period of July 1, 2022 – June 30, 2023: the Cumberland/North Yarmouth Lion's Club, West Cumberland United Methodist Church, Cumberland County 4-H Leaders Association, Cumberland/North Yarmouth Little League, North Yarmouth Congregational Church Men's Club, and Tuttle Road Community Church.

VOTE: 5-0 UNANIMOUS

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.

Chairman Vail said that the Town Council has held two workshops on this item, received input from the Greater Portland Council of Government, we have had conversations with the leaders of our church's, and community members. We want to form a task force made up of community members to look at the issues of what the needs of the Town are, specifically around affordable, senior, multi-generational, asylum seekers, etc. The committee will be charged with reporting back to the Town Council within 6-months to make a recommendation. He would like to see an application process with 7-10 people appointed.

Chairman Vail asked for any public comment.

Teri Maloney-Kelly of Maloney's Ridge Way said that she is happy to hear that we are moving forward on this, and she hopes that the task force will be a diverse group of younger and older residents.

Reverend Allison Smith, of the Congregational Church, thanked the Town Council for their thoughtful discussion on this item at their last meeting. This is so vital, and it is a need across the entire state. We have the capacity to be creative and try to find solutions here that will benefit the well-being of all people. She urged the Council to be mindful of the violence happening to the people of Ukraine and think about how communities can rally and use resources well, and welcome others and provide for those within the community. She is excited about the possibilities.

Councilor Storey-King said that she has thought a lot about this and asked how many of us have spare bedrooms in their homes. As a society, we don't have a housing shortage, we have enough bedrooms for people. We don't have the culture to provide for all the people in need. Just something to think about.

Councilor Edes said that he was not supportive of this at first, but just needed more information. His first concern is for our seniors and for them to be able to stay in Cumberland.

Councilor Foster said that she continues to be wowed by the talent and the experience within our Town citizenry. She is excited to see who raises their hand to be part of this, and the creative solutions and ideas that come out of it.

Councilor Copp said that he agrees with Councilor Foster, and he knows that a lot of good will come out of this task force.

Motion by Councilor Storey-King, seconded by Councilor Edes, to approve 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.
VOTE: 5-0 UNANIMOUS

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.

Town Manager Shane explained that the property owner will be working to pay all the taxes due and the lien on the property will not be released until all the taxes and fees are paid in full.

Chairman Vail asked for public comment.
No public comment.

Motion by Councilor Edes, seconded by Councilor Copp, 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.

Further, I authorize the Town Manager to execute a release deed upon receipt of all taxes and fees due on the property.
VOTE: 5-0 UNANIMOUS

VI. NEW BUSINESS

Councilor Storey-King – Congratulations to the Segrist family on the new addition to their family.

She was unable to attend the rail use corridor meeting on Zoom, so she requested that a copy be sent to her. She has still not received it and asked the Manager if he could assist with getting this.

She asked the Manager to look at the Middle and Tuttle Road intersection. The intersection is broad, and people take the turn onto Middle very fast. It is very dangerous. Her elderly aunt walks the road and is concerned for her safety.

She attended the celebration for the Farmer's Club 150th birthday this past weekend. It was a fun event and the Farmer's Club is more than just the Cumberland Fair. They hold many great community events at the fairgrounds. They do a great job.

Congratulations to the Greely seniors who graduated yesterday. A special shout out to Mathew Gilbert who is one of the top 10 seniors to watch. He will be attending Cornell on a full scholarship and his goal is to become a priest. She has known Matthew since he was a little boy, and she is so excited for him.

We had a farewell celebration for Tom Gruber, who decided to step down from the Town Council. She reminded people who may be interested in filling the vacancy to apply by this Friday.

Councilor Foster – She almost witnessed a cyclist being struck by a vehicle at the Greely Road rail crossing. The signs that read "bicycles can use the entire lane" is at the top of the hill. As cars come up the hill, they cannot see that a cyclist is in the lane ahead. The sign may have to be moved to alert drivers sooner.

She has started going through the survey data and hopes that it will be completed and can be reviewed with the entire Council in a workshop soon. Some highlights include:

- The top words to describe what Cumberland means to you included: community, home, safe, and family.
- The demographic mix of respondents are very similar to our last survey, but a higher number of females responded this time.

Councilor Edes – Condolences to the people of Uvalde, Texas. Our hearts are with them.

Our deepest sympathies to the Flanigan family on Bruce Flanigan's passing. Bruce retired from the State Police almost 20 years ago. He was very active in the Farmer's Club.

Congratulations to the Segrist family on the arrival of their new daughter, Ingrid.

Councilor Copp – Congratulations to the Segrist family.

He attended the Memorial Day parade. It was a very well attended and Chairman Vail's speech was phenomenal.

Condolences to the Flanigan family. Bruce was a very good guy.

He made his donation to the 4-H food pantry fund and urged everyone to give to this worthy cause. Councilor Edes informed him that he will be donating his Town Council pay to the fund going forward. Thank you, Mike.

Chairman Vail – in regard to the recent school shooting in Texas, he thought about his own experience growing up in this community and what it meant to own a gun to go hunting, and the exercise of that privilege. That privilege was extended by his father and began and ended there. He had the opportunity to take a hunter safety course at Greely High School when he was a kid, which was required by his father. In the service, he carried a sidearm that he had to qualify with every year that he was on active duty. He has listened to the conversations on gun reform to prevent any more of these travesties, and as a group of community leaders, he thinks that we should set an example of what it means to have the responsibility of owning a firearm. As he said to a friend recently, nothing is more important than mentoring young people.

VII. EXECUTIVE SESSION pursuant to 1 M.R.S.A., § 405(6)(A) re: Town Managers evaluation.
Motion by Councilor Copp, seconded by Councilor Storey-King, to recess to Executive Session pursuant to 1 M.R.S.A., § 405(6)(A) re: Town Managers evaluation.

VOTE: 5-0 UNANIMOUS

TIME: 8:24 P.M.

Reconvene to regular session at 9:14 P.M.

VIII. ADJOURNMENT

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

VOTE: 5-0 UNANIMOUS

TIME: 9:14 P.M.

Respectfully submitted by,

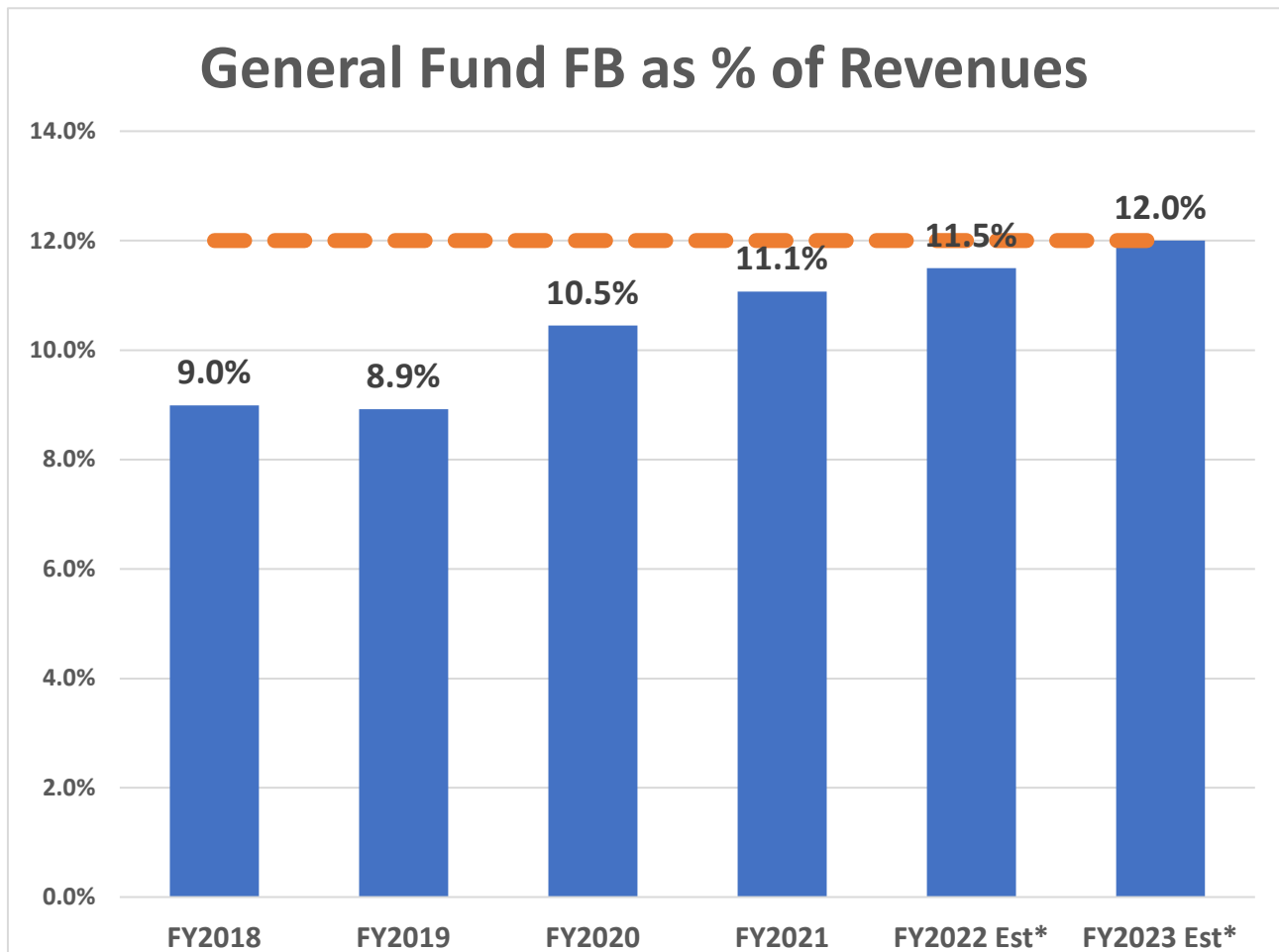
Brenda L. Moore
Council Secretary

ITEM 22-075

To hear a report from the Finance Director re: end of year financials

TOWN OF CUMBERLAND
FUND BALANCE HISTORICAL FUTURE EXPECTATIONS

	GF Revenues	GF EOY FB	Actual:	Goal:	Amount Needed	Goal
FY2014	23,806,938	1,668,540	7.0%	12.0%	1,188,293	2,856,833
FY2015	25,207,688	2,066,785	8.2%	12.0%	958,138	3,024,923
FY2016	27,235,216	2,511,108	9.2%	12.0%	757,118	3,268,226
FY2017	27,874,301	2,436,028	8.7%	12.0%	908,888	3,344,916
FY2018	28,800,124	2,590,074	9.0%	12.0%	865,941	3,456,015
FY2019	30,580,973	2,729,270	8.9%	12.0%	940,447	3,669,717
FY2020	31,405,601	3,282,135	10.5%	12.0%	486,537	3,768,672
FY2021	33,357,172	3,694,260	11.1%	12.0%	308,601	4,002,861
FY2022 Est*	34,739,963	3,995,096	11.5%	12.0%	173,699	4,168,796
FY2023 Est*	36,129,561	4,335,547	12.0%	12.0%	0	4,335,547



***Town Policy for fund balance is 12% - Above is the established plan to get to 12%.**

Town of Cumberland
Sources and Uses of GF Surplus
Fiscal Year Ending 6/30/2022

	\$		%
FY2021 Ending GF Fund Balance	\$	3,694,260	11.1%
	<u>Budgeted</u>	<u>Actuals</u>	<u>Over/Under Budget</u>
GF Revenues	\$33,375,355	\$34,739,963	\$1,364,608
GF Expenses	(\$33,246,402)	(\$33,466,492)	(\$220,090)
Estimated End of Year funds available:		<u>1,273,471</u>	
Less transfers for:			<u>REF</u>
GF Reserve -Assessing: Revaluation		(50,000)	A
Land & Conservation - Remaining balance from GF		(651)	B
Tennis Court Fund		(10,000)	C
Debt Service Reserves		(100,000)	D
CIP Roads - Paving		(312,643)	E
CIP Buildings		(382,674)	F
CIP Solar Field: Solar Field - fund 2/6th (6 years to fund)		(116,667)	G
		<u>(972,635)</u>	H
FY2022 GF Ending Fund Balance*	\$	3,995,096	11.5%

**Any excess above 11.5% to CIP Buildings*

		FY 2022 Actual									
Fund	Beg Fund Balance	Transfer in (out)	Revenues	(Expenses)	EOY Trf	REF	End Fund Balance	Fund Name	Fund Balance	PY Fund Bal	\$ Change
001	\$ 3,694,260	\$ (343,632)	\$ 34,739,963	\$ (33,122,860)	\$ (972,635)	H	\$ 3,995,096	General Fund	11.5%	11.1%	\$ 300,837
100	170,000		-	-	50,000	A	220,000	GF Resrv - Assessing (need \$220k)			
106	56,103	55,000	-	(79,216)	-		31,887	GF Resv - Senior Tx Rebate			
107	251,616		\$ 151,645	(59,351)	-		343,910	Food Pantry			
108	67,723		\$ 2,435	(39,360)	-		30,798	FuelAssist			
200	3,674		-	-	-		3,674	Twin Brook Fund			
201	28,183		\$ 11,380	(3,249)	-		36,314	Misc Restricted (Rec)			
204	-		\$ 77,660	(39,212)	-		38,449	Land Acq			
205	-	-	\$ 8,718	(77)	651	B	9,292	Land & Conservations (Funds from 0630 YE)			
208	88,165	25,000	-	(54,578)	-		58,587	GF Resrv - HR	BUDGET	ACTUAL	Available
ALL	-	-	-	-	-		-	All (Closing costs)	63,982	63,982	(0)
CCHAB	-	-	-	118	-		118	Council Chambers	150,000	242,007	(92,007)
CMPST	-	-	-	-	-		-	Compost Pad	500,000	742,466	(242,466)
FRTRK	-	-	-	-	-		-	Fire Truck	1,400,000	1,403,963	(3,963)
SSHD	-	-	-	-	-		-	Sand/Salt Shed	500,000	652,266	(152,266)
THPRK	-	-	-	-	-		-	Townhall Parking lot	190,000	15,550	174,450
TWNGR	31,141	-	-	(31,259)	-		(118)	Town Garage	4,264,528	3,948,274	316,254
213	31,141	-	-	(31,141)	-		-	Bond Fund	7,068,510	7,068,509	0
216	(928,034)	(500,000)	\$ 2,650,265	(1,850,497)	-		(628,266)	TIF Distr			
238	13,077	-	-	-	10,000	C	23,077	Tennis Ct (Need to get to \$22k for FY23)			
240	20,258	-	-	-	-		20,258	Rte1 Pk Res			
244	587,791	(330,000)	-	-	100,000	D	357,791	DebtSvcRsv			
248	(346)	-	\$ 16,456	(14,892)	-		1,217	Fire Fund			
250	-	(55,000)	\$ 436,951	(82,937)	-		299,014	ARPA Fund (New FUND in FY22)			
252	(137,882)	500,000	\$ 80,000	(954,761)	312,643	E	(200,000)	CIP Roads			
253	20,459	-	\$ 17,124	(18,800)	-		18,783	PD Community			
254160	165,717	-	126,686	(76,300)	-		216,104	CIP Equip-IT			
254210	(30,767)	71,500	-	(63,095)	-		(22,362)	CIP Equip-PD			
254220	226,087	61,500	-	(123,664)	-		163,923	CIP Equip-Fire			
254260	(15,044)	7,000	-	-	-		(8,044)	CIP Equip-ACO			
254310	75,532	245,000	37,305	(188,070)	-		169,767	CIP Equip-PW			
254360	104,552	40,000	-	(48,931)	-		95,621	CIP Equip-VH			
254630	-	32,000	-	(25,632)	-		6,368	CIP Equip-Environmental			
254	526,077	457,000	163,991	(525,692)	-		621,376	Total CIP Equip			
255	78,385		\$ 173,512	(213,064)	-		38,833	GF Resv - Fuel Fund			
259000	17,803	-	1,854	(31,306)	11,649		(0)	CIP Bldgs - Twn Anniv			
259000	2,562	50,000	-	(7,990)	-		44,572	CIP Bldgs - Town Hall			
259000	4,680	-	-	(11,482)	6,802		0	CIP Bldgs - VH Bldg Main			
259000	200,000	-	-	(494,378)	294,378		(0)	CIP Bldgs - Twn Garage			
259450	278,974	-	-	(360,050)	81,076		0	CIP Bldg - Lib/HS			
259XXX	640,871	-	-	(293,493)	(11,231)		336,147	CIP Bldg - General			
259	1,144,890	50,000	1,854	(1,198,699)	382,674	F	380,719	Total CIP Bldgs			
261	(28,980)	96,632	-	(67,740)	-		(88)	Solar Power Field (Trf Budget in obj 2000 on July 1 from GF)			
261A	116,667	-	-	-	116,667	G	233,334	Solar Field Savings Account			
265	(149,068)	45,000	\$ 8,170	(8,326)	-		(104,224)	Street Light Upgrades (Trf budget from 0812 on July 1)			
410	566,603	-	\$ 1,057,264	(1,030,018)	-		593,850	Sewer Fund			
420	99,114	-	\$ 328,532	(375,607)	-		52,039	Senior House			
	\$ 6,319,877	\$ -	\$ 39,925,920	\$ (39,770,076)	\$ -		\$ 6,475,722	Total			
	Beg Fund Balance	Transfer in (out)	Revenues	(Expenses)	EOY Trf		Fund Balance	Fund Name	Fund Balance	PY Fund Bal	\$ Change
	\$ 4,086,913	\$ (263,632)	\$ 34,913,475	\$ (33,469,717)	\$ (922,635)		\$ 5,267,039	GF (per CAFR)	15.1%	11.1%	\$ 1,180,126
	31,141	-	-	(31,141)	-		-	Bond Fund			
	(928,034)	(500,000)	2,650,265	(1,850,497)	-		(628,266)	TIF Fund			
	587,791	(330,000)	-	-	100,000		257,791	Debt Service Fund			
	119,693	(55,000)	484,346	(159,239)	-		389,800	Special Revenue Fund			
	1,505,039	1,148,632	340,393	(2,794,506)	822,635		199,559	Capital Proj Fund			
	566,603	-	1,057,264	(1,030,018)	-		593,850	Sewer Fund			
	99,114	-	328,532	(375,607)	-		52,039	Senior Housing Fund			
	251,616	-	151,645	(59,351)	-		343,910	Food Pantry			
	\$ 6,319,877	\$ -	\$ 39,925,920	\$ (39,770,076)	\$ -		\$ 6,475,722				

TOWN OF CUMBERLAND
ESTIMATED GENERAL FUND YEAR END EXPENSE BY DEPARTMENT
JUNE 30, 2022

Dept Name	2022 Revised Budget	2022 Actual	Estimated Payroll	Estimate Adjustments	Net Avail	Notes
Administration	664,743.00	599,150.95	33,684.88	20,447.37	11,459.80	
Assessor	118,867.00	108,850.46	7,701.65	0.00	2,314.89	
Clerk	291,177.00	295,262.10	22,967.69	122.32	(27,175.11)	Salary/Benefits higher than calculated; Increase in Codification expense
Technology	280,613.00	258,513.98	191.55	15,795.53	6,111.94	
Elections	35,127.00	36,942.71	1,073.52	1,200.00	(4,089.23)	Insurance budget was missed when moving portion of Town Clerk's salary to this department
Planning	74,035.00	66,296.64	4,446.48	500.00	2,791.88	
Legal	47,500.00	50,469.11	0.00	21,289.67	(24,258.78)	Expense is cyclical based on issues for each fiscal year
Police	1,552,217.00	1,443,113.08	103,602.53	3,200.00	2,301.39	
Fire	1,078,586.00	939,538.00	66,223.21	43,810.80	29,013.99	
Code Enforcement	150,858.00	151,110.74	10,247.23	0.00	(10,499.97)	Increase in pay to Electrical inspector; pay covered by increase in permit revenues
Harbor Master	22,480.00	14,506.55	0.00	2,265.00	5,708.45	
Animal Control	36,179.00	38,971.59	4,379.48	-13,417.25	6,245.18	
Public Works	1,302,955.00	1,226,939.87	52,830.89	15,000.00	8,184.24	
Waste Disposal	637,459.00	612,181.91	2,580.93	79,703.00	(57,006.84)	Waste disposal and Ecomaine higher than budget estimates
VH - Club	26,241.00	23,610.51	0.00	0.00	2,630.49	
VH - Course	559,899.00	568,145.73	21,436.98	8,180.00	(37,863.71)	Over budget on equipment maintenance, chemicals, and other course supplies
VH - Pro Shop	240,351.00	221,842.86	17,403.12	0.00	1,105.02	
Recreation	955,292.00	1,008,774.05	52,304.00	0.00	(105,786.05)	Programs ran at higher volume; offset by revenues received
Aging in Place	101,716.00	83,506.23	1,633.02	0.00	16,576.75	
Parks	327,477.00	317,172.43	21,450.28	-5,000.00	(6,145.71)	Overtime and change in health insurance plans
W Cumb Hall	8,744.00	6,764.40	0.00	0.00	1,979.60	
Library	550,098.00	535,009.50	31,312.13	2,500.00	(18,723.63)	Wage increase to Librarians and Substitute budget over
Historical Society	11,364.00	2,556.25	0.00	0.00	8,807.75	
General Assistance	35,000.00	16,204.41	0.00	0.00	18,795.59	
Health Services	3,875.00	3,726.25	0.00	0.00	148.75	
Cemetery Association	26,700.00	26,700.00	0.00	0.00	-	
Conservation	21,000.00	20,349.10	0.00	0.00	650.90	
Debt Service	1,262,301.00	1,238,180.21	0.00	0.00	24,120.79	
Insurance	319,619.00	344,609.02	0.00	500.00	(25,490.02)	RHSA deposit and Insurance premiums higher than budgeted
Fire Hydrants	83,500.00	78,433.48	0.00	0.00	5,066.52	
Street Lights	45,000.00	45,000.00	0.00	0.00	-	
Contingency	10,000.00	27,306.72	0.00	0.00	(17,306.72)	Payout of unused Holiday/Personal days due to COVID
Municipal Building	109,837.00	133,897.60	1,319.48	0.00	(25,380.08)	New Septic system
Abatements	1.00	14,378.85	0.00	0.00	(14,377.85)	Poverty abatements
School	20,792,086.00	19,059,412.31	0.00	1,732,673.69	-	
County	963,505.00	963,505.00	0.00	0.00	-	
Capital	500,000.00	500,000.00	0.00	0.00	-	
	\$ 33,246,402.00	\$ 31,080,932.60	\$ 456,789.05	\$ 1,928,770.13	(220,089.78)	
		Estimated Total Expenses FY2022	\$ 33,466,491.78			
KEY:						
\$0.00	= Department Budget Overage					
Authorize the transfer of excess revenues to cover over budget expenses						

**TOWN OF CUMBERLAND
AMERICAN RESCUE PLAN**

American Rescue Plan Act Funds (ARPA): **\$ 867,902**

FY2022 Spending:	Senior Tax Relief	(55,000)	
	Hazard/Premium Pay	(58,077)	
	Mental Wellness	(1,250)	
	Public Health	(13,414)	
	Drainage - Longmeadow	<u>(7,788)</u>	
			<u>\$ (135,529)</u>
			<u>\$ 732,373</u>

FY2023 Planned Spending:

	Senior Tax Relief	\$ (55,000)	
	Mental Wellness	\$ (18,750)	
	Wildwood & Longmeadow drainage	<u>\$ (558,623)</u>	
			<u>\$ (632,373)</u>

Future Spending:			<u>\$ 100,000</u>
	Bruce Hill Road Water Study	<u>\$ (100,000)</u>	
			<u>\$ (100,000)</u>

Remaining Balance	<u><u>\$ (0)</u></u>
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TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 13 OF 2022

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
<hr/>					
350 Valhalla-Club					
<hr/>					
0035 0329 Payment in Lieu of Taxes	.00	-4,000.00	.00	.00	.00
0035 0378 Soda Sales	-2,604.60	-2,141.80	-3,584.89	-3,555.00	-2,500.00
0035 0560 Rental Income	-23,151.91	-6,750.00	-8,250.00	-7,500.00	-14,000.00
0035 0565 Cell Tower Land Lease	-21,600.00	-21,600.00	-23,760.00	-24,840.00	-24,840.00
0352 2000 Electricity	21,045.87	4,047.38	9,000.00	9,900.00	9,900.00
0352 2040 Internet Access	3,735.52	3,269.05	2,738.97	613.60	1,891.00
0352 2060 Water/Sewer	4,492.20	4,445.89	4,656.39	4,507.66	6,000.00
0353 3202 Janitorial Supplies	.00	.00	.00	.00	1,000.00
0353 4000 Building Maintenance	3,892.22	5,732.11	6,686.58	6,200.94	5,000.00
0353 4020 Burglar & Fire Alarm	1,200.00	600.00	1,414.50	483.00	450.00
0353 8030 Soda	1,409.91	1,398.43	1,954.49	1,905.31	2,000.00
TOTAL Valhalla-Club	-11,580.79	-14,998.94	-9,143.96	-12,284.49	-15,099.00
<hr/>					
360 Valhalla-Course					
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0361 1000 Full Time Wages	96,936.78	138,209.54	138,313.77	128,397.81	136,040.00
0361 1000 COVID Full Time Wages COVID	.00	166.54	1,881.08	2,629.48	.00
0361 1010 Part Time Wages	69,961.28	51,639.14	54,177.82	44,681.87	61,790.00
0361 1020 Overtime	68.70	1,269.91	1,140.42	2,197.99	1,000.00
0361 1210 Health Insurance	40,141.18	43,710.49	48,504.70	42,843.48	52,741.00
0361 1210 COVID Health Insurance	.00	26.40	717.35	1,209.56	.00
0361 1220 FICA	12,618.11	14,618.73	14,464.44	13,692.65	15,134.00
0361 1220 COVID FICA	.00	12.83	139.07	196.01	.00
0361 1230 ICMA	5,104.13	7,236.65	5,745.71	6,696.19	5,385.00
0361 1230 COVID ICMA	.00	11.65	72.23	184.06	.00
0361 1240 Life Ins & Long Term Disabilit	1,102.56	1,066.49	1,091.82	974.41	1,021.00
0361 1240 COVID Life Ins & Long Term Disab	.00	.91	15.84	23.50	.00
0361 1250 Long Term Care Ins	269.43	359.24	341.02	282.34	326.00
0361 1250 COVID Long Term Care Ins	.00	.33	5.17	5.96	.00
0361 1260 MePERS Retirement	3,988.33	3,781.50	3,455.52	3,699.17	3,702.00
0361 1260 COVID MePERS Retirement	.00	.00	55.24	.00	.00
0362 2000 Electricity	14,598.91	11,110.41	12,100.00	13,310.00	13,310.00
0362 2010 Gasoline	6,849.72	5,089.62	5,810.44	7,946.00	6,648.00
0362 2020 Heating Fuel	1,327.37	418.78	734.44	522.30	1,165.00
0362 2040 Internet Access	1,061.45	1,924.67	2,099.64	1,944.67	1,260.00
0362 2060 Water/Sewer	1,315.00	2,694.64	1,703.22	1,066.07	1,760.00
0362 2080 Diesel	6,264.66	8,081.94	5,279.80	8,119.71	8,220.00

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TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 13 OF 2022

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
0363 3040 Equipment Maintenance	29,495.88	27,524.28	37,667.21	31,216.18	25,000.00
0363 3080 Landscaping	1,252.44	1,058.10	1,401.86	504.58	1,500.00
0363 3090 Licenses	674.00	2,799.00	2,632.00	849.00	2,213.00
0363 3140 Membership Dues	1,730.00	2,098.69	915.00	1,245.00	1,575.00
0363 3300 Office Supplies	709.04	305.48	508.98	97.73	1,000.00
0363 3330 Travel Expenses	1,042.06	656.53	267.67	1,028.46	1,000.00
0363 3350 Uniforms & Clothing	1,800.06	3,151.02	2,778.89	2,695.67	4,250.00
0363 3350 DOUMI Uniforms & Clothing	159.95	123.24	181.03	.00	.00
0363 3350 WESCW Uniforms & Clothing	349.98	140.00	49.94	.00	.00
0363 3610 Long Term Equipment Lease	79,182.40	92,114.84	107,900.16	108,728.51	100,748.00
0363 3611 Cart Service Contract	4,015.00	.00	2,400.00	.00	2,400.00
0363 3630 Golf Course Supplies	11,251.83	10,002.57	13,801.45	31,460.68	13,000.00
0363 4000 Building Maintenance	3,829.34	4,402.24	3,697.55	3,089.22	4,000.00
0363 4010 Equipment Rental	800.00	940.00	1,400.00	700.00	800.00
0363 4300 Chemicals	34,250.45	35,974.76	34,407.82	46,423.79	35,241.00
0363 4310 Fertilizers	13,700.65	14,623.04	14,331.06	14,312.35	14,483.00
0363 4320 Irrigation	6,191.70	6,023.26	9,272.99	7,824.89	6,000.00
0363 4340 Seed/Soil	11,028.60	10,706.12	13,991.44	13,142.59	11,000.00
0363 4620 Lubricating Supplies	1,622.04	1,217.16	87.48	832.00	1,200.00
0365 5000 Contracted Services	13,934.62	21,830.22	20,620.09	17,433.24	18,337.00
0365 5240 Training	907.84	330.00	997.72	542.17	1,500.00
0366 6030 Misc Equipment	3,519.02	4,374.52	2,464.56	2,240.67	3,000.00
0366 6120 Safety Equipment	1,985.44	1,705.86	2,589.56	956.83	2,150.00
0366 6120 COVID Safety Equipment	.00	2,157.37	46.99	.00	.00
TOTAL Valhalla-Course	485,039.95	535,688.71	572,260.19	565,946.79	559,899.00
370 Valhalla-Pro Shop					
0037 0306 Over/Short	250.38	506.73	485.99	77.22	.00
0037 0357 Golf Memberships	-220,646.15	-214,046.93	-330,189.80	-405,968.60	-235,542.00
0037 0358 Greens Fees	-132,082.98	-148,690.19	-239,931.13	-229,561.30	-179,737.00
0037 0359 Golf Cart Rentals	-76,800.09	-85,424.93	-133,937.44	-130,569.10	-92,257.00
0037 0416 Practice Range	-5,281.75	-2,263.25	-9,757.97	-6,897.00	-8,860.00
0037 0417 VH Program Revenues	-69,027.70	-60,589.00	-70,536.63	-86,923.00	-70,500.00
0037 0419 Advertising Sales	-19,631.50	-6,500.00	-17,000.00	-11,000.00	-22,500.00
0037 0522 Outing Golf	-46,725.43	-66,487.00	-47,529.00	-69,208.00	-48,290.00
0371 1000 Full Time Wages	32,715.12	27,025.56	26,318.68	29,415.97	26,715.00
0371 1000 COVID Full Time Wages	.00	.00	.00	726.92	.00
0371 1010 Part Time Wages	54,575.69	47,990.68	49,464.90	39,813.96	50,600.00
0371 1020 Overtime	.00	37.13	178.83	1,709.88	.00
0371 1023 Outside Wages	31,427.25	35,884.03	36,984.43	27,819.66	40,150.00

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FOR PERIOD 13 OF 2022

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
0371 1024 Program Wages	26,133.37	24,443.53	27,601.66	25,831.23	30,338.00
0371 1210 Health Insurance	2,262.96	558.46	193.90	11,444.62	5,154.00
0371 1210 COVID Health Insurance	.00	.00	.00	352.82	.00
0371 1220 FICA	11,352.96	10,413.66	10,751.03	9,395.52	11,307.00
0371 1220 COVID FICA	.00	.00	.00	51.26	.00
0371 1230 ICMA	2,567.78	-8.46	.00	.00	.00
0371 1240 Life Ins & Long Term Disabilit	252.22	165.53	224.12	218.38	199.00
0371 1240 COVID Life Ins & Long Term Disab	.00	.00	.00	5.90	.00
0371 1250 Long Term Care Ins	67.29	79.89	61.40	57.19	61.00
0371 1250 COVID Long Term Care Ins	.00	.00	.00	1.50	.00
0371 1260 MePERS Retirement	867.60	2,733.02	2,798.01	3,275.27	3,019.00
0371 1260 COVID MePERS Retirement	.00	.00	.00	82.14	.00
0372 2030 Telephone	2,456.53	1,317.18	1,447.37	1,441.97	1,440.00
0373 3010 Advertising	10,342.42	6,412.29	6,031.29	5,810.68	9,500.00
0373 3100 Credit Card Charges	17,614.61	17,105.28	24,720.86	22,759.15	15,218.00
0373 3140 Membership Dues	400.00	.00	.00	.00	.00
0373 3300 Office Supplies	875.40	374.27	1,004.60	.00	600.00
0373 3660 Practice Range	3,968.81	.00	959.38	1,993.68	2,750.00
0373 4000 Building Maintenance	.00	157.86	.00	500.00	600.00
0373 4200 Sport Program Expenses	53,027.00	18,030.05	22,801.09	30,333.80	25,500.00
0373 4205 Tournament Expenses	18,150.43	18,193.57	550.00	4,771.00	13,000.00
0375 6300 Computer Software/Hardware	.00	.00	1,560.00	3,766.60	4,200.00
TOTAL Valhalla-Pro Shop	-300,887.78	-372,581.04	-634,744.43	-718,470.68	-417,335.00
TOTAL General Fund	172,571.38	148,108.73	-71,628.20	-164,808.38	127,465.00
TOTAL REVENUES	-617,301.73	-617,986.37	-883,990.87	-975,944.78	-699,026.00
TOTAL EXPENSES	789,873.11	766,095.10	812,362.67	811,136.40	826,491.00
TOTAL 001 General Fund	172,571.38	148,108.73	-71,628.20	-164,808.38	127,465.00
GRAND TOTAL	172,571.38	148,108.73	-71,628.20	-164,808.38	127,465.00

Year-to-date Recreation by Program



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TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 13 OF 2022

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
0411 1010 Part Time Wages	.00	-1,344.00	.00	.00	.00
0411 1220 FICA	.00	-102.82	.00	.00	.00
41000 Rec Administration					
0411 1000 41000 Full Time Wages	224,488.68	242,390.42	167,636.41	205,534.68	191,000.00
0411 1010 41000 Part Time Wages	15,509.88	15,780.41	20,733.77	22,833.58	27,224.00
0411 1020 41000 Overtime	.00	.00	9.00	35.54	.00
0411 1165 41000 Stipend	1,346.25	907.88	903.00	862.50	900.00
0411 1210 41000 Health Insurance	48,792.83	54,322.37	36,882.12	66,567.17	67,112.00
0411 1220 41000 FICA	19,780.67	20,318.45	14,202.05	16,998.16	16,694.00
0411 1230 41000 ICMA	10,196.80	8,147.02	8,984.07	9,583.47	11,244.00
0411 1240 41000 Life Ins & Long Term Disab	2,097.54	1,513.99	1,449.02	1,521.24	1,499.00
0411 1250 41000 Long Term Care Ins	732.53	836.72	596.35	576.84	706.00
0411 1260 41000 MePERS Retirement	10,496.30	15,403.72	12,899.32	14,047.80	14,375.00
0411 1270 41000 Unemployment	.00	.00	4,978.77	-311.13	.00
0412 2000 41000 Electricity	356.09	556.86	400.00	560.00	560.00
0412 2030 41000 Telephone	1,240.03	1,217.11	1,742.17	1,486.77	1,800.00
0413 3010 41000 Advertising	15,688.42	12,003.95	4,158.78	3,470.26	17,748.00
0413 3100 41000 Credit Card Charges	35,820.55	24,506.86	29,898.10	42,575.89	15,000.00
0413 3140 41000 Membership Dues	325.00	190.00	175.00	175.00	615.00
0413 3300 41000 Office Supplies	1,200.93	697.33	254.69	789.05	1,245.00
0413 3670 41000 Tennis Courts	1,868.49	500.00	10,000.00	.00	.00
0415 5240 41000 Training	361.25	4,368.64	416.23	57.88	1,500.00
0416 6000 41000 Computer Equipment	3,410.55	.00	.00	.00	.00
0416 6090 41000 Recreation Equipment	674.46	1,855.97	478.12	989.85	1,000.00
0416 6300 41000 Software	30,234.92	24,498.07	27,649.51	37,079.03	22,000.00
TOTAL Rec Administration	424,622.17	430,015.77	344,446.48	425,433.58	392,222.00
41100 After School Program					
0041 0440 41100 After School Programs	-315,864.87	-201,863.50	-320,526.50	-344,242.00	-272,000.00
0411 1010 41100 Part Time Wages	.00	.00	.00	453.75	.00
0411 1170 41100 After School Program	117,981.72	102,041.55	156,555.05	125,916.27	107,489.00
0411 1210 41100 Health Insurance	9,887.83	7,839.82	18,718.40	12,315.07	15,182.00
0411 1220 41100 FICA	9,060.06	7,819.54	11,992.24	9,652.90	8,223.00
0411 1230 41100 ICMA	1,347.59	1,051.56	2,272.27	1,258.76	.00
0411 1240 41100 Life Ins & Long Term Disab	292.17	111.21	158.25	113.99	.00

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TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 13 OF 2022

ACCOUNTS FOR:		PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001	General Fund					
<hr/>						
0411	1250 41100 Long Term Care Ins	103.60	77.43	108.54	70.12	.00
0411	1260 41100 MePERS Retirement	1,335.74	1,064.66	.00	.00	.00
0413	4145 41100 After School Program Expen	19,563.97	10,229.22	5,729.05	17,366.98	19,980.00
	TOTAL After School Program	-156,292.19	-71,628.51	-124,992.70	-177,094.16	-121,126.00
 41110 Youth Enrichment Programs						
<hr/>						
0041	0441 41110 Youth Enrichment Programs	-173,051.23	-137,177.82	-22,287.50	-97,315.50	-175,000.00
0411	1010 41110 Part Time Wages	42,972.17	36,229.60	5,891.66	1,628.50	32,034.00
0411	1220 41110 FICA	3,287.46	2,771.60	450.73	124.58	2,451.00
0413	4155 41110 Enrichment Program Expense	17,819.09	17,343.20	8,460.00	18,301.90	18,429.00
	TOTAL Youth Enrichment Program	-108,972.51	-80,833.42	-7,485.11	-77,260.52	-122,086.00
 41120 Youth Sports Programs						
<hr/>						
0041	0442 41120 Youth Sports Programs	-122,223.96	-78,307.00	-16,083.50	-112,509.75	-115,000.00
0411	1010 41120 Part Time Wages	27,940.55	19,755.25	9,531.50	14,504.00	20,709.00
0411	1220 41120 FICA	2,120.37	1,511.32	729.16	1,109.55	1,584.00
0413	4180 41120 Sport Camp Expenses	11,189.00	6,132.00	.00	.00	.00
0413	4190 41120 Sport League Fees	7,780.00	4,720.00	.00	2,489.36	4,735.00
0413	4200 41120 Sport Program Expenses	59,350.29	33,753.96	13,971.41	56,370.83	40,752.00
	TOTAL Youth Sports Programs	-13,843.75	-12,434.47	8,148.57	-38,036.01	-47,220.00
 41130 Skiing Programs						
<hr/>						
0041	0443 41130 Skiing Programs	-52,049.32	-57,274.00	-14,282.50	-39,685.00	-45,020.00
0411	1010 41130 Part Time Wages	.00	.00	.00	2,400.00	.00
0411	1220 41130 FICA	.00	.00	.00	183.60	.00
0413	4170 41130 Ski Program Expense	40,521.81	44,569.10	6,312.27	27,999.95	41,612.00
	TOTAL Skiing Programs	-11,527.51	-12,704.90	-7,970.23	-9,101.45	-3,408.00
 41140 Summer/Day Camps						
<hr/>						
0041	0444 41140 Day Camps	-205,424.63	-30,108.43	-72,644.50	-211,997.90	-165,000.00

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HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 13 OF 2022

ACCOUNTS FOR:		PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001	General Fund					
0411	1010 41140	74,200.79	69,237.73	55,570.64	85,982.39	79,257.00
0411	1020 41140	1,960.42	245.41	1,184.48	1,623.26	1,509.00
0411	1210 41140	.00	.00	.00	2,269.13	.00
0411	1220 41140	5,843.47	5,315.53	4,341.78	7,106.88	6,063.00
0411	1230 41140	.00	.00	.00	526.56	.00
0411	1240 41140	.00	.00	.00	20.18	.00
0411	1250 41140	.00	.00	.00	13.11	.00
0413	3330 41140	10,779.91	9,353.42	.00	8,861.78	11,800.00
0413	4130 41140	25,227.40	23,669.67	412.00	12,628.94	15,660.00
0413	4140 41140	10,812.25	3,622.94	7,664.83	8,719.21	4,400.00
0413	4159 41140	15,129.50	19,980.00	16,509.00	.00	13,000.00
	TOTAL Summer/Day Camps	-61,470.89	101,316.27	13,038.23	-84,246.46	-33,311.00
41150 Swimming Programs						
0041	0445 41150	-26,468.45	-20,141.00	-1,155.00	6,363.80	-21,250.00
0411	1010 41150	47,390.68	36,248.42	20,522.00	28,480.11	26,636.00
0411	1220 41150	3,625.87	2,773.13	1,570.05	2,178.74	4,003.00
0411	1400 41150	16,381.36	16,944.94	17,511.16	18,049.07	21,500.00
0413	4210 41150	.00	114.00	480.00	200.85	750.00
	TOTAL Swimming Programs	40,929.46	35,939.49	38,928.21	55,272.57	31,639.00
41160 Adult Enrichment Programs						
0041	0446 41160	-38,503.05	-19,749.40	-15,195.00	-18,310.40	-31,715.00
0411	1010 41160	13,502.65	5,004.68	4,235.00	7,985.00	11,119.00
0411	1220 41160	1,032.99	382.87	323.98	610.83	851.00
0413	4100 41160	9,365.46	7,402.22	.00	5,756.64	7,155.00
	TOTAL Adult Enrichment Program	-14,601.95	-6,959.63	-10,636.02	-3,957.93	-12,590.00
41170 Adult Fitness Programs						
0041	0447 41170	-61,279.49	-47,140.20	-38,416.00	-71,961.80	-45,000.00
0411	1010 41170	26,074.72	18,871.21	9,503.65	18,314.76	19,190.00
0411	1220 41170	1,994.75	1,443.66	727.02	1,401.00	1,468.00

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TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 13 OF 2022

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
<hr/>					
0413 4105 41170 Adult Fitness Expense	102.98	.00	.00	.00	.00
TOTAL Adult Fitness Programs	-33,107.04	-26,825.33	-28,185.33	-52,246.04	-24,342.00
 41180 Youth Summer Enrichment Programs					
<hr/>					
0041 0441 41180 Youth Summer Enrichment Re	.00	.00	.00	-71,495.00	.00
0411 1010 41180 Part Time Wages	.00	.00	.00	10,022.00	.00
0411 1220 41180 FICA	.00	.00	.00	381.12	.00
0413 4155 41180 Yth Summer Enrich Prog Exp	.00	.00	.00	43,888.00	.00
TOTAL Youth Summer Enrichment	.00	.00	.00	-17,203.88	.00
 41190 Other Recreation Programs					
<hr/>					
0041 0448 41190 Special Events/Trips Reven	-5,763.61	-4,415.00	.00	-5,486.00	-5,000.00
0041 0449 41190 Recreation Programs	-2,098.49	-6,104.28	.00	.00	-1,995.00
0041 0570 41190 Rec Soccer Revenue	-23,561.67	-25,317.00	-9,123.00	-29,827.00	-23,000.00
0041 0571 41190 Rec Ultimate Frisbee Reven	-14,279.33	-12,035.00	-6,545.00	-15,455.00	-14,000.00
0041 0606 41190 CPR/First Aid Revenues	295.00	-630.00	-300.00	-1,755.00	-250.00
0411 1010 41190 Part Time Wages	1,750.00	.00	.00	.00	.00
0411 1220 41190 FICA	133.88	.00	.00	.00	.00
0413 4110 41190 Special Events/Trips	5,498.65	3,063.87	.00	2,936.02	5,500.00
0413 4150 41190 Misc Recreation Programs	2,035.50	2,776.25	.00	.00	500.00
0413 4410 41190 Rec Soccer Expenses	6,970.19	10,831.82	5,759.36	10,024.47	9,729.00
0413 4413 41190 Rec Ultimate Frisbee Expen	11,135.61	5,530.50	6,290.00	6,700.00	9,800.00
TOTAL Other Recreation Program	-17,884.27	-26,298.84	-3,918.64	-32,862.51	-18,716.00
 COVID COVID-19					
<hr/>					
0411 1000 COVID FT Rec Admin COVID	.00	9,503.62	2,019.99	875.96	.00
0411 1010 COVID Part Time Wages	.00	.00	.00	287.98	.00
0411 1210 COVID Health Insurance	.00	403.68	456.38	403.05	.00
0411 1220 COVID FICA	.00	735.24	160.17	85.86	.00
0411 1230 COVID ICMA	.00	210.48	141.40	26.41	.00
0411 1240 COVID Life Ins & Long Term Disab	.00	30.45	15.09	7.06	.00
0411 1250 COVID Long Term Care Ins	.00	20.84	12.03	2.13	.00

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TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

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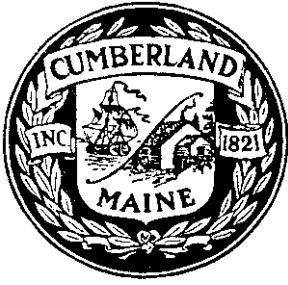
FOR PERIOD 13 OF 2022

ACCOUNTS FOR:			PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund			ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
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0411	1260	COVID MePERS Retirement	.00	688.66	.00	82.14	.00
0413	3199	COVID Bad Debt Expense	.00	.00	66,512.82	.00	.00
0413	3300	COVID Office Supplies	.00	308.62	85.00	.00	.00
TOTAL COVID-19			.00	11,901.59	69,402.88	1,770.59	.00
TOTAL General Fund			47,851.52	340,041.20	290,776.34	-9,532.22	41,062.00
TOTAL REVENUES			-1,040,273.10	-640,262.63	-516,558.50	-1,013,676.55	-914,230.00
TOTAL EXPENSES			1,088,124.62	980,303.83	807,334.84	1,004,144.33	955,292.00
TOTAL 001 General Fund			47,851.52	340,041.20	290,776.34	-9,532.22	41,062.00
GRAND TOTAL			47,851.52	340,041.20	290,776.34	-9,532.22	41,062.00

ITEM

22-076

To hold a Public Hearing to consider and act on a Credit Enhancement Agreement for Yarmouth Veterinary Center, as recommended by the TIF Committee



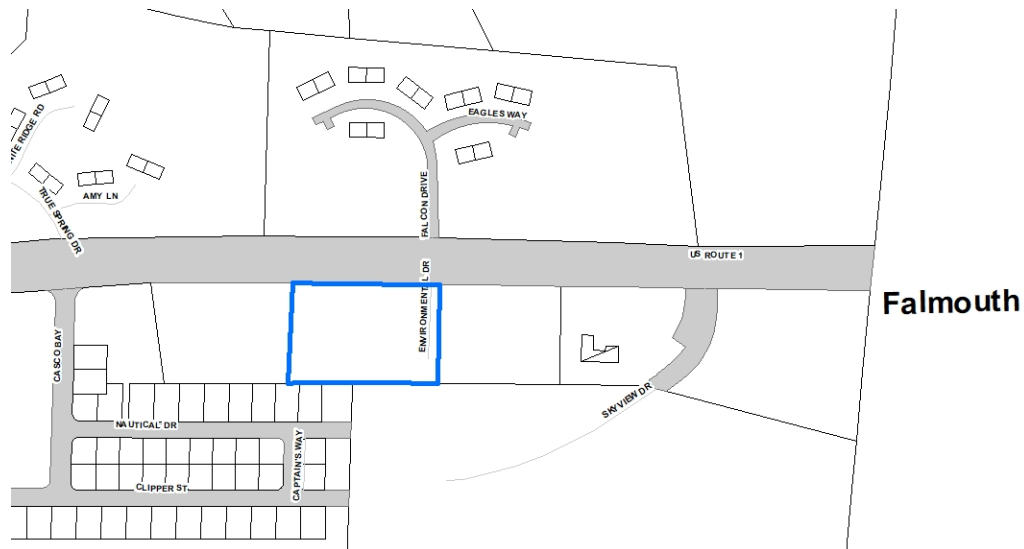
MEMORANDUM

TOWN OF CUMBERLAND, MAINE
290 TUTTLE ROAD
CUMBERLAND, MAINE 04021
TEL: 207-829-2205 FAX: 829-2224

To: Town Council
From: William R. Shane, Town Manager
Date: June 16, 2022
Re: CEA Agreement with Yarmouth Veterinary Center

The TIF Committee met and voted unanimously to approve a Credit Enhancement agreement for Yarmouth Veterinary Center. The 13,000sf facility will be a \$4 to \$5 million dollar project and requested the full CEA.

They will be located next to Lakeside Concrete and access will be from Rt. 1 using the same driveway entrance.



Future Home of Yarmouth Veterinary Center

The Committee recommend that the TIF agreement be capped at \$500,000, is approved for 50% of their annual taxes, and expires in March 2038. All legal costs will be the responsibility of Yarmouth Veterinary Services.

Zachary Smith, VMD
Yarmouth Veterinary Center

75 Willow St
Yarmouth, ME 04096
(207) 846-6515
zachsmithyvc@gmail.com
yarmouthvet@gmail.com

24th May, 2022

Town Council TIF Committee

Town of Cumberland, Maine
290 Tuttle Rd
Cumberland, ME 04021

To Whom it May Concern,

My name is Zachary Smith VMD, I, along with my parents (Peter Smith DVM and Louise LeBoeuf DVM), own and operate the Yarmouth Veterinary Center (YVC). We've recently purchased land along Route 1 in Cumberland and have developed plans to build a beautiful, new veterinary hospital. I am writing to start the process of applying for TIF/CEA funding for the project.

For a little backstory, my parents started YVC in 1986 in the little red building on the corner of Bridge and Willow Streets in Yarmouth. They were initially a house-call only practice but quickly expanded their offerings and opened a clinic in the building, seeing appointments and performing routine surgeries, which rapidly grew and forced them to move out of the apartment upstairs. By 1999 they had purchased the two older houses across Willow Street and began building the hospital we're currently in. When they moved in 2000, at 4,000 square feet, the purpose-built facility felt palatial for the three full-time doctors and half a dozen support staff, but over the last 22 years, we've grown so much we're now bursting at the seams.

For decades, the veterinary industry as a whole has been expanding both in its size and in the scope of the medicine practiced. And more recently, over the last few years during the pandemic, there has been an explosion in the need for veterinary care. YVC has steadily grown every year since it started in the little red house on Willow Street. Recently though, we have been particularly affected by the evolving industry and because of a few specific factors that make us particularly unique. First, we are one of the few remaining

privately-owned veterinary hospitals in the region, and will be the only non-corporate veterinary hospital in Cumberland. We also practice a mixture of general practice and urgent care allowing pre-existing and new-clients alike rapid veterinary care despite often booking out weeks for traditional appointments. And finally, we see a wide variety of exotic species other than dogs or cats, which few other veterinarians in the state do. The result of these unique characteristics is that we are daily accepting clients from the surrounding towns, counties, and states.

To meet our escalating demand, we currently have the equivalent of six and a half full-time veterinarians, and 20 additional staff members. Our standard office hours are 7:30am - 6:00pm Monday through Friday, and 8:00am - 12:00pm on Saturdays. We are currently booking several weeks out for standard appointments but offer day-of drop-off appointments for any animals that need to be seen sooner which our veterinarians squeeze in between their appointments and procedures. We also perform a variety of routine procedures such as spays, neuters, dentistry that can book out a month or more, and squeeze in plenty of more emergent foreign body surgery, endoscopies, and a variety of other procedures on a daily basis. We have limited space for boarding of animals and plan to continue to offer this at the new facility, but since we operate primarily as a veterinary hospital, our boarders are only offered limited leash-walks outdoors, one-on-one with a staff member, in designated areas.

The mission of YVC is to provide exceptional, personalized veterinary care, whenever it is needed. In practice we are struggling to meet the needs of our new, and established clients alike, simply because we do not have the space to accept the patients requiring daily care, nor room for more veterinarians to care for them. A new facility may initially feel palatial again, but we have already begun increasing our staff size in preparation for the build and move, and have concrete plans to double our staff and capacity in order to meet the growing community's needs.

Below you will find our preliminary plans. We have contracted the architect Warren Friedenfeld, one of the founders of Rauhaus Friedenfeld & Associates, a world-renowned architect specializing in veterinary hospitals, shelters, and teaching veterinary hospitals. Additionally we are working with Jeff Reed of Sevee & Maher, for all our engineering needs. We've designed an approximately 13,000 square foot facility that we feel will fit in well with the surrounding landscape and architecture. There are two separate parking lots, for staff and clients, respectively. As well as plans for green space and separate, fenced-in dog walking areas.

We are in talks with a few local contractors, and working closely with Allied Cook, one of the premiere contractors in the region with experience in producing medical and veterinary-specific facilities, to develop a detailed construction estimate. Their initial estimate projects a cost of \$5,800,000 for the site and building, which is over \$400/sq ft.

Over a year ago, when we initially started looking into building a new facility, Warren and others in the industry suggested budgeting roughly \$300/sq ft for the final build cost. We strongly believe this new hospital is necessary to continue to offer the care we do for our growing community, but because of the size of our project, and the drastic increase in construction costs over the last few years, we are seeking additional funding, and we are seeking the full \$500,000 TIF for the zone our property is located in.

Thank you for your time, I look forward to working with you all. Please let me know what additional information I can provide about our project.

Sincerely,

Zachary Smith VMD

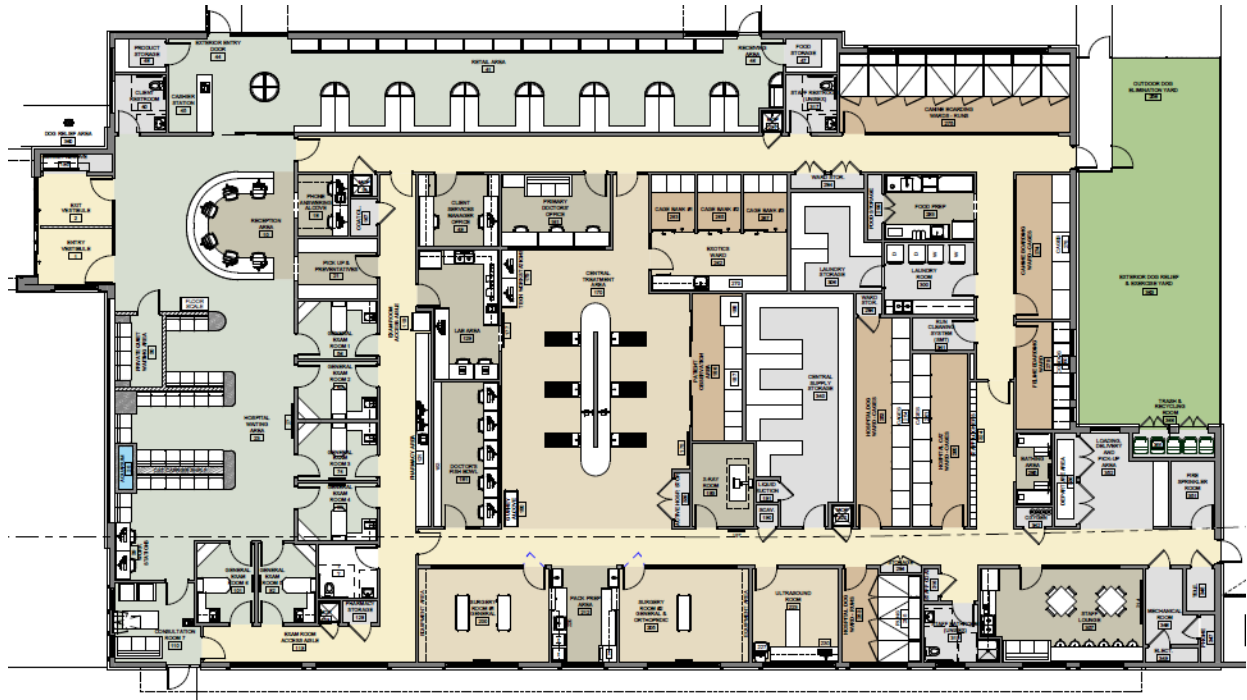


Fig. 1 - Floor Plan - approximately 13,000 square feet including expanded retail section, 7 exam rooms, large primary treatment area, two separate operating rooms, and a variety of patient wards.

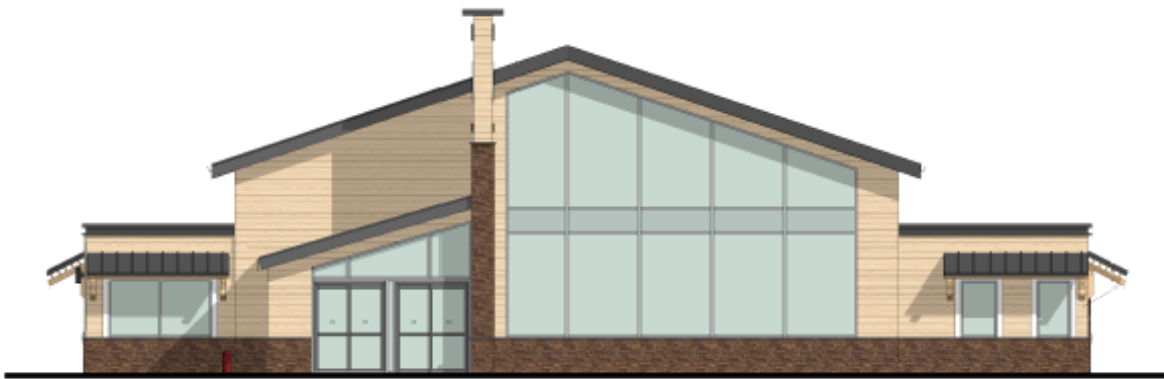


Fig. 2 - West Elevation - primary client and patient entrance off the primary parking lot.



Fig. 3 - South Elevation - portion of the building visible from Route 1.



Fig. 4 - North Elevation - secondary client entrance through retail space, viewed from the access road north of the building.

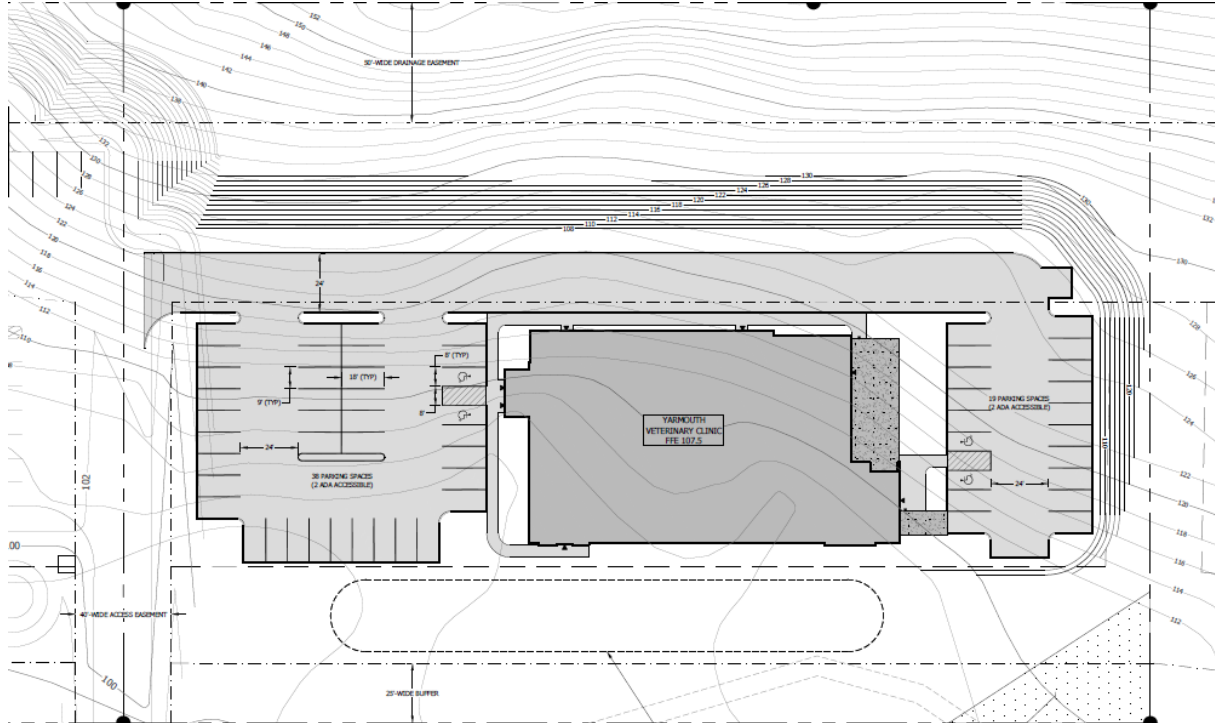


Fig. 5 - Preliminary Site Plans - initial site plan developed by Sevee & Maher including separate client (Eastern) and staff (Western) parking lots.

ITEM 22-078

To consider and act on Commercial Hauler's license renewals for FY'23

FY'23 Commercial Haulers Licenses						
Business Name	Address	City	State	Zip	App.Fee Paid	License #
Reynolds & Sons Disposal Service	P.O. Box 1092	Portland	ME	04104	Yes	22/23-001
Waste Management of Maine, Inc.	2000 Forest Avenue	Portland	ME	04103	Yes	22/23-002
Troiano Waste Services	P.O. Box 3541	Portland	ME	04104	Yes	22/23-003
Casella Waste Services (d/b/a Pine Tree Waste & BBI)	87 Pleasant Hill Road	Scarborough	ME	04074	Yes	22/23-004
Garbage to Garden	352 Presumpscot Street	Portland	ME	04103	Yes	22/23-005
Breggia Sanitation LLC	207 Sheridan Street	Portland	ME	04101	Yes	22/23-006

ITEM

22-079

To hold a Public Hearing to consider and act on a liquor license application
for Cumberland House of Pizza



All Questions Must Be Answered Completely. Please print legibly.

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

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

Legal Business Entity Applicant Name (corporation, LLC): RC Corporation	Business Name (D/B/A): Cumberland House Of Pizza
Individual or Sole Proprietor Applicant Name(s): Rafael Barbosa	Physical Location: 176 Gray Rd Unit 100, Cumberland, ME 04021
Individual or Sole Proprietor Applicant Name(s): Carlos J Silva	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address:
Telephone # Fax #: 207-829-5400	Business Telephone # Fax #: 207-829-5400
Federal Tax Identification Number: 88-2802047	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit:	Website address: cumberlandhouseofpizza.com

1. New license or renewal of existing license? ☒ New Expected Start date: _____
☐ Renewal Expiration Date: _____
2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
Food: \$ 750,000.00 Beer, Wine or Spirits: \$ 20,000.00 Guest Rooms: _____
3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

176 Gray Rd Unit 100, Cumberland ME 04021

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

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

☐ Yes ☒ No

If yes, please provide details: _____

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

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

Name of Business	License Number	Complete Physical Address
House Of Pizza Westbrook	RES-2021-13480	1 Westbrook Common # 4, Westbrook ME

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

Full Name	DOB	Place of Birth
Rafael Barbosa		Brazil
Carlos J Silva		Brazil
Residence address on all the above for previous 5 years		
Name	Address:	
Rafael Barbosa	Joshua Lane, Hollis ME 04042	
Name	Address:	
Carlos J Silva -	Agatha James Dr, Kennebunk 04043	
Name	Address:	
Name	Address:	

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Chris Copp

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

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

2400sq ft, corner unit, 7 seat bar, 7 booths, 7 tables, 57 person capacity

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

Name: Greely High School

Distance: 4.00

Section II: Signature of Applicant(s)


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

Please sign and date in blue ink.

Dated: 06/15/22


Signature of Duly Authorized Person

Rafael Bartosa
Printed Name Duly Authorized Person


Signature of Duly Authorized Person

Carlos J. Silva
Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

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

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

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

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

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

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

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

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

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

E. A violation of any provision of this Title;

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

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

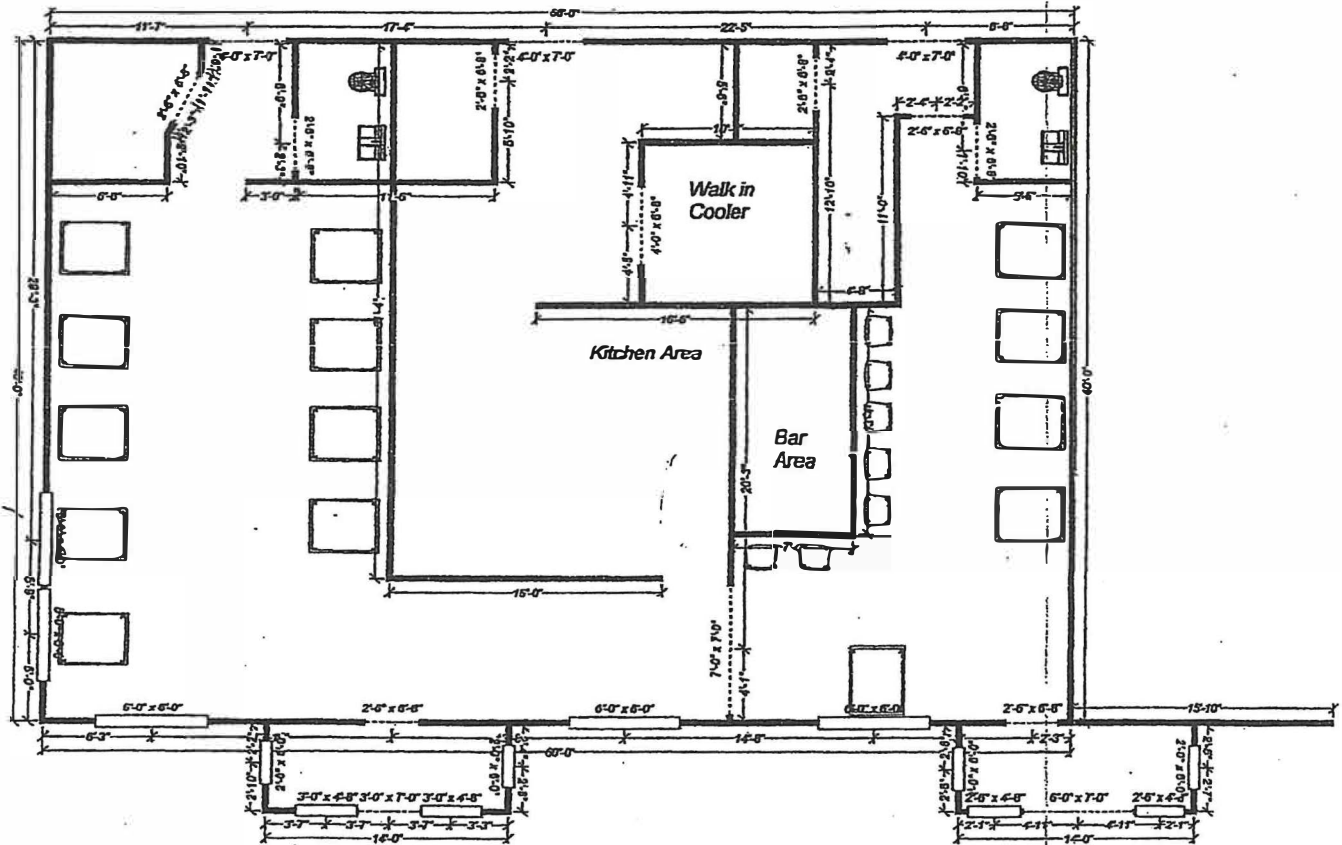
- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its [Retail Beverage Alcohol Dealers](https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers) permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

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

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

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

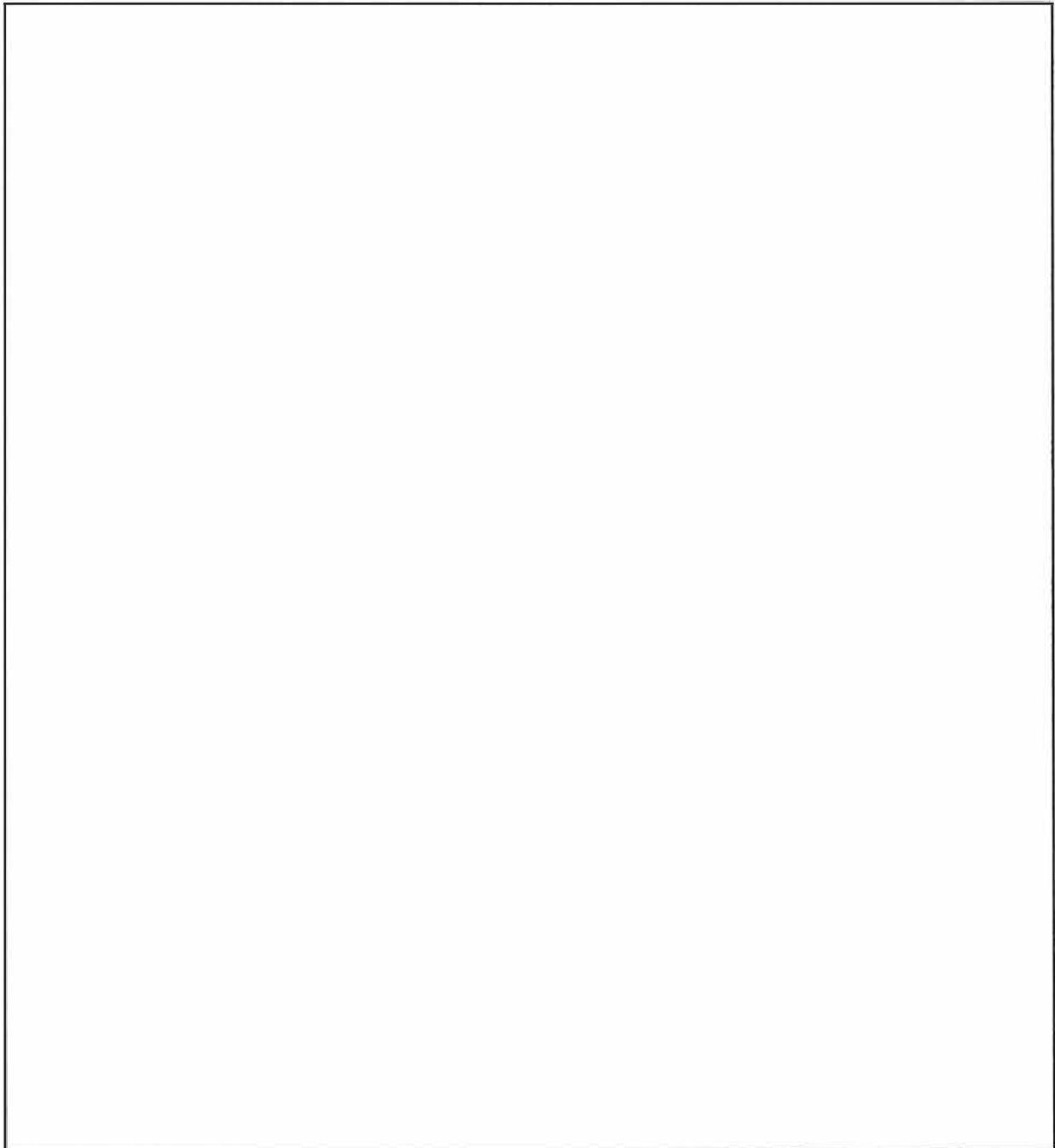


- No Charges to Exits or Bathrooms, which met ADA, Life Safety 101 when built.

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

A large, empty rectangular box with a thin black border, intended for the applicant to draw and label their premises floor plan. The box occupies the majority of the page below the instructions.

Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: _____
2. Doing Business As, if any: Cumberland House Of Piz za
3. Date of filing with Secretary of State: _____ State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Rafael Barbosa	Joshua Ln, Hollis ME 04042		Owner	75.0000
Carlos J Silva	Agatha James Dr, Kennebunk		Owner	25.0000

(Ownership in non-publicly traded companies must add up to 100%.)

ITEM

22-080

To authorize the Town Manager to advertise for the vacant
M.S.A.D. 51 School Board seat



DAVID J. JONES
F. BRUCE SLEEPER
LESLIE E. LOWRY III
MICHAEL J. QUINLAN
NATALIE L. BURNS
SALLY J. DAGGETT
ROY T. PIERCE
BRENDAN P. RIELLY
NICHOLAS J. MORRILL

MARK A. BOWER
CHARLES M. KATZ-LEAVY
ALYSSA C. TIBBETTS
JEFFREY B. HERBERT
ERICA M. JOHANSON
TUDOR N. GOLDSMITH
KATHERINE C. BAILEY
BENJAMIN T. MCCALL
SHARRA L. INGLIS

TEN FREE STREET
P.O. BOX 4510
PORTLAND, MAINE 04112-4510
(207) 775-7271 (Phone)
(207) 775-7935 (Fax)
www.jensenbaird.com

Of Counsel
JOSEPH G. CARLETON, JR.
LAWRENCE C. CLOUGH
KENNETH M. COLE III
PATRICIA M. DUNN
FRANK H. FRYE
R. LEE IVY
DEBORAH M. MANN
NICHOLAS S. NADZO
RICHARD H. SPENCER, JR.

YORK COUNTY
OFFICE
11 MAIN STREET, SUITE 4
KENNEBUNK, MAINE 04043
(207) 985-4676 (Phone)
(207) 985-4932 (Fax)

June 15, 2022

William R. Shane, Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Re: School Board Vacancy

Dear Bill:

This letter follows our phone call regarding a recent resignation by a School Board member representing the Town of Cumberland and a current vacancy in that seat. Article V, Section 3 of the Town Charter sets forth the procedure for filling a vacant seat on the School Board by a member who represents the Town of Cumberland. This provision states that in the event of such a vacancy, the Cumberland Town Council “shall appoint an interim director to fill the vacancy until the next regular election,” and said appointee “shall serve until a successor is elected and qualified.” The Charter does not specify a timeframe within which this appointment must occur in relation to the date on which the vacancy occurs.

Article VII, Section 1 of the Town Charter states that, “The regular election for the choice of members of the Council and representatives of the Board of School Directors shall be held on the second Tuesday of June.” Although there is also an election scheduled to occur in November, that election is referred to in state law as the “general election,” which is defined as the regular election of state and county officials. Based on these provisions of the Town Charter and state law, I consider the election of municipal officials and School Board directors in June to be the “regular election” for purposes of the procedure for filling a vacancy on the School Board pursuant to Article V, Section 3 as discussed above.

~ Over 60 Years of Service ~

Jensen Baird

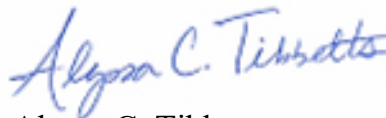
June 14, 2022

Page 2

Based on this interpretation of the term “regular election,” the Council will need to appoint someone to fill the current School Board vacancy until the June 2023 election. Note that Article V, Section 2 of the Charter sets forth the qualifications for members of the School Board, which include the requirement that a director be a qualified voter of the Town who has been a resident of the Town for one year immediately preceding the election. Further, School Board members may not hold any other elected office under the Town charter or ordinances. Although the Charter does not expressly state that these qualifications apply to interim directors, it is my opinion that the Council should ensure that these qualifications are met by any appointee.

Please let me know if you or the Council have any questions or if I can assist further with this process. Thank you.

Sincerely,

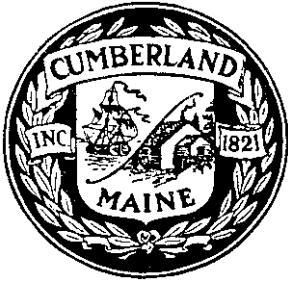


Alyssa C. Tibbetts

ITEM

22-081

To authorize the Town Manager to transfer assignment of a Credit Enhancement Agreement from Seafax to Maine Colloids, LLC



M E M O R A N D U M

TOWN OF CUMBERLAND, MAINE
290 TUTTLE ROAD
CUMBERLAND, MAINE 04021
TEL: 207-829-2205 FAX: 829-2224

To: Town Council
From: William R. Shane, Town Manager
Date: June 16, 2022
Re: CEA Transfer SEAFAX to Maine Colloids

SEAFAX was one of the earliest Credit Enhancements Agreements. It has been sold and the CEA is transferable with your approval. The approval is administrative and intended to allow town staff to track the remaining value of the CEA and the number of years remaining.

The Finance committee reviewed the request and is recommending approval. The TIF Committee was also apprised of the transfer and recommends the same. As you can see, the agreement has a limited life remaining.

		Seafax (BBW Real Estate LLC)	
		R0101100C000	
		216T02-4682	
		TIF 2	
Base Assessment			90,200
Base Assess revised			
2022 Assessed Value			3,230,300
2022 Captured Value			3,140,100
Total Reimbursed			\$ 423,430.74
Reimbursement Limit			\$ 500,000.00
Expiration date			6/30/2026
Remaining			\$ 76,569.26
% of Years Used		95%	
% Reimbursement Used		85%	

ASSIGNMENT OF CREDIT ENHANCEMENT AGREEMENT

THIS ASSIGNMENT OF CREDIT ENHANCEMENT AGREEMENT (the "**Assignment**") is made this ____ day of June, 2022, by **BBW Real Estate, LLC**, a Maine limited liability company, with a mailing address of _____, Maine ____ (hereinafter "**Assignor**") to **Maine Colloids, LLC**, a Maine limited liability company having a mailing address of P.O. Box 4894, Portland, Maine 04112 (hereinafter "**Assignee**").

WHEREAS, Assignee has purchased property from Assignor located on the Westerly Side of U.S. Route One in Cumberland, Maine, sometimes known as the Seafax Lot and more particularly described in the deed from Assignor to Assignee and recorded in the Cumberland County Registry of Deeds in Book 6326 at Page 121; and

WHEREAS, Assignor and the Town of Cumberland (the "**Town**") have entered into a certain Credit Enhancement Agreement dated as of April 1, 2005, (the "**Agreement**") relating to the construction of the "Project" (as defined in the Agreement) at the Seafax Lot, Cumberland, Maine as more particularly identified in the Agreement as Lot 11B of Cumberland Tax Map R-1 and as further defined as the "Seafax Lot" in said Agreement (the "**Property**"); and

WHEREAS, Assignor intends to sell and has sold the Property to Assignee and Assignee intends to continue to lease the Property to the current tenant, Seafax, who will continue to operate its business at the Property as defined in the Agreement, and said activity is included in the definition of "Project" in the Agreement as a use that is eligible to receive a reimbursement of property taxes paid pursuant to the terms and conditions of the Agreement; and

WHEREAS, Assignor desires to assign to Assignee all of its rights and obligations under the Agreement to the extent such rights and obligations apply to Assignee's portion of the Property; and

WHEREAS, the Town Council of the Town voted on _____, 2022 to consent to this Assignment; and

WHEREAS the Agreement provides that the Developer shall have the right and obligation to transfer and assign its rights under the Agreement of any person that acquires title to the Seafax Lot;

NOW THEREFORE, Assignor, for good and valuable consideration paid by Assignee, the receipt and sufficiency of which is hereby acknowledged, does hereby absolutely and unconditionally GRANT, CONVEY, ASSIGN, TRANSFER and set over unto Assignee the following:

- A. The portion of Assignor's rights and interests in and to the Agreement as the Developer thereunder that apply to Assignee's portion of the Property, Lot 11B of Cumberland Tax Map R-1; and
- B. The portion of Assignor's rights and interests in and to the benefits and revenues associated with the Assignee's portion of the Property, as Lot 11B of Cumberland Tax Map R-1, under the Agreement, including without limitation Assignor's rights and interest in and to (i) any credit enhancement payments of Tax Increments (Developer's Share) as described in the Agreement, and (ii) the Seafax Project Cost Account as described in the Agreement;

SUBJECT, HOWEVER, to the terms and provisions hereinafter set forth:

1. Assignee hereby agrees to assume all obligations of the Developer under the Agreement to the extent such obligations apply to the rights and interests assigned to Assignee under this Assignment, as evidenced by the attached executed Acknowledgment of Partial Assignment of Credit Enhancement Agreement.

2. A determination that any provision of this Assignment is unenforceable or invalid shall not affect the enforceability or validity of any other provision and any determination that the application of any provision of this Assignment to any person or circumstance is illegal or unenforceable shall not affect the enforceability or validity of such provision as it may apply to any other persons or circumstances.

3. The terms, provisions, representations, and warranties herein contained shall inure to the benefit of and bind, Assignor and Assignee and their respective heirs, devisees, representatives, successors, and assigns.

4. Within this Assignment, words of any gender shall be held and construed to include any other gender, and words in the singular number shall be held and construed to include the plural, unless the context otherwise requires. The provisions of this Assignment are intended to supplement the provisions contained in the Note and the Loan Documents.

5. Where two or more persons or entities have executed this Assignment, the term "Assignor" as used herein means the assignors hereunder or either or any of them and the obligations of Assignor hereunder shall be joint and several. This Assignment and any other written documents executed contemporaneously herewith, represent the final agreement between the parties and may not be contradicted by evidence of prior, contemporaneous, or subsequent oral agreements of the parties. There are no unwritten oral agreements between the parties

6. The Town of Cumberland has executed the attached Acknowledgment of Assignment of Credit Enhancement Agreement to evidence its acknowledgement and consent with respect to this Assignment.

7. This Assignment shall be governed by and construed in accordance with the laws of the State of Maine.

IN WITNESS WHEREOF, the Assignor has caused this Assignment of Credit Enhancement Agreement to be duly executed as of the date first set forth above.

WITNESS:

BBW Real Estate, LLC

By: _____

Name: _____

Its: _____

STATE OF MAINE
COUNTY OF CUMBERLAND ss.

_____, 2022

Personally appeared the above-named _____, the _____ of BBW Real Estate, LLC and acknowledged the foregoing instrument to be his/her free act and deed in said capacity and the free act and deed of said company.

Before me,

Notary Public/Attorney-at-Law

**ACKNOWLEDGEMENT OF
ASSIGNMENT OF
CREDIT ENHANCEMENT AGREEMENT
by
MAINE COLLOIDS, LLC**

Maine Colloids, LLC hereby acknowledges notice and receipt of the foregoing Assignment of Credit Enhancement Agreement (the "Assignment"), and agrees to assume all obligations of the Developer under the Credit Enhancement Agreement as set forth in this Assignment in accordance with Section 7.2 of the Credit Enhancement Agreement as defined and referenced as the "Agreement" in said Assignment.

Dated: _____, 2022

WITNESS:

MAINE COLLOIDS, LLC

By: _____

Name: _____

Its: _____

**ACKNOWLEDGEMENT OF
~~PARTIAL~~ ASSIGNMENT OF
CREDIT ENHANCEMENT AGREEMENT
by
TOWN OF CUMBERLAND**

The Town of Cumberland hereby acknowledges notice of and hereby consents and agrees to the foregoing Assignment of Credit Enhancement Agreement (the "Assignment"), in accordance with Section 7.2 of the Credit Enhancement Agreement as defined and referenced as the "Agreement" in said Assignment.

Dated: _____, 2022

WITNESS:

TOWN OF CUMBERLAND

By: _____
Name: William R. Shane
Its: Town Manager