

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, April 13, 2015

6:00 P.M. Workshop

7:00 P.M. Call to Order

6:00 P.M. WORKSHOP with the Finance Committee re: FY2016 Budget

6:30 P.M. WORKSHOP with Southern Maine Agency on Aging

I. CALL TO ORDER

II. APPROVAL OF MINUTES

March 23, 2015

III. MANAGER'S REPORT

- Father/Daughter Dance 2015

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

15 – 037 To hear a report from the Ocean Access Committee.

15 – 038 To hold a Public Hearing to consider and act on a Mass Gathering Permit for Binnie Media's Maine's Ultimate Yard Sale to be held on June 13, 2015 at the Cumberland Fairgrounds.

15 – 039 To consider and act on authorizing the Town Manager to award the bid for the Blackstrap Road project.

15 – 040 To consider and act on the disposition of foreclosed properties.

15 – 041 To consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon payment of \$840.25 for property identified as Tax Map U19/Lot 32.

15 – 042 To consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon payment of \$7,266.09 for property identified as Tax Map R08/Lot 27.

15 – 043 To hold a Public Hearing to consider and act on the designation of proposed TIF District #6 (The Natural Gas Pipeline East) and the adoption of a Development Program for the same.

15 – 044 To hold a Public Hearing to consider and act on the designation of proposed TIF District #7 (The Natural Gas Pipeline West) and the adoption of a Development Program for the same.

15 – 045 To hold a Public Hearing to consider and act on an amendment to Chapter 242 (Stormwater Management), Article 2 (Post-Construction Stormwater Management), Section 242-25 (General Requirements), of the Cumberland Code.

15 – 046 To hold a Public Hearing to consider and act on authorizing the Code Enforcement Officer to enter into a Consent Agreement with property owners located at 17 Edes Road.

15 – 047 To set a Public Hearing date (April 27th) to consider and act on a Mass Gathering Permit for Cumberland Youth Lacrosse Girls Tournament to be held at Twin Brook on May 16, 2015.

- 15 – 048** To set a Public Hearing date (April 27th) to consider and act on a Mass Gathering Permit for Cumberland Youth Lacrosse Boys Tournament to be held at Twin Brook on June 20, 2015.
- 15 – 049** To set a Public Hearing date (April 27th) to consider and act on a Mass Gathering Permit for Girls On the Run to be held on June 7th at the Cumberland Fairgrounds.
- 15 – 050** To set a Public Hearing date (April 27th) to consider and act on a Mass Gathering Permit for The Chickadee Classic Dog Show to be held June 16th – June 21st at the Cumberland Fairgrounds.
- 15 – 051** To hold a Public Hearing to consider and act on adoption of the FY'16 Municipal Budget.

VI. NEW BUSINESS

- Election June 9th – Council Meetings June 1st and 22nd
- Workshop with Windham Town Council re: roads around Forest Lake – tentative date May 11th at 6:00 p.m.
- April 28th Special Town Council Meeting to countersign the Warrant and Notice of Election calling the June 9, 2015 M.S.A.D. 51 Budget Validation Referendum.

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

VIII. ADJOURNMENT

MOTIONS

MOTIONS

15 – 037 No action.

15 – 038 I move to approve the Mass Gathering Permit for Binnie Media’s Maine’s Ultimate Yard Sale to be held on June 13, 2015 at the Cumberland Fairgrounds.

15 – 039 I move to authorize the Town Manager to award the bid for the Blackstrap Road drainage and paving project to Gendron and Gendron of Lewiston, Maine in the amount of \$1,169,034.44

15 – 040 ORDERED, that the Town Manager be authorized to negotiate a deed from the current owners of the property located on Lot 55 on Map R07 and Lot 2 on Map U18, described as a parcel on Stratton Wood Lane and 74 Lower Methodist Road confirming the Town’s tax foreclosed title of the 74 Lower Methodist Road parcel in order to facilitate a possible sale of said parcel and use of the proceeds first to pay taxes on both parcels referenced above, with any excess proceeds to be turned over to the current owner.

15 – 041 I move to authorize the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon payment of \$840.25 for property identified as Tax Map U19/Lot 32.

15 – 042 I move to authorize the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon payment of \$7,266.09 for property identified as Tax Map R08/Lot 27.

15 – 043 ORDERED, that the Town hereby (a) designates the Natural Gas Pipeline East Municipal Tax Increment Financing District and adopts the Development Program for the District, such designation and adoption to be on the terms and provisions of the Natural Gas Pipeline East Municipal Tax Increment District Development Program” (“Development Program”) as presented at this Town Council Meeting, and as has been on file in the Town Clerk’s Office, a copy of which is incorporated herein by reference; (b) makes the findings set forth in the Development Program; (c) adopts the financial plan including the percentage of increased assessed value of said District to be retained as captured assessed value in accordance with the Development Program; and (d) authorizes the Town Manager to submit to the State of Maine Commissioner of Economic and Community Development for approval such applications and further documentation as may be necessary or appropriate for final approval and establishment of the Natural Gas Pipeline East Municipal Tax Increment Financing District and its Development Program and financial plan pursuant to 30-A M.R.S.A. Chapter 206.

15 – 044 ORDERED, that the Town hereby (a) designates the Natural Gas Pipeline West Municipal Tax Increment Financing District and adopts the Development Program for the District, such designation and adoption to be on the terms and provisions of the Natural Gas Pipeline West Municipal Tax Increment District Development Program” (“Development Program”) as presented at this Town Council Meeting, and as has been on file in the Town Clerk’s Office, a copy of which is incorporated herein by reference; (b) makes the findings set forth in the Development Program; (c) adopts the financial plan including the percentage of increased assessed value of said District to be retained as captured assessed value in accordance with the Development Program; and (d) authorizes the Town Manager to submit to the State of Maine Commissioner of Economic and Community Development for approval such applications and further documentation as may be necessary or appropriate for final approval and establishment of the Natural Gas Pipeline West Municipal Tax Increment Financing District and its Development Program and financial plan pursuant to 30-A M.R.S.A. Chapter 206.

15 – 045 I move to amend Chapter 242 (Stormwater Management), Article 2 (Post-Construction Stormwater Management), Section 242-25 (General Requirements), of the Cumberland Code, to require post-construction stormwater inspections be completed and turned in to the Code Enforcement Officer annually, by June 1st (previously March 1st).

- 15 – 046 I move to authorize** the Code Enforcement Officer to enter into a Consent Agreement with property owners located at 17 Edes Road and to collect \$500 for legal and administrative fees.
- 15 – 047 I move to set** a Public Hearing date of April 27th to consider and act on a Mass Gathering Permit for Cumberland Youth Lacrosse Girls Tournament to be held at Twin Brook on May 16, 2015.
- 15 – 048 I move to set** a Public Hearing date of April 27th to consider and act on a Mass Gathering Permit for Cumberland Youth Lacrosse Boys Tournament to be held at Twin Brook on June 20, 2015.
- 15 – 049 I move to set** a Public Hearing date of April 27th to consider and act on a Mass Gathering Permit for Girls on the Run to be held on June 7th at the Cumberland Fairgrounds.
- 15 – 050 I move to set** a Public Hearing date of April 27th to consider and act on a Mass Gathering Permit for The Chickadee Classic Dog Show to be held on June 16th – June 21st at the Cumberland Fairgrounds.
- 15 – 051 I move to approve** the FY'16 Municipal Budget not to exceed \$10,355,079.00.

MINUTES

03-23-15

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, March 23, 2015

5:30 P.M. Workshop with the Finance Committee re: FY2016 Budget

6:15 P.M. Workshop with the Tax Assessor

7:00 P.M. Call to Order

Present: Councilors Gruber, Bingham, Stiles, Copp, Edes, Turner and Storey-King

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Stiles, to accept the March 9, 2015 minutes as presented.

VOTE: 7-0 UNANIMOUS

II. MANAGER'S REPORT

Town Manager Shane said that the item on the agenda regarding the foreclosed properties will be partially tabled. The majority of the property owners have come in to meet with the Deputy Tax Collector and plan to pay the taxes due on their property. He asked the Council to consider tabling until the April 13th Council meeting.

Gendron & Gendron was the low bidder on the Blackstrap Road reconstruction project. He will make a recommendation at the April 13th meeting to award the bid to them.

Last Saturday evening there was a Father/Daughter dance put on by the Recreation Department that was a huge success. Recreation Staff will be at the next meeting to share photos and talk about the event. It was amazing and he hopes that it becomes an annual event.

III. PUBLIC DISCUSSION

Geoff Michalak, of Bud's Trail said that he reviewed the budget slides on the website and he had some comments regarding a new Public Works facility, and the expenses related to relocating that facility. He hopes that employees will be given the tools and equipment to work efficiently and safely. The proposed cost of a new facility is 4 million dollars. In 2012, his employer constructed a new facility in Massachusetts that cost 12 million dollars (28,000 square feet). If you are building a facility that is not well thought out and well planned, what have you accomplished? A building can be constructed for 4 million dollars, but will the square footage be adequate? He encouraged the Council to do their homework and look at other facilities to get an idea of what it really costs to construct such a facility. We need to find out what the real cost is. He is not saying that the number is incorrect; he simply wants to see us get some efficiency gains from it.

Councilor Bingham responded that the Town had planned to build a new Public Works facility this year, but other circumstances have come up that put that project on hold until 2018 at best. We are looking into working with North Yarmouth and MSAD 51 to share one facility. We would like to relocate the building so the current area can be developed into residential and maybe more elderly housing.

Town Manager Shane added that the biggest difference that Geoff mentioned was the cost. We no longer have the ability to keep up with technology in the construction world and our Public Works department has become a much lower level of maintenance compared to 10 years ago. Everything has changed. The Public Works facility of the future will likely have a smaller maintenance crew with the majority of the work and equipment repairs being contracted out. That slide in the budget presentation was done as a placeholder until the Council is ready to move forward on the project.

IV. LEGISLATION AND POLICY

15 – 029 To hold a Public Hearing to consider and act on a Class III Vinous & Malt Liquor License for Doc's Café, for the period of May 2015 – May 2016.

Town Manager Shane said that staff is recommending approval.

Chairman Gruber opened the Public Hearing.

Public Discussion: None

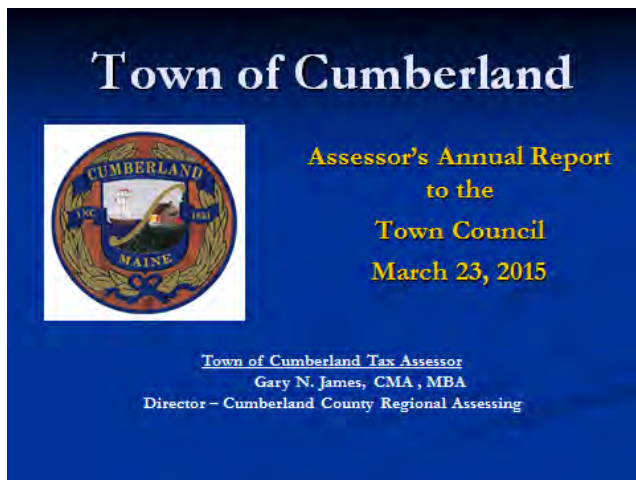
Chairman Gruber closed the Public Hearing

Motion by Councilor Storey-King, seconded by Councilor Stiles, to approve the Class III Vinous & Malt Liquor License for Doc's Café, for the period of May 2015 – May 2016.

VOTE: 7-0 UNANIMOUS

15 – 030 To hear a report from the Assessor re: property values.

Tax Assessor, Gary James, presented the following:



Town of Cumberland

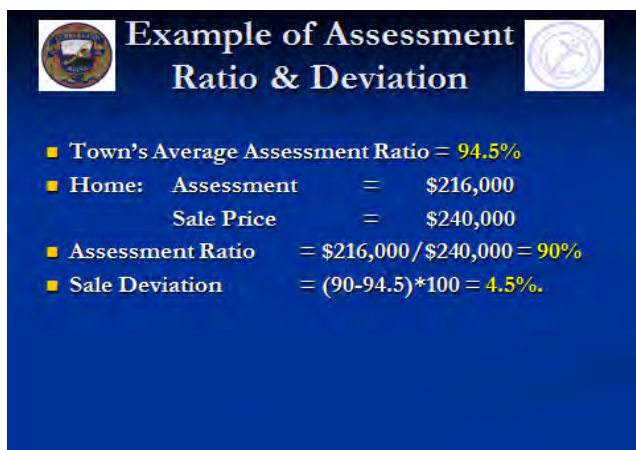
**Assessor's Annual Report
to the
Town Council
March 23, 2015**

Town of Cumberland Tax Assessor
Gary N. James, CMA, MBA
Director – Cumberland County Regional Assessing



Definitions

- **Assessment Ratio** = $\frac{\text{Current Assessment}}{\text{Sale Price}}$
- **Average Assessment Ratio**: Average of All Assessment Ratios in a Sales Analysis
- **Deviation**: Percentage Difference of each Sale from the Average Assessment Ratio
- **Quality Rating** = $\frac{\text{Average Deviation of All Sales}}{\text{Average Assessment Ratio}}$



Example of Assessment Ratio & Deviation

- Town's Average Assessment Ratio = **94.5%**
- Home: Assessment = \$216,000
Sale Price = \$240,000
- Assessment Ratio = $\$216,000 / \$240,000 = 90\%$
- Sale Deviation = $(90 - 94.5) * 100 = 4.5\%$



Review of State Assessing Standards

- Minimum Assessment Ratio: 70%
- Maximum Assessment Ratio: 110%
- Maximum Quality Rating (COD): 20%



State Valuations for Cumberland Since 2008



<u>Tax Year</u>	<u>Equalized Valuation</u>	<u>Actual Ratio</u>	<u>Certified Ratio</u>
2010	\$1,131,150,000	96	100
2011	\$1,084,700,000	100	100
2012	\$1,068,500,000	103	100
2013	\$1,056,700,000	104	100
2014	\$1,057,800,000	107	100
2015	\$1,099,350,000	103	100
2016	\$1,125,000,000	100	100



Sales Information: 2008 - 2014 Town Wide



<u>Number of Sales</u>	<u>Assessment Ratio</u>	<u>Quality Rating (COD)</u>
644	100.92%	11.13%
	<u>Assessment Sale Price</u>	Below 20% Lower the Better



Sales Information: 2008 – 2014 Foreside



<u>Number of Sales</u>	<u>Assessment Ratio</u>	<u>Quality Rating (COD)</u>
161	102.72%	12.47%
	<u>Assessment Sale Price</u>	Below 20% Lower the Better



Sales Information: 2008 – 2014 Cumberland Center



<u>Number of Sales</u>	<u>Assessment Ratio</u>	<u>Quality Rating (COD)</u>
323	98.49%	9.82%
	<u>Assessment Sale Price</u>	Below 20% Lower the Better



Sales Information: 2008 – 2014 West Cumberland



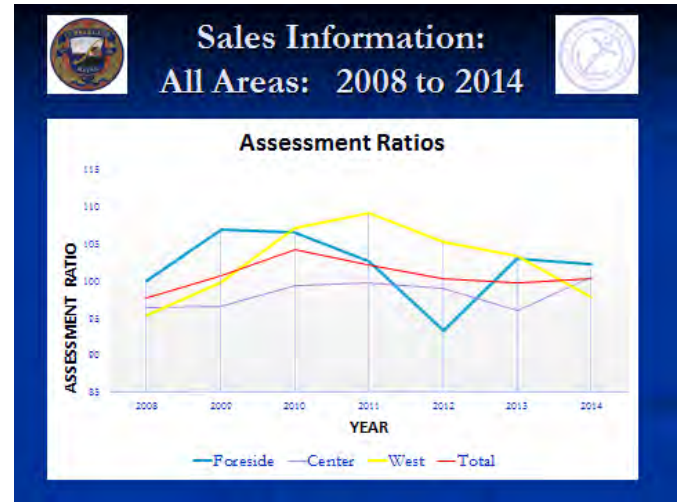
<u>Number of Sales</u>	<u>Assessment Ratio</u>	<u>Quality Rating (COD)</u>
155	103.46%	9.22%
	<u>Assessment Sale Price</u>	Below 20% Lower the Better



Sales Information: 2008 - 2014 Condominiums



<u>Number of Sales</u>	<u>Assessment Ratio</u>	<u>Quality Rating (COD)</u>
10	101.68%	3.44%
	<u>Assessment Sale Price</u>	Below 20% Lower the Better



Conclusions/Contact Info

- Trends:
 - Dramatic Increases in Foreside Prices in 2012
 - Stabilization since 2013
- Very Good Ratios - Equitable Assessments
- Areas of Concern – Under Assessment:
 - Maeves Way
 - Mary Lane
- Areas of Concern – High Ratios/Outliers:
 - Vacant Land Values

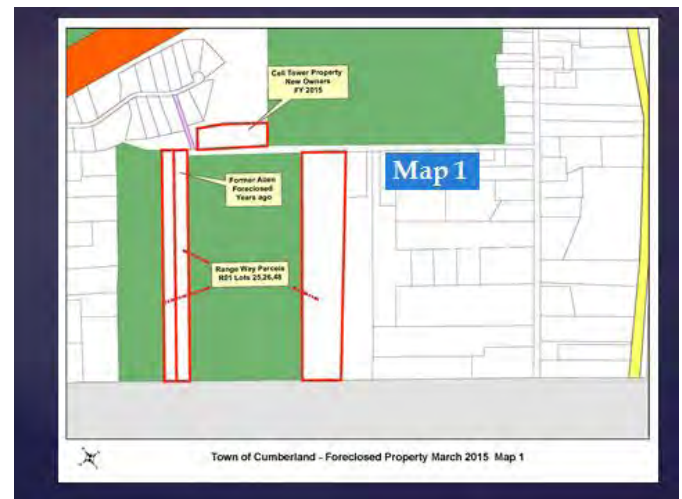
Gary James– Town Assessor (207) 699-2475
Email: james@cumberlandcounty.org

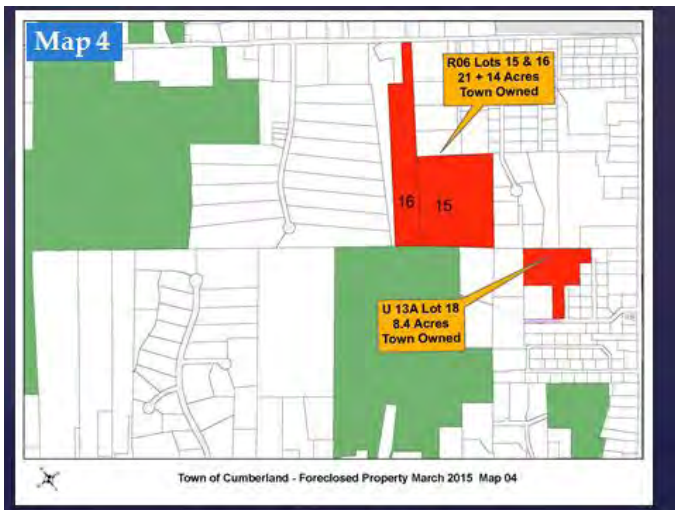
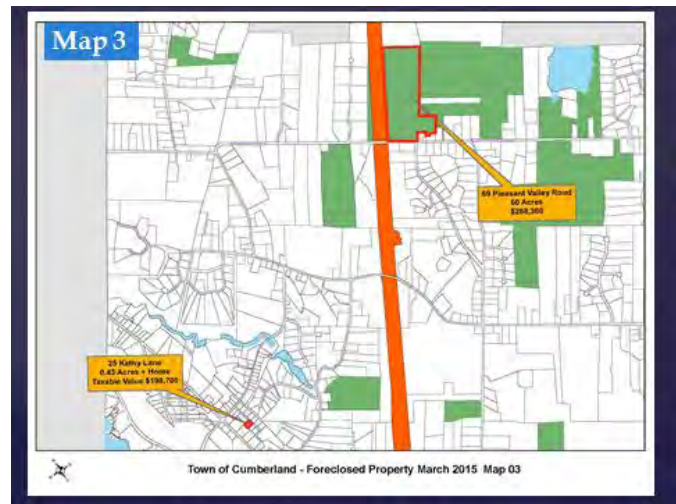
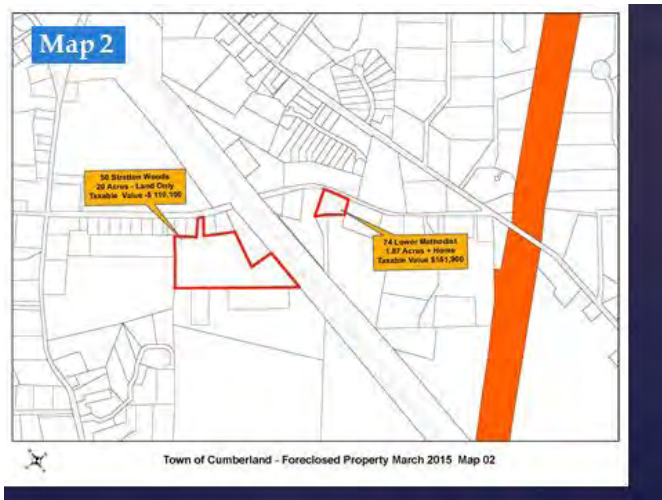
15 – 031 To hear a report from the Town Manager and to consider and act on disposition of foreclosed property.

Town Manager Shane presented the following:



Foreclosed Properties March 23, 2015





Everett White of 26 Mayflower Drive said that he, his wife and their daughter and her family live on the same property, in separate houses. Their property abuts 2 of the Town properties that are being discussed this evening. He feels that he is well informed about the trail system in that area because he walks it almost every day, year round. While walking, he often meets other walkers, some with dogs, joggers, bike riders, large groups of Greely Cross Country runners and people on horseback. In the winter, he sees people snowshoeing, cross country skiers and occasionally, snowmobiles. These woods and trails are used by a lot more people than anyone realizes. As for animal life, he has seen deer, fox, turkeys, coyotes, raccoons and huge striated owls. This wooded area is a human and animal sanctuary, and hopefully, it can be kept as such for a long, long time. These properties are not going to cost the taxpayers any money because the Town already owns the land and they are tax exempt. In the 15 years that he has been in Cumberland, he has never heard of anyone being prevented from accessing the trails in that area. He and his family would be willing to volunteer to help to improve and maintain the trail system.

ORDERED by Councilor Bingham, seconded by Councilor Stiles, that pursuant to 36 M.R.S.A. § 841(3) the Council hereby abates taxes assessed on property described as Lot 25 on Tax Map R03 in the name of the Robert Allen heirs, so-called, on the basis of the Tax Collector's recommendation that said taxes are uncollectable, and further

ORDERED, that pursuant to 36 M.R.S.A. § 841(1) the Council hereby abates taxes assessed on property described as Lot 19-2 on Tax Map R03 on the basis of the error in assessment as to the proper owner of said premises.

VOTE: 7-0

UNANIMOUS

Motion by Councilor Stiles, seconded by Councilor Edes, to table action on the following parcels to April 13, 2015:

Map R07/Lot 55

Map U18/Lot 02

Map R08/Lot 27

Map U19/Lot 32

VOTE: 7-0 UNANIMOUS

Motion by Councilor Stiles, seconded by Councilor Turner that the disposition of the remaining parcels be in accordance with the Town Manager's recommendation.

VOTE: 7-0 UNANIMOUS

Town Manager Shane explained that these are the "Greely woods" and Range Way properties on Map 4 that the Town will attempt to obtain easements from abutters to expand the trail system.

15 – 032 To hold a Public Hearing to consider and act on amendments to Chapter 96 (Fire and Fire Protection) of the Cumberland Code with regard to sprinkler systems for commercial buildings, as recommended by the Planning Board.

Town Manager Shane explained that the Ordinance Committee reviewed the sprinkler ordinance and determined that the only criteria in the ordinance is that if the building is a commercial building, it required a sprinkler system. It did not matter how the building was used or what was in it, if it was over 4,000 square feet, it required a sprinkler. The Fire Chief agreed that if the building was not occupied, such as a storage building, the sprinkler requirement could be waived if the sprinkler was not for life saving purposes. The Planning Board agreed with this recommendation.

Chairman Gruber opened the Public Hearing.

Bob Vail said that when ordinance changes come before the Council, there should be due process that may affect how people do business. Those people should have some input.

Councilor Turner responded that the intent was to have the ability to waive the sprinkler requirement, taking the burden of related costs away from those business owners where sprinklers are not necessary.

Chairman Gruber closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Turner, to amend Chapter 96, Section 96-14D (Fire Protection Requirements) of the Cumberland Code, regarding sprinkler requirements for commercial properties in excess of 4,000 square feet and single family dwelling units in major subdivisions, as recommended by the Planning Board.

VOTE: 7-0 UNANIMOUS

15 – 033 To appoint William Longley as Code Enforcement Officer, Dan Small as alternate Building Inspector, and Richard Wentworth as Electrical Inspector for the term of July 1, 2015 – June 30, 2017.

Motion by Councilor Copp, seconded by Councilor Edes, to appoint William Longley as Code Enforcement Officer, Dan Small as alternate Building Inspector and Richard Wentworth as Electrical Inspector for the term of July 1, 2015 – June 30, 2017.

VOTE: 7-0 UNANIMOUS

15 – 034 To consider and act on setting the week of May 18th – 22nd as Spring Bulky Item Pick-up Week.
Motion by Councilor Bingham, seconded by Councilor Stiles, to set the week of May 18th – 22nd as Spring Bulky Item Pick-up Week.

VOTE: 7-0 UNANIMOUS

15 – 035 To set a Public Hearing date (April 13th) to consider and act on a Mass Gathering Permit for Binnie Media's Maine's Ultimate Yard Sale to be held on June 13, 2015 at the Cumberland Fairgrounds.

Motion by Councilor Edes, seconded by Councilor Copp, to set a Public Hearing date of April 13th to consider and act on a Mass Gathering Permit for Binnie Media's Maine's Ultimate Yard Sale to be held on June 13, 2015 at the Cumberland Fairgrounds.

VOTE: 7-0 UNANIMOUS

15 – 036 Motion by Councilor Storey-King, seconded by Councilor Bingham to send to the Planning Board for a recommendation to add the use of catering to the VCC Zone.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Copp – it's spring! Thank goodness.

Councilor Edes – thank you to those residents who attended the Council meeting this evening. The Council appreciates it when people show up and have a voice. They do listen to them.

There was a fundraiser at Rachel's On the Green last Saturday evening for the owner's sister. A lot of people showed up to support the event, which is what this Town is about.

Councilor Storey-King – she received an email from the Manager earlier today regarding adding a use to the VCC Zone due to someone being interested in the Allen Farm property. The proposed added use is catering. As a member of the Ordinance Committee, she feels that they Committee does not need to discuss it before sending it to the Planning Board for their recommendation. She made a motion to send it to the Planning Board. (see added item 15-036).

Greely High School and Middle School are both busy with theater productions in the near future.

The Greely Middle School Jazz Band came in first in the State Festival this past weekend.

Thank you to her fellow Councilors and Town Employees for the beautiful flowers that were sent to her during her a recent recuperation.

Councilor Bingham – the Land Use Committee met last week and they are getting closer to reaching and end point. Over the next couple of weeks they will be working on a preliminary report to bring to the Council within a month or so.

The Finance Committee met earlier in workshop earlier this evening. There were some concerns about health insurance and utilities. The Manager and his staff did some work over the past week and were able to add another \$41,000 to the budget to take care of the realistic expectations of the health

insurance and other items of concern, while also finding \$65,000 worth of deductions. We have been able to take the Town increase on the tax rate from 5 cents to 3 cents. He urged the public to attend the Public Hearings on the school budget as the voters are the ones who will determine the fate of it.

Chairman Gruber – the Greely High School Choir preformed recently at Town Hall as part of the *Tea and Talk* series put on by our Recreation Department. They were fantastic.

State Senator, Cathy Breen and State Representative, Mike Timmons will be at Town Hall on March 25th for a community forum on the Governor's proposed budget.

Councilor Stiles – he will begin his fundraising efforts again soon to raise money for the food pantry to purchase meat at the Cumberland Fair. If 1,000 residents of Cumberland and North Yarmouth donate \$10.00, we would have \$10,000 to benefit a great cause.

Councilor Turner – Ashley Storey is officially Miss Maine Basketball and that is a tremendous honor.

Town Manager Shane – he spoke to the Windham Town Manager and the Windham Town Council is willing to sit down with the Cumberland Town Council to discuss the road conditions around Forest Lake. He will set up a Workshop meeting with the 2 Councils in April.

Our former Assistant Town Manager, Alyssa Tibbetts and her husband Chris welcomed their first child, a daughter, Lily. Congratulations to Alyssa and Chris.

- VI. EXECUTIVE SESSION** pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.
Motion by Councilor Bingham, seconded by Councilor Stiles, to recess to Executive Session pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.
VOTE: 7-0 UNANIMOUS
TIME: 8:22 P.M.

Reconvene to regular session at 8:45 P.M.

Motion by Councilor Bingham, seconded by Councilor Copp, to not exercise the Town's right of first refusal on Tax Map R04, Lot 32C, as recommended by the Town Manager.
VOTE: 7-0 UNANIMOUS

- VII. ADJOURNMENT**
Motion by Councilor Bingham, seconded by Councilor Turner, to adjourn.
VOTE: 7-0 UNANIMOUS
TIME: 8:45 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

ITEM 15-037

To hear a report from the Ocean Access Committee

Broad Cove Reserve Management Plan

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Introduction

The Broad Cove Reserve Management Plan (the “Plan”) is intended to provide guidance in the oversight and maintenance of Broad Cove Reserve according to the Broad Cove Reserve Mission Statement and Stewardship Principles. As with sound management practices, this is a living document, which should be reviewed periodically to ensure that it is achieving the goals of the Mission Statement and Stewardship Principles. The Plan acknowledges the balancing act required between changes in ecological practices and needs as outside pressures impact the community while encouraging passive recreation by members of the community.

Broad Cove Reserve is part of a 104 acre parcel owned for many years by the Payson family. This parcel has been described as one of the last remaining significant parcels of open space in Cumberland, as well as one of the last remaining underdeveloped waterfront properties in the Portland area. The parcel has a very high natural resource value, which includes 3,039 feet of marine intertidal shoreline on Casco Bay at Broad Cove, intertidal wetlands which support a broad range of shellfish species and marine worms, breeding habitat for horseshoe crabs, extensive eelgrass beds offshore, and 35 acres of Significant Wildlife Habitat designated by the Maine Department of Inland Fisheries as Tidal Waterfowl/Wading Bird Habitat. From a scenic perspective, the parcel provides excellent views from both land and water. The parcel’s upland forests, and freshwater streams and wetlands provide habitat for a variety of birds, mammals and other species.

In 1997 the Payson family granted a conservation easement (the “Conservation Easement”) to the Chebeague and Cumberland Land Trust (“CCLT”). The purpose of the easement is stated: “To assure that the Property will be retained forever predominantly in its scenic, natural and open space condition for conservation purposes and to prevent any use of the Property that will significantly impair or interfere with the conservation values of the Property and the Property’s natural resources and associated ecosystems.”

In 2014, pursuant to a public referendum, the Town of Cumberland purchased Broad Cove Reserve from 179 Foreside LLC, which in turn had purchased the entire property from the Payson family to subdivide and develop the property. Broad Cove Reserve consists of 11 acres along Casco Bay with 2,200 feet of shorefront; 9 acres adjacent to Route 88 and an existing gravel roadway connecting these two parcels.

The following document sets out the Broad Cove Reserve Mission Statement and Stewardship Principles and provides an overview of the history of the property, an inventory of its natural resources and management recommendations relative to recreational and educational activities, resource management and maintenance.

Purpose and Objective of Management Plan

Through the direction of the Cumberland Town Council (the "Town Council"), the Ocean Access Citizens Advisory Committee (the "Committee") was established. The Committee's primary focus is to provide guidance to the Town Council regarding matters related to the management of this community resource by developing a Management Plan for the Broad Cove Reserve property.

The purpose and objective of the Management Plan is to incorporate the mission statement and stewardship principles that will be used as a guide by the citizens of the Town of Cumberland pertaining to the use, improvement and preservation of the Broad Cove Reserve.

Town Council Charge

The Town Council hereby establishes the Committee for the purpose of making recommendations and providing guidance to the Town Council pertaining to the use, improvement and preservation of the Broad Cove Reserve. Such recommendations shall include, but shall not be limited to, the following:

- Exploration of opportunities for passive recreation
- Preservation of the conservation values of the property
- Maintenance of the property to facilitate approved uses

The members of the Committee shall be appointed for three-year terms, although initial members shall be appointed for staggered terms of 1, 2 and 3 years. The Committee may report and make recommendations to the Town Council on an interim basis at its discretion or at the Town Council's request, but must submit an annual report to be received and considered by the Town Council at its first regular business meeting each December.

Broad Cove Reserve Mission Statement

The Town Council holds that the Broad Cove Reserve property has many natural attributes of high conservation value, including scenic vistas from land and sea, upland open space and woods, extensive tidal mudflats, a long fringing beach and diverse natural communities. In acquiring Broad Cove Reserve for public use, the Town Council recognizes the obligation to conserve these natural attributes consistent with the Conservation Easement. Accordingly the following Mission Statement has been adopted for Broad Cove Reserve:

Broad Cove Reserve will be managed for the citizens of Cumberland to provide for their access to and appreciation and enjoyment of this special seaside environment, consistent with the conservation of its scenic value, diverse habitats and natural communities.

Broad Cove Reserve Stewardship Principles

1. The Town Council endorses the maintenance of Broad Cove Reserve to assure the protection of its conservation values and will, *within limits established by any Town Council*, provide the human and financial resources necessary to do so.
2. The Committee will:
 - a. Monitor use and condition of Broad Cove Reserve by available means, such as data/photos and communications from law enforcement, Town staff, Council members, Committee members, abutting neighbors and the public.
 - b. Solicit feedback from users and other members of the public with respect to their experiences, concerns, and suggestions for improved management
 - c. Report to the Town Council, with a copy to CCLT, as needed and provide an Annual Report of usage, condition, changes in condition (both positive and negative in the context of mission statement), evolving concerns, and recommendations.
3. The Town Council will adopt and update a Management Plan.
4. The Management Plan will provide specific guidance for areas determined to be environmentally sensitive and vulnerable.
5. Citizens are encouraged to recreate passively within the boundaries of Broad Cove Reserve.
6. Vehicular and bicycle use will be limited to Beach Road and its turnaround, with on-site parking available near the Route 88 entrance. Handicapped parking will be available at the turnaround.
7. For calendar year 2015, on-site parking will be restricted to Cumberland residents only.
8. The Use Policy of the Management Plan will list acceptable uses of Broad Cove Reserve. Such uses will be enforced by the appropriate agents of Town and State Government.
9. The Committee will cooperate and meet annually with the CCLT, or more frequently as needed, to ensure ongoing compliance with the Conservation Easement.
10. The Committee will cooperate with the Cumberland Coastal Waters Commission ("CWC") on policies affecting use of the beach and intertidal areas, permitting and usage of the pier and float, and the prevention of erosion at the riparian boundary.

Location of Broad Cove Reserve



Description of Land and Natural Resources¹

The parcel including Broad Cove Reserve encompasses approximately 104 acres at the easternmost end of the mainland portion of Cumberland, ME. The topography of the area generally slopes towards Broad Cove. Elevations range from 90 feet above sea level to sea level near the easternmost end of the property. The steep slope to the coast is forested, which prevents soil erosion.

Glacial sediments comprise the parent material for the soils. Paxton fine sandy loam, Hollis very rocky fine sandy loam, and Hollis fine sandy loam are the most prominent soil types. Most of the soils are described as having moderate to severe limitations for community development and recreation due to shallowness to bedrock, steep slopes and a seasonal high water table.

Much of the land has been cleared in the past for farming or timber. The presence of stone walls, an old foundation and old cut stumps attest to the historic use across the landscape. Much of the land has reverted back to forest which is now comprised of mature trees.

Oak-Pine Forest is the most abundant natural community. Large, mature red oak and white pine dominate the canopy. Red maple and red spruce are present to a lesser extent. The understory is slightly more varied and includes American beech, green ash and beaked hazelnut. The herb layers include wild sarsaparilla, low bush blueberry and partridge berry. Oak-Pine Forest provides nesting habitat for a variety of bird species including the wood thrush, scarlet tanager, ovenbird and pine warbler. Deer browsing is evident.

Broad Cove Reserve is located along the shores of Broad Cove, which has been documented to have water quality issues. Broad Cove is generally closed to the harvest of clams, quahogs, oysters and mussels from June 1 to October 31. It is critical that future development of Broad Cove Reserve limit the impacts of freshwater streams and groundwater on site and the receiving waters of Broad Cove.



The shoreline consists mostly of a low-energy tidal zone as indicated by several stands of low marsh grass. A sand spit is also present, as indicated by a stand of American beach grass and also high marsh grass. Such marsh wetlands provide a first line of defense from coastal storms, helping prevent shoreline erosion and damage to adjacent uplands.

The shoreline includes a 200' wharf and float that was fully rebuilt after the 2007 Patriot's Day Storm.

A clam flat is present at the north end of the beach and eel grass beds are present southeast of the sand spit. The entire shoreline is mapped as marine worm habitat.

¹ Adapted from 2104 Natural Resources Inventory prepared for CCLT by FB Environmental Associates

Clamming is an important part of Maine's culture and economy. Due to the size, productivity and increased access of the clam flat, clamming for soft shell clams will undoubtedly be an attraction of Broad Cove Reserve.

Eelgrass beds are an important part of a healthy marine ecosystem. They oxygenate the water column, cycle nutrients by providing a source of detritus, provide food for waterfowl, provide habitat for numerous species of invertebrates and provide nursery areas for juvenile fish. Broad Cove Reserve's eelgrass beds extend seaward for approximately 1,250 feet and encompass an area of approximately 80 acres.

Horseshoe crabs utilize the shoreline to spawn on the high tide of the new and full moon in mid-May to mid-June. Hatching out of eggs occurs 14 days after being deposited and occurs at night during high tide. These animals prefer beaches that are protected from high water and require gently sloping beaches to lay their eggs. It is unlawful to take, kill or possess horseshoe crabs or eggs in Maine between May 1 and October 30. CCLT provides public events at the time of spawning to educate the public about these crabs.

Wildlife species present along the shoreline including wading birds, songbirds, waterfowl, mammals and insects. The sand beach will not support nesting birds due to the height of tide in this location. Birds of conservation concern such as the American oystercatcher, purple sandpiper, snowy egret, bald eagle, great cormorant and least tern may feed or rest at some time of the year on the beach or just offshore.

Historic Uses of the Land

The historic uses of the land bear the imprint of Cumberland's legacy of agriculture and seafaring.

When Cumberland became a separate town from North Yarmouth in 1821, Broad Cove Reserve was owned by the Scales family. The record of this family extends well back into the 18th century and the settling of North Yarmouth. For example, in the original 1727 survey and plot division of that town, a William Scales is listed as proprietor of Lot 59. This lot was one of several 10 acre lots set out on Broad Cove.²

In 1837, the Scales family sold the former Payson property to the Town of Cumberland. The brief legal description sets out the property as "bounded on the Northwest by the lower County Road in said town and by one forth part of an acre of land owned by David Spear on the Northeast by landing road so called easterly and southeasterly by the sea shore and southwesterly by land owned by Ephraim Sturdivant."³

This purchase was at the recommendation of the Town's Overseers of the Poor board. Pursuant to Maine Law, the Overseers were responsible for supporting all poor and indigent persons residing in the Town. To this end, the Overseers decided to establish a Town Farm where the poor could live, work the land and contribute to their own upkeep. Broad Cove Reserve thus for the next several decades was the location of the Town Farm. The Map of 1857 shows this use and sets out the location of the farm building itself. The foundation of this building is clearly visible today.⁴

David Spear's shipyard just to the east was one of the most famous and active on Casco Bay. He and his son built approximately 50 ships, the largest of which was the *Dakotah* of 1054 tons burthen. The coming of the age of steam and the Panic of 1857 brought the era of shipbuilding along the Maine Coast to an end. In 1869 David Spear Jr. was forced to turn over the business and its properties to satisfy creditors. Inhabitants of the Town Farm apparently found occasional employment with the Spears.



Shipbuilders made active use of the Town Landing itself. A newspaper account of the 1870's recounts the launching of a vessel of about 70 tons built in Cumberland Center prior to the War of 1812. In mid-January, when Tuttle Road was sufficiently snow packed, 80 yoke of oxen took three days to haul the vessel down to Town Landing for her launching.⁵

Captain Ephraim Sturdivant (1782-1868), the property's abuttor to the south, was a notable ship captain of that era. He went to sea at age 12 and by 21 was in command of his own vessel. At his age 30

² Rowe, WH (1937) Ancient North Yarmouth and Yarmouth, Maine A History: 1636-1936 p.68

³ Cumberland County Registry of Deeds Book 151 Page 238

⁴ Taken from Internet <http://cny.mainememory.net/page/2019/display.html>

⁵ Sweetser, PS (1976) Cumberland, Maine in Four Centuries p.35

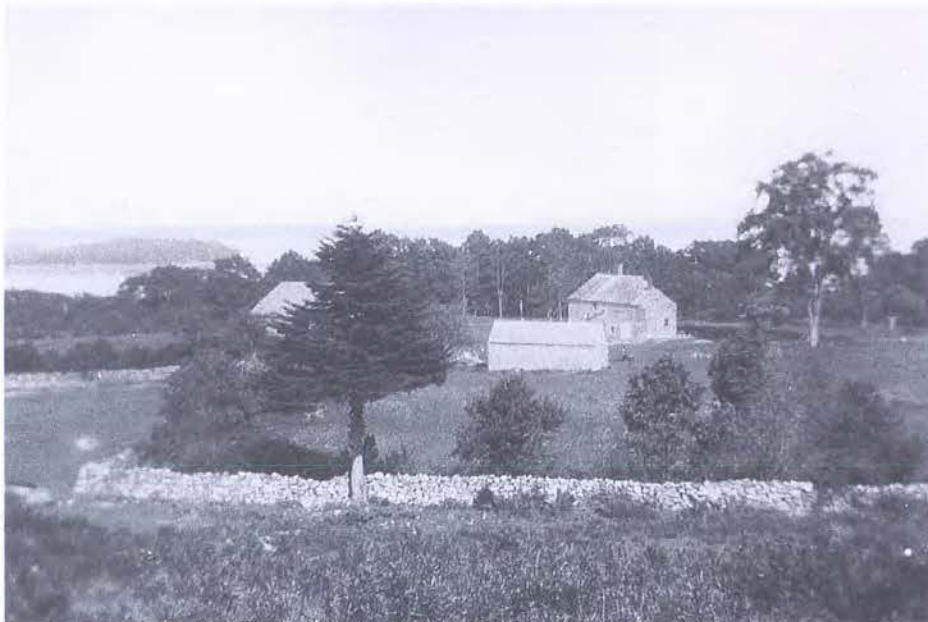
President James Madison issued him a Letter of Marque, permitting him to operate the ship *Reaper* as a privateer with 6 guns and 75 men during the War of 1812. He later became the first Treasurer of the Town of Cumberland on its incorporation in 1821.⁶

By 1866, methods of poor relief had sufficiently changed that the Overseers of the Poor board decided to sell the Town Farm pursuant to the vote of a special Town Meeting called for the purpose. Although Ephraim Sturdivant and others argued against the sale, he ultimately purchased the property, described in the deed as "beginning on the lower County road at the Northerly corner of said Ephraim Sturdivant's land; thence by said road to the Town Landing road; thence Southeasterly to the sea shore; thence Southwesterly by the sea shore to said Sturdivant's land; thence Northwesterly by said Sturdivant's land to the first bound containing about 100 hundred acres more or less."⁷ The sale price was \$1,900 or approximately \$18,000 in 2014 dollars.

The property changed hands several times, staying in agricultural use. Below is a picture of the farmhouse and buildings, believed to have been taken in the early 1900's.

In 1936 Marion Payson purchased the property. She built the mansion, so-called, which is still in use as a private residence. She sold off several small parcels to family members and others, primarily along Town Landing Road.

In 2014, pursuant to a public referendum, the Town of Cumberland purchased Broad Cove Reserve from 179 Foreside LLC, which in turn had purchased the entire property from the heirs of Marion Payson to subdivide and develop the property. The purchase price was \$3,000,000.



⁶ Ibid., p. 73

⁷ Cumberland County Registry of Deeds Book 341 Page 316

Current Uses

Broad Cove Reserve provides an ideal site for low-impact passive recreation. Passive recreation means non-motorized, non-consumptive activity that 1) offers restorative and pleasurable human benefits, 2) fosters understanding of open space and its purpose, 3) does not adversely affect conservation values and 4) requires minimal visitor facilities and services.

In an effort to preserve the conservation values of the property, uses may be subject to change or suspension when overuse or negative impact to the property is identified. The list of current and prohibited uses is below. Please also refer to the Management Matrix for specific information regarding user responsibility and/or limitations for each activity.

- Walking and hiking
- Boating
- Swimming
- Shell fishing
- Fishing
- Picknicking
- Cross-country skiing and snowshoeing
- Educational activities

Prohibited Uses

- Hunting
- Dog walking
- Open fires
- Fireworks
- Except on Beach Road or in designated parking, use of unauthorized motor vehicles, motorbikes, bicycles, snowmobiles or ATVs
- Use of any motor vehicle, boat or trailer which exceeds at least two of the following criteria: twenty three feet in length, eight feet in height and seven feet in width.
- Littering or trash disposal; all activities and users to carry out all refuse carried in
- Except for maintenance of approved trails, cutting/removal of trees, brush, vegetation or application of herbicides, pesticides, fungicides without Committee approval
- Construction or improvements without Committee approval
- Defacement, injury, removal or destruction of fences, signs, gates or any other structure

Management Matrix

A. Current Uses

Current Use	Potential Natural Conflict	Potential Neighbor Conflict	Management Activities
Walking and hiking	Habitat disturbance Tree carving Erosion Soil compaction	Disturbance of solitude-seekers Littering Trespassing beyond reserve boundaries	Evaluation of trails on a yearly basis and rerouting as needed Repair of natural and human damage on a timely basis Development of limited number of trails with some loops Closure of trails periodically to give land time to recover Carry-in/carry-out policy for litter management Pick up after pets
Boating	Wildlife disturbance Damage to submerged aquatic vegetation and beach grass	Engine noise Swimmer safety	As directed by CWC: Motorboats not allowed on beach or pier except in emergency Motorboats strictly discouraged from surrounding water area to ensure swimmer safety, quiet and eelgrass protection Human and sail powered craft carry in/carry out Boats cannot be left unattended at float
Swimming	Wildlife disturbance Damage to submerged aquatic vegetation and beach grass	Noise	Swimming allowed from all beach areas; prohibited from pier and floats as directed by CWC At own risk only; no lifeguard on duty
Shell fishing	Overfishing		Compliance with Town Ordinance and State regulations
Fishing	<u>Accidental hooking or disturbance of water fowl</u>	<u>Injury or nuisance from casting rods</u> <u>Failure to clean up after fishing</u>	Permitted on beach and pier as directed by CWC Compliance with state regulations
Picnicking	Littering Habitat disturbance	Noise	Restricted to designated picnic sites Carry in/carry out for litter management

Cross country skiing and snowshoeing	Wildlife disturbance Habitat disturbance	Trespassing beyond reserve boundaries	Encourage use of marked trails
Educational Activities	Over collecting Minor habitat disturbance	Noise	Discourage active collection of live materials Group over 25 and/or arriving by bus require prior approval from Town Office

B. Prohibited Uses

Prohibited Use	Potential Natural Conflict	Potential Neighbor Conflict	Management Activities
Hunting	Accidental loss of rare or endangered species Disturbance of wildlife migration or feeding patterns	Neighboring homes within close range of shotgun, crossbow ,etc.	Prohibition of use
Dog walking	Pollution of Broad Cove waters Wildlife disturbance	Trespassing on private land that abuts property Disturbance to visitors fearful of dogs	Prohibition of use, subject to specific rights of CCLT to manage uses of Stone Wall Trail as set out in Conservation Easement
Open fires; fireworks	Runaway fires Disturbance of wildlife	Unwanted noise and odor Accidental injury and property damage	Prohibition of use
Driving unauthorized vehicles, motorbikes, bicycles, snowmobiles, ATVs	Disturbance of wildlife and habitat	Unwanted noise Accidental injury and property damage	Prohibited except on Beach Road or in designated parking areas No driving on trails

ITEM

15-038

To hold a Public Hearing to consider and act on a Mass Gathering Permit for Binnie Media's Maine's Ultimate Yard Sale to be held on June 13, 2015 at the Cumberland Fairgrounds

MEMORANDUM

To: William Shane, Town Manager

From: Tamara O'Donnell, Town Clerk

Re: Maine's Ultimate Yard Sale

I have held discussions, on Monday, March 23, 2015, with Police Chief Charron and Deputy Fire Chief Bernier, in which we discussed the Spring Ultimate Yard Sale, at the Cumberland Fairgrounds. I reviewed in detail the requirements of the Mass Gathering Ordinance. The following represents our mutual understanding:

- Event participators will register online through the ultimateyardsale.com site.
- Registration levels have been increased to 300 from the previous level of 250.
- Exact attendance levels are unknown, however, it was determined that 4,500 is likely. Therefore, the organizers will pay the Minor Mass Gathering fee of \$500.00.
- Registration cost will be \$30.00 per 12 x 12 foot booth.
- Entrance fee for attendee is \$2.00 per person.
- No parking fee will be charged.
- The event will be held Saturday, June 13, 2015 and occur within a fenced area.
- There will be no collection of the entrance fee at the gate. Vehicles will be flagged from the entrance to the parking area and the entrance fee will be paid after parking and at the gate of the fenced vendor area.
- If the event is to be cancelled for any reason, a 24 hour notice will be provided by email to all participants and to the public through the broadcasting agency's seven radio stations.
- Registrants are required to set up between 5:00 a.m. and 8:00 a.m.
- Additional staff (6) have been hired by "At Work" flaggers to control parking.
- There will be 1 Paramedic, 1 EMT, and 1 Supervisor from the Fire Department on site.
- There will be 1 Fire Engine on site.
- There will be 2 police officers on duty at the event.
- Communication between parties will be by two way radio and cell phone.
- Food Vendors will be handled exclusively through the Farmers' Club.
- A copy of the contract with Blow Brothers as well as a copy of the event insurance coverage naming the town as an additional insured is attached to the application.
- Nassau Broadcasting will have approximately 25 employees in attendance throughout the event.

The Town fees for this event are listed below:

\$500.00	-	Mass Gathering Fee
\$445.00	-	Police Department
\$380.00	-	Fire Department

I believe we have covered all areas related to the Mass Gathering Permit application. I anticipate that this event will be very successful and well managed. I hope the weather cooperates and they have a wonderful turnout. Thank you.

TOWN OF CUMBERLAND

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

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

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

Name of applicant: BINNIE MEDIA

Address of applicant: 477 CONGRESS ST. PORTLAND, ME 04101 Tel. # 207-797-0780 x202

Name of event: MAINE'S ULTIMATE YARD SALE

Facility where the event will be held: CUMBERLAND FAIRGROUNDS

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

Name of promoter (if different from above): _____

Telephone number: _____

Will any food vendors be serving at the event? ✓ yes, _____ no (if yes, how many, and what types) FAT GUYS, STEVE'S FRIED DUGH CONTRACTED BY CUMBERLAND FARMERS CLUB.

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

Date of event: 6/13/2015 Time (start and finish times): 5:30A - 2:00PM

Number of tickets available: _____

Expected attendance: 5,000

Description of event: LARGE YARD SALE / FLEA MARKET

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

1. October 2014 - Ultimate Yard Sale @ Cumberland Fairgrounds

2. June 2014 " " "

3. October 2013 " " "

Description of facility:

- A. Seating capacity: _____ permanent; _____ temporary
- B. Other seating capacity: _____ festival; _____ standing room only
- C. Number of toilets available: _____ permanent; 15 portable
- D. Number of parking spaces available: 4000 on-site; _____ off-site
- E. Are all parking lots lighted (applicable only if event runs into evening hours)
 _____ yes; _____ no, if no, which lots are not lighted _____
- F. Source of potable water: _____
- G. Refuse containers available, number and size: 10 + Dumpster
- H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse)
CASELLA WASTE
- I. When will refuse be picked up? SUNDAY JUNE 14, 2015

Public Safety:

- J. Describe first aid facilities: CUMBERLAND EMT
- K. Describe emergency facilities: CUMBERLAND EMT

L. Describe communication facilities: _____

M. Number of certified police officers: 2-3 TOWN OF CUMBERLAND

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

O. Describe fire personnel: CUMBERLAND FIRE

Traffic Plan

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

6 PROFESSIONAL PAROLEES & TRAFFIC CONTROL FROM

Q. Describe methods used to publicize alternate routes of reaching the scene of the event. @ work

R. Attach statement of availability of private towing firms to remove disabled vehicles.

Crowd Management

S. Plan for discouraging those not holding tickets for the event from not coming to the event site.

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

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

V. Description of how the event will be publicized, include how a sell-out will be publicized. RADIO, TELEVISION, FACEBOOK

Other

W. Name of liability insurance ELLIS INSURANCE AGENCY

Amount of coverage ATTACHED; amount of property insurance ATTACHED

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

Patricia Collins
 Authorized signature

On _____ (date), I received a copy of the Cumberland Mass
 Gathering Ordinance. _____ (authorized signature)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/4/2015

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

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

PRODUCER Ellis Agency Inc 196 York Street P.O. Box 380 York, Maine 03909	Phone: (207)363-7670 Fax: (207)363-1389	CONTACT NAME: Jonel Thames Leake PHONE (A/C, No, Ext): (207)363-7670 FAX (A/C, No): E-MAIL ADDRESS: jleake@ellisinsuranceagency.com																					
INSURED Wbin Inc 126 Daniel St Ste 200 Portsmouth, NH 03801		<table border="1"><thead><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A:</td><td>Peerless Insurance Company</td><td>24198</td></tr><tr><td>INSURER B:</td><td>The Netherlands Insurance Company</td><td>24171</td></tr><tr><td>INSURER C:</td><td>Ohio Security Insurance Company</td><td>24082</td></tr><tr><td>INSURER D:</td><td></td><td></td></tr><tr><td>INSURER E:</td><td></td><td></td></tr><tr><td>INSURER F:</td><td></td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Peerless Insurance Company	24198	INSURER B:	The Netherlands Insurance Company	24171	INSURER C:	Ohio Security Insurance Company	24082	INSURER D:			INSURER E:			INSURER F:		
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COVERAGES

CERTIFICATE NUMBER: 195

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS														
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	<input checked="" type="checkbox"/>	CBP8986739	5/17/2015	5/17/2016	<table border="1"><tr><td>EACH OCCURRENCE</td><td>\$ 1,000,000</td></tr><tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td>\$ 100,000</td></tr><tr><td>MED EXP (Any one person)</td><td>\$ 5,000</td></tr><tr><td>PERSONAL & ADV INJURY</td><td>\$ EXCLUDED</td></tr><tr><td>GENERAL AGGREGATE</td><td>\$ 2,000,000</td></tr><tr><td>PRODUCTS - COMP/OP AGG</td><td>\$ 2,000,000</td></tr><tr><td></td><td>\$</td></tr></table>	EACH OCCURRENCE	\$ 1,000,000	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000	MED EXP (Any one person)	\$ 5,000	PERSONAL & ADV INJURY	\$ EXCLUDED	GENERAL AGGREGATE	\$ 2,000,000	PRODUCTS - COMP/OP AGG	\$ 2,000,000		\$
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C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	XWS56126269	5/17/2015	5/17/2016	<table border="1"><thead><tr><th></th><th>PER STATUTE</th><th>OTH-ER</th></tr></thead><tbody><tr><td>E.L. EACH ACCIDENT</td><td>\$ 500,000</td><td></td></tr><tr><td>E.L. DISEASE - EA EMPLOYEE</td><td>\$ 500,000</td><td></td></tr><tr><td>E.L. DISEASE - POLICY LIMIT</td><td>\$ 500,000</td><td></td></tr></tbody></table>		PER STATUTE	OTH-ER	E.L. EACH ACCIDENT	\$ 500,000		E.L. DISEASE - EA EMPLOYEE	\$ 500,000		E.L. DISEASE - POLICY LIMIT	\$ 500,000			
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E.L. DISEASE - EA EMPLOYEE	\$ 500,000																			
E.L. DISEASE - POLICY LIMIT	\$ 500,000																			

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

WBIN Media Co. Inc dba Binnie Media
477 Congress Street 3rd Floor Annex
Portland, ME 04101

is part of the named insured.

Event: Spring Yard Sale at the Cumberland County Fair Grounds, June 13, 2015

CERTIFICATE HOLDER

Holder's Nature of Interest : Additional Insured

Cumberland Farmers Club
197 Blanchard Rd.
Cumberland, ME 04021

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

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" We're # 1 in the # 2 Business "

P.O. BOX 221

OLD ORCHARD BEACH, ME 04064

PROPOSAL

March 6, 2015

TO: Binnie Media
Attn: Pat Collins
Phone: 207-797-0780 X-202
Email: pcollins@binradio.com

RE: Portable Toilet Rentals for Ultimate Yard Sale at Cumberland County Fairgrounds on 6/13/15

We hereby submit specifications and estimates for:

10 Standard Portable Units (\$ 57.00 per unit)	\$	570.00
3 Barrier Free Portable Units (\$ 87.00 per unit)	\$	261.00
TOTAL	\$	831.00

*****DELIVERY TO BE 6/12/15 & PICKUP 6/15/15

Price Includes: Delivery, Set Up, Pick-Up, Paper Goods, Waterless Hand Sanitizer, Chemicals, Deodorization and Disposal.

We propose hereby to furnish material and labor—complete in accordance with the above specifications:

TERMS AND CONDITIONS

1. The customer agrees to pay all invoices related to the service of the portable sanitation facilities, including extra and overtime charges for any service rendered over and above normal servicing schedule. Customer authorizes uses of credit card number on file for all charges incurred in accordance with terms and conditions cited above. Blow Bros. reserves the right to prosecute any customer who intentionally issues a credit card or negotiating a worthless instrument knowing that it will not be honored by the maker or drawee in accordance with State of Maine Law.
2. The customer agrees to pay for any and all damage to or loss of the portable sanitation facilities as an insurer of cause or fault, except for reasonable wear and tear, while the portable sanitation facilities are at the site address.
3. Blow Bros. reserves the right to NOT remove, pump dry and lock the unit until account is paid in full. If lock is destroyed or continued use of unit occurs the customer will be subject to additional charges.
4. The customer agrees not to sell, rent, lease, or otherwise give up possession of the portable sanitation facilities listed herein without prior consent from BLOW BROS.
5. The customer agrees to keep the portable sanitation units clear and accessible for service trucks at all times and to assume any and all tow charges resulting from substandard site conditions.
6. The customer acknowledges that Blow Bros. will not be liable for any damages to pavement, curbing, lawns or any other property resulting from trucks servicing units placed at customer request.
7. The customer agrees to pay a late charge of 1.5% per month on the unpaid balance for all invoices over 30 days. This is an Annual Percentage Rate of 18%. The customer also agrees to pay costs of collection including attorney fees.

Payment to be made as follows:

Due prior to delivery

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker's Compensation Insurance.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Payment will be made as outlined above.

**Must sign and fax back to (207)934-1723. A representative from Blow Bros. will contact you for completion of your detailed order.*

Date of Acceptance: 3/6/15

Authorized Signature: Pat Collins

Note: We may withdraw this proposal if not accepted within 30 days.

Signature: M. Brown
Margi Brown, Office Manager

ITEM 15-039

To consider and act on authorizing the Town Manager to award the
bid for the Blackstrap Road project



PO Box 1237, 15 Shaker Road
Gray, Maine 04039
207.657.6910

March 23, 2015

Mr. William Shane, P.E.
Manager, Town of Cumberland
290 Tuttle Road
Cumberland, ME 0402

RE: Award of Contract
Blackstrap Road Improvements

Dear Bill:

Our office has reviewed the bids received at your office on March 19, 2015 from six contractors. Attached to this letter please find the following:

- Bid Tabulation
- Bid Summary

Based upon our review of the bids, we would recommend that the project be awarded to Gendron & Gendron Inc. of Lewiston, Maine that provided a base bid in the amount of \$1,144,444.44, plus a bid alternate amount of 24,590.00, which resulted in a project total of 1,169,034.44 plus \$60,000 construction contingency.

Please feel free to contact our office with questions.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.

A handwritten signature in blue ink, appearing to read 'DER', is written over the printed name of Douglas E. Reynolds.

Douglas E. Reynolds, PE
Project Engineer

Enclosure

DER/der/2754/shane3-19-15

Client: Town of Cumberland, Maine
 Project: Blackstrap Road Improvements
 Location: Cumberland, Maine
 Date of Bid: March 19,2015

BID SUMMARY - BLANCHARD ROAD IMPROVEMENTS										
Contractor Name	Base Bid	Bid Alternate	Total Bid	Bid Bond	Acknowledged Receipt of Addenda on Bid Form	Attended Mandatory Pre Bid Mtg.	Corporate Authorization Provided	Principal List Provided	Supplier List Provided	Subcontractor List
Gendron & Gendron	\$ 1,144,444.44	\$ 24,590.00	\$ 1,169,034.44	Y	Y	Y	Y	Y	Y	Y
Glidden Excavation & Paving Inc.	\$ 1,242,302.00	\$ 24,780.00	\$ 1,267,082.00	Y	Y	Y	Y	Y	Y	Y
Storey Bros.	\$ 1,379,760.10	\$ 26,322.50	\$ 1,406,082.60	Y	Y	Y	Y	Y	Y	Y
Shaw Brothers	\$ 1,411,573.00	\$ 23,520.00	\$ 1,435,093.00	Y	Y	Y	Y	Y	Y	Y
Pratt & Sons	\$ 1,496,436.00	\$ 28,620.00	\$ 1,525,056.00	Y	Y	Y	Y	Y	Y	Y
A H Grover	\$ 1,501,561.00	\$ 29,935.00	\$ 1,531,496.00	Y	Y	Y	Y	Y	Y	Y

OBSERVATIONS/FINDINGS:

1. Based on Gorrill-Palmer's review of the bids, Gendron & Gendron Inc. is the apparent low bidder (see note 1 below).
2. Based on Gorrill-Palmer's review, it is our recommendation that the Town of Cumberland issue a Notice of Award to Gendron & Gendron Inc. as it would appear to be in the Best Interests of the Project and within the Project's budget.

Notes:

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

Bid Summary Project Total:

PROJECT BUDGET	\$ 1,000,000.00
Gorrill-Palmer Engineering Services	\$ 79,500.00
AVAILABLE CONSTRUCTION BUDGET	\$ 920,500.00
Lowest Responsive, Non-Qualified Base Bid	\$ 1,144,444.44
Bid Alternate	\$ 24,590.00
Recommended Contingency	\$ 60,000.00
CONSTRUCTION TOTAL - As Bid	\$ 1,229,034.44
Apparent Project Shortfall(Town and State combined)	\$ (308,534.44)
Apparent Project Shortfall(Town and State combined) Exclduing Bid Alternate	\$ (283,944.44)

ITEM 15-040

To consider and act on the disposition of foreclosed properties



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: April 8, 2015
Re: Foreclosed Properties

Only one landowner was not able to meet the extended deadline to pay off delinquent property taxes for FY 2014. I am recommending the following action:

I recommend we auction the property at 50 Stratton Woods Road (20 acres of land) to pay off the taxes on both parcels. If the homeowner issues us a release deed, they will realize much more of a return from the auction. Without a release deed, a quiet title action would be necessary resulting in additional legal fees to the buyer.

With a release deed, I believe we could offer the 20 acre parcel at a minimum bid price of \$40,000. All proceeds after legal fees and taxes were paid would go directly to the former owners. If a quiet title action is necessary, I don't believe \$30,000 would come from the sale.

Stratton Woods – Vacant Land delinquent taxes:	\$ 6,223.95
Lower Methodist – Home site delinquent Taxes:	\$ 11,712.49
Total Due:	\$ 17,936.44

Upon sale and receipt of all fees and taxes, a release deed would be issued for the property owner on Lower Methodist Road along with all excess proceeds from the sale.



Town of Cumberland - Foreclosed Property March 2015 Map 02

04/08/2015 14:49
todonnell

TOWN OF CUMBERLAND
CUSTOMER STATEMENT

P 1
arcidstm

CURRENT ADDRESS:
STRATTON LEROY G
STRATTON ANN A
163 GRAY ROAD
CUMBERLAND ME 04021

LOCATION:
74 LOWER METHODIST ROAD

PROPERTY CODE:
U18002000000

CUSTOMER ID: 103119

INTEREST DATE: 04/08/2015

YEAR	TYPE	CHARGE	BILLED	PRIN DUE	INT DUE	FEE/PEN DUE	TOTAL DUE
2015	RE-R 1	REAL ESTAT	1,408.53	1,408.53	55.38	.00	1,463.91
2015	RE-R 2	REAL ESTAT	1,408.53	1,408.53	6.21	.00	1,414.74
BILL# 20152948			2,817.06	2,817.06	61.59	.00	2,878.65
2014	TL-R 1	REAL ESTAT	2,752.30	2,752.30	166.27	.00	2,918.57
	1	CERTIFIED	6.49	6.49	.00	.00	6.49
	1	NOTFEE	3.00	3.00	.00	.00	3.00
	1	REGFEE	38.00	38.00	.00	.00	38.00
	1	COLLECTORS	1.00	1.00	.00	.00	1.00
	1	LNFEED	9.00	9.00	.00	.00	9.00
	1	CERTIFIED	6.49	6.49	.00	.00	6.49
	1	TAX LIEN I	86.04	86.04	.00	.00	86.04
BILL# 20148073			2,902.32	2,902.32	166.27	.00	3,068.59
2013	TL-R 1	REAL ESTAT	2,679.45	2,679.45	342.75	.00	3,022.20
	1	CERTIFIED	6.11	6.11	.00	.00	6.11
	1	COLLECTORS	1.00	1.00	.00	.00	1.00
	1	LNFEED	9.00	9.00	.00	.00	9.00
	1	NOTFEE	3.00	3.00	.00	.00	3.00
	1	REGFEE	26.00	26.00	.00	.00	26.00
	1	TAX LIEN I	86.33	86.33	.00	.00	86.33
BILL# 69			2,810.89	2,810.89	342.75	.00	3,153.64
2012	TL-R 1	REAL ESTAT	2,137.41	2,137.41	421.80	.00	2,559.21
	1	COLLECTORS	1.00	1.00	.00	.00	1.00
	1	LNFEED	9.00	9.00	.00	.00	9.00
	1	REGFEE	26.00	26.00	.00	.00	26.00
	1	TAX LIEN I	16.40	16.40	.00	.00	16.40
	1st	INST. TOTAL	2,189.81	2,189.81	421.80	.00	2,611.61
BILL# 20128088			2,189.81	2,189.81	421.80	.00	2,611.61
CUSTOMER TOTALS			10,720.08	10,720.08	992.41	.00	11,712.49

** END OF REPORT - Generated by Tammy Odonnell **

TOWN OF CUMBERLAND



CUSTOMER STATEMENT

CURRENT ADDRESS:
STRATTON ANN A
74 LOWER METHODIST ROAD
CUMBERLAND ME 04021

LOCATION:
50 STRATTON WOODS LANE

PROPERTY CODE:
R07055000000

CUSTOMER ID: 2863

INTEREST DATE: 04/08/2015

YEAR	TYPE	CHARGE	BILLED	PRIN DUE	INT DUE	FEE/PEN DUE	TOTAL DUE
2015	RE-R 1	REAL ESTAT	957.87	957.87	37.66	.00	995.53
2015	RE-R 2	REAL ESTAT	957.87	957.87	4.23	.00	962.10
BILL# 20152944			1,915.74	1,915.74	41.89	.00	1,957.63
2014	TL-R 1	REAL ESTAT	1,871.70	1,871.70	113.07	.00	1,984.77
	1	CERTIFIED	6.49	6.49	.00	.00	6.49
	1	NOTFEE	3.00	3.00	.00	.00	3.00
	1	REGFEE	38.00	38.00	.00	.00	38.00
	1	COLLECTORS	1.00	1.00	.00	.00	1.00
	1	LNFE	9.00	9.00	.00	.00	9.00
	1	CERTIFIED	6.49	6.49	.00	.00	6.49
	1	TAX LIEN I	58.51	58.51	.00	.00	58.51
BILL# 20148072			1,994.19	1,994.19	113.07	.00	2,107.26
2013	TL-R 1	REAL ESTAT	1,822.16	1,822.16	233.09	.00	2,055.25
	1	CERTIFIED	6.11	6.11	.00	.00	6.11
	1	COLLECTORS	1.00	1.00	.00	.00	1.00
	1	LNFE	9.00	9.00	.00	.00	9.00
	1	NOTFEE	3.00	3.00	.00	.00	3.00
	1	REGFEE	26.00	26.00	.00	.00	26.00
	1	TAX LIEN I	58.70	58.70	.00	.00	58.70
1st INST. TOTAL			1,925.97	1,925.97	233.09	.00	2,159.06
BILL# 68			1,925.97	1,925.97	233.09	.00	2,159.06
CUSTOMER TOTALS			5,835.90	5,835.90	388.05	.00	6,223.95

** END OF REPORT - Generated by Tammy Odonnell **

ITEM 15-041

To consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon payment of \$840.25 for property identified as Tax Map U19/Lot 32



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

TO: William Shane, Town Manager

FROM: Tammy O'Donnell, Deputy Tax Collector/Town Clerk

DATE: April 8, 2015

SUBJECT: Foreclosed properties

I am requesting acceptance of payment for property taxes for Map U19/Lot 32, 25 Kathy Lane in the amount of \$840.25 which will pay the 2013 foreclosed taxes in full including fees. Mr. Hayes is making an effort to get funds in order to pay his remaining taxes as well.

I would also like to request acceptance of payment for property taxes for Map R08/Lot 27, 69 Pleasant Valley Road, in the amount of \$7,266.09, which will pay the outstanding taxes in full for the fiscal years 2013, and 2014, including all fees. Ms. Weir is hoping to have funds to pay 2015 by the end of this year.

I have had discussions with the heir of the two remaining foreclosed properties, Map R07/Lot 55, 50 Stratton Woods Lane, and Map U18/Lot 2, 74 Lower Methodist Road. I have not received any payment to date. As a result, I am recommending that the Town consider selling Map R07/Lot 55 and use proceeds to pay the back taxes for both properties.

ITEM 15-042

To consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon payment of \$7,266.09 for property identified as Tax Map R08/Lot 27



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

TO: William Shane, Town Manager

FROM: Tammy O'Donnell, Deputy Tax Collector/Town Clerk

DATE: April 8, 2015

SUBJECT: Foreclosed properties

I am requesting acceptance of payment for property taxes for Map U19/Lot 32, 25 Kathy Lane in the amount of \$840.25 which will pay the 2013 foreclosed taxes in full including fees. Mr. Hayes is making an effort to get funds in order to pay his remaining taxes as well.

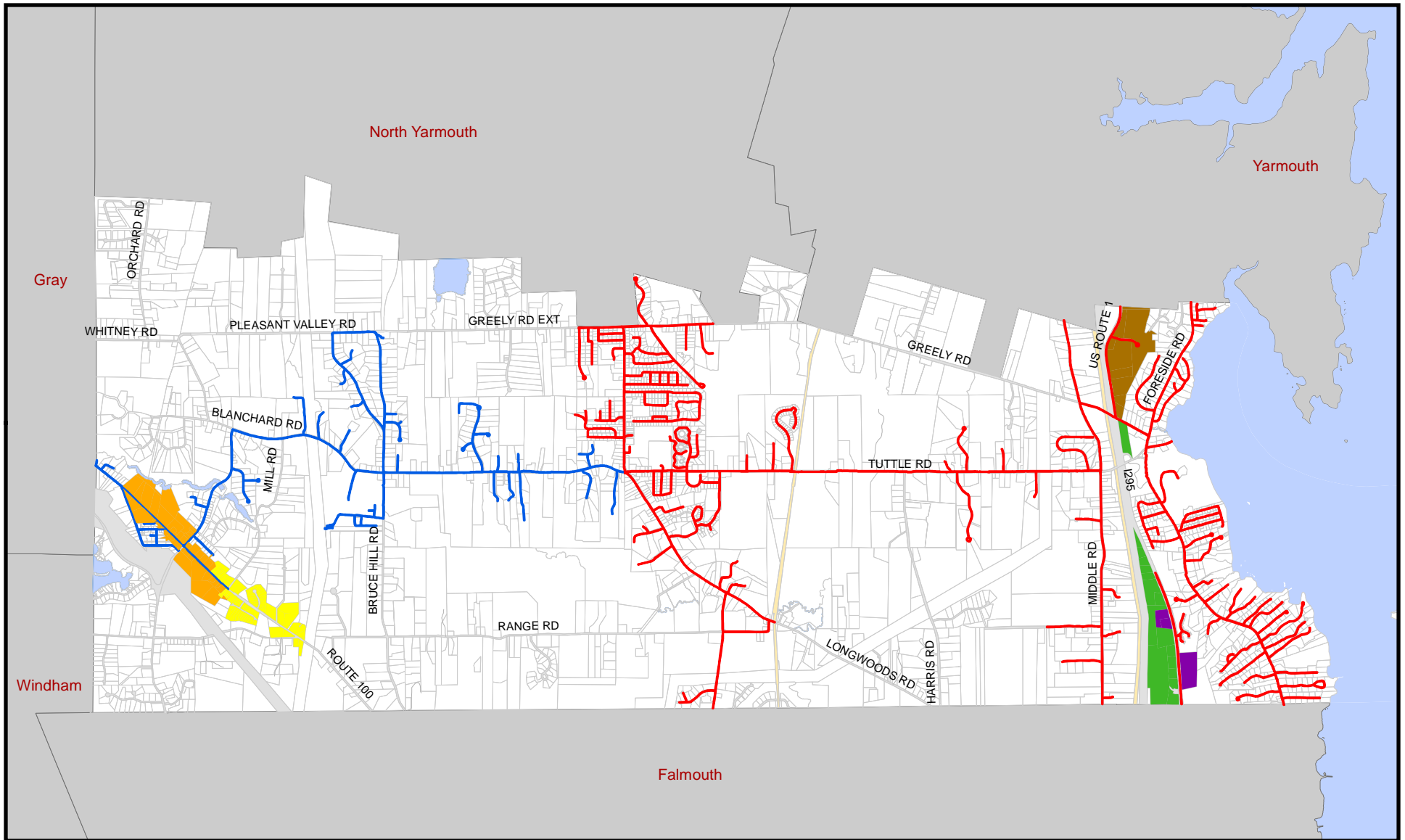
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I have had discussions with the heir of the two remaining foreclosed properties, Map R07/Lot 55, 50 Stratton Woods Lane, and Map U18/Lot 2, 74 Lower Methodist Road. I have not received any payment to date. As a result, I am recommending that the Town consider selling Map R07/Lot 55 and use proceeds to pay the back taxes for both properties.

ITEM

15-043

To hold a Public Hearing to consider and act on the designation of proposed TIF District #6 (The Natural Gas Pipeline East) and the adoption of a Development Program for the same



0 1,100 2,200 4,400
Feet

Map prepared: March 23, 2015

The roads and rights of way designated on this map to be included in proposed TIF Districts 6 and 7 are not included in the previously approved and existing TIF Districts 1, 2, 3, 4 and 5.

To the extent any roads or rights of way are included within those existing districts, they are not shown on this map as being, nor proposed to be included in the new TIF Districts 6 and 7.

Town of Cumberland TIF Districts

Acreages from Original TIF Approvals

TIFs (4.59% area)

- TIF #1: 195 ac
- TIF #2 (Route 1 South): 22.3 ac
- TIF #3 (Cumberland Foreside Village): 98.71 ac
- TIF #4 (Route 100): 93.03 ac
- TIF #5 (Route 100): 130.60 ac
- TIF #6 (Natural Gas East): 105.00
- TIF #7 (Natural Gas West): 35.82 ac

**TOWN OF CUMBERLAND
MUNICIPAL DEVELOPMENT DISTRICT #6
NATURAL GAS PIPELINE EAST MUNICIPAL
TAX INCREMENT FINANCING DISTRICT
DEVELOPMENT PROGRAM**

April 13, 2015

MUNICIPAL TAX INCREMENT FINANCING

APPLICATION COVER SHEET

Natural Gas Pipeline East Municipal Tax Increment Financing District Development Program

A. General Information

1. Municipality Name: Town of Cumberland
2. Address: 290 Tuttle Road, Cumberland, ME 04021
3. Telephone: (207) 829-2205
4. Fax: (207) 829-2224
5. E-Mail: wshane@cumberlandmaine.com
6. Municipal Contact Person: William R. Shane, P.E.
7. Business Name: Not applicable
8. Address: Not applicable
9. Telephone: Not applicable
10. Fax: Not applicable*
11. E-Mail: Not applicable
12. Business Contact Person: Not applicable
13. Principal Place of Business: Not applicable
14. Company Structure (e.g. corporation, sub-chapter S, etc.): Not applicable
15. Place of Incorporation: Not applicable
16. Names of Officers: Not applicable
17. Principal Owner(s) Name and Address: Not applicable
18. Address: Not applicable

B. Disclosure

1. Check the public purpose that will be met by the business using this incentive (any that apply):
☒ job creation ☒ job retention ☒ capital investment ☐ training investment ☒ tax
base improvement ☒ public facilities improvement ☐ other (list):
2. Check the specific items for which TIF revenues will be used (any that apply):
☐ real estate purchase ☒ machinery & equipment purchase ☐ training costs ☐ debt
reduction ☒ other: See Development Program

C. Employment Data List the company's goals for the number, type and wage levels of jobs to be created or retained as a result of the TIF revenues received (*please use next page*). Not applicable

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Town of Cumberland Municipal Development District #6

**Natural Gas Pipeline East Municipal
Tax Increment Financing District Development Program**

Article I: Introduction and Summary of Benefits.

Section 1.01: Municipal Development District. The Town desires to create a municipal development and tax increment financing district located within and along certain rights of way in Cumberland as designated on Exhibit A-1, the District Plan, and including the infrastructure in said rights of way, specifically the natural gas pipeline and facilities related thereto, in order to expand and diversify the Town's tax base and improve its economy and public facilities. This Development Program will provide the infrastructure and planning necessary for commercial development of property in and immediately surrounding the District. This Development Program will finance certain public improvements which will lead to additional commercial development, thereby expanding and diversifying the Town's tax base.

Section 1.02. Benefits of the District. A. New Tax Dollars for the Town. The District will expand and diversify the tax base of the Town, resulting in substantial new property tax revenues which will be used to pay costs of the Public Facilities, Improvements and Programs described herein.

B. Economic Development; New Jobs; Retention of Jobs. The District will facilitate the development of property in the Town, which will result in the creation of new jobs and the retention of existing jobs in the Town. The Public Facilities, Improvements and Programs are also anticipated to create additional economic development and jobs in the Town.

C. Savings for Town from Shelter of New Tax Base Growth. The District will create more net tax revenue for the Town, the Public Facilities, Improvements and Programs described herein than would result if such development were to occur without the creation of the District. This favorable situation is the result of the State formulas which, when a Development District is created, shelter the Increased Assessed Value of the District from the increased county taxes and loss of State aid to education and municipal revenue sharing that results when new development occurs without the creation of a Development District.

D. Public Facilities, Improvements and Programs. The District will provide the Public Facilities, Improvements and Programs described in Table #1 of Section 2.03 hereof, which will lead to further commercial development in the Town.

Article II. Development Program Narrative and Designation of the District.

Section 2.01: Statement of Means and Objectives. The Town of Cumberland desires to create new employment opportunities and commercial development in the Town, to improve, broaden and maintain a healthy tax base, to improve the economy of the Town and the State, to provide the impetus for new commercial development and to provide the facilities described in this Development Program. The Town has decided to take a number of steps in order to increase its commercial tax base.

One very important step in increasing the Town's commercial tax base is to provide businesses with energy options that are convenient, sustainable and economical. To that end, Summit Natural Gas of Maine is currently installing a natural gas distribution system in certain areas of the Town, which will serve the existing

commercial zones in the Town and benefit both existing and new businesses. This system consists of one large section of high-capacity steel pipeline and various sized high density plastic pipelines that are located within various rights of way throughout the Town, as shown on Exhibits A-1 and A-2. The system also includes a take station, from which the high-capacity steel pipeline connects to the primary source of natural gas in the state, the Maritimes and Northeast Pipeline, as well as regulator stations at designated points along the high-capacity steel line to decrease the pressure of gas flowing through this line to the smaller high density plastic distribution pipelines. Summit Natural Gas of Maine estimates that the Cumberland portion of the pipeline project will result in an approximate \$10,000,000 to \$15,000,000 investment in the Town. The Town also expects that the natural gas distribution system will provide a valuable and attractive resource for economic development. Additionally, the Town expects that the system will have significant impacts on the Town's infrastructure, such as roads, and create an increased demand for public services, such as public safety and public works. Accordingly, the Town anticipates that the new taxes generated from the increased assessed value of the natural gas distribution system can be used to fund economic development and public improvements related thereto and desires to accomplish the following goals by designating this District and adopting this Development Program:

- Maintain existing tax revenues;
- Enhance future tax revenues generated by new development throughout the Town;
- Create long-term, stable employment opportunities for area residents; and
- Attract businesses and promote the economic viability and sustainability of the general economy of the Town.

In order to fulfill these goals, certain property has been proposed as Development District #6, the Natural Gas Pipeline East Municipal Tax Increment Financing District (the "District"). The Development Program described herein will serve the purpose of administering the District as a Municipal Development District and Tax Increment Financing District pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the "Development Program"). Upon approval by the Town Council of the Town designating the District and adopting this Development Program, the designation of the District and adoption of the Development Program will become final immediately, subject only to approval by the Maine Department of Economic and Community Development. The Development Program provides for economic development incentives called municipal tax increment financing similar to that previously adopted by a number of municipalities in the State. A tax increment financing development district involves creation of a geographically defined district in the Town and the "capture" or reinvestment of some of the new increased or "incremental" tax revenues generated by new development and business expansion in the District to pay certain costs of development and certain costs of new public facilities, improvements and programs.

The Development Program will provide for the Public Facilities, Improvements and Programs described in Section 2.03 hereof. Costs of the Public Facilities, Improvements and Programs described in Section 2.03 hereof will be financed by the tax increment revenues from the District. The Town needs to increase its commercial tax base. Adoption of this Development Program will lead to creation of the necessary public facilities within and directly related to the Development District that will provide appropriate infrastructure for development of the District.

The Development Program thus will provide significant economic benefit to the Town by providing new public infrastructure that will facilitate additional commercial development. Such infrastructure and programs will help to expand and diversify the commercial tax base of the Town and to provide new employment opportunities in the Town. The means and objectives of the Development Program thus are to provide financing for the Public Facilities, Improvements and Programs. The Town by adopting this Development Program finds that the Development Program described herein, consisting of the Public Facilities, Improvements and Programs, will provide substantial new employment opportunities, will significantly improve and broaden the Town's tax base and will improve the general economy of the Town.

Section 2.02: Brief Discussion of Financial Plan. The Financial Plan, as set forth in Article III hereof, consists of the costs estimates for the Development Program, the amount of public indebtedness to be incurred, the sources of anticipated revenues, a description of the terms and conditions of any agreements, contracts or other obligations related to the development program, estimates of increased assessed values of the District, the portion of the increased assessed value to be applied to the Development Program as captured assessed values and resulting tax increments in each year of the program and a calculation of the tax shifts resulting from designation of the tax increment financing district.

The District is expected to generate certain incremental or additional tax revenues, which will be captured or retained to pay the costs of this Development Program. The real property taxes assessed upon the increased Assessed Value of property in the District (the "Tax Increment") will be captured or used by the Town under the Development Program to pay costs of the Public Facilities, Improvements and Programs described in Section 2.03 hereof. All tax revenues presently generated on existing property in the District will continue to be paid to the General Fund of the Town. The Development Program costs will be paid only from the Tax Increment on the increased assessed value in the District.

Adoption of this Development Program will lead to creation of the necessary public facilities within and directly related to the Development District that will provide appropriate infrastructure for development of the District.

Section 2.03: Public Facilities Descriptions. The Town will retain 100% of the Tax Increment from the District to finance some or all of the costs of the following public facilities, improvements or programs (the "Public Facilities, Improvements and Programs"):

TABLE NO. 1: POTENTIAL PUBLIC FACILITIES, IMPROVEMENTS AND PROGRAMS

<u>Project</u>	<u>Estimated Cost Over 30 Years</u>	<u>Statutory Citation</u>
(a) Roadway improvements, including repair, pavement and reconstruction of roads and sidewalks, within the District and outside the District made necessary by the establishment and operation of the District, including new pavement, pavement shims, pavement overlay and pavement grinding, as made necessary by the installation and construction of the natural gas pipeline within the District	\$2,100,000	30-A M.R.S.A. § 5225(1)(A), § 5225(1)(B)(1) and/or 30-A M.R.S.A. § 5230
(b) Acquisition of equipment and public safety improvements, as described below, outside the District made necessary by the establishment and operation of the District	\$4,500,000	30-A M.R.S.A. §§ 5225(1) (B)(1)-(2) and/or 30-A M.R.S.A. § 5230
Acquisition of equipment and public safety improvements shall consist of acquisition of equipment used to provide certain public services as made necessary by the installation and construction of the natural gas pipeline. Public safety equipment made necessary by the District includes that which is necessary for addressing matters associated with construction of the gas lines and risks associated with the gas lines, including certain excavation, plowing, and pavement repairs activities (i.e., backhoes, trucks, plows, crack filler, hot box, pavement saw and compressor) and that which is necessary to ensure public safety during the installation, construction and operation of the natural gas pipeline (i.e., emergency response vehicles, natural gas detection devices, blowers and ventilation, and safety equipment and training and necessary response gear for public safety personnel). Reasonable prorated costs of improvements to the Central Fire Station made necessary by the acquisition and		

use of such equipment are also included.		
(c) Financing costs, including, but not limited to, closing costs, issuance costs and interest paid to holders of evidences of bonds and indebtedness issued to pay for project costs	\$2,080,000	30-A M.R.S.A. §§ 5225(1)(A)(2)
(d) Costs, including prorated municipal staff salaries, related to Town economic development activities directed at business retention and attraction	\$300,000	30-A MRSA §5225(1)(C)(1)
(e) Organizational costs relating to the establishment of the District, including, but not limited to, the costs of conducting environmental impact and other studies and the costs of informing the public about the creation of development districts and the implementation of project plans	\$15,000	30-A MRSA §5225(1)(A)(7)
(f) Staff, assessor and consultant time to conduct annual update of TIF District data	\$150,000	30-A MRSA §5225(1)(A)(5)
Note: Note: Items (b), (c), (e) and (f) above are common to the Town's TIF District #7 Item (d) is common to the Town's TIF Districts 2, 3, 4, 5 and 7		

The projects currently under consideration to be undertaken pursuant to the Development Program are identified in Table No. 1 above. The Town recognizes that it needs to expand and diversify its tax base. In order to achieve these goals, the Town must provide new public infrastructure in commercial zones in the Town to facilitate new commercial development. This Development Program will provide revenues to fund only a portion of such costs. The specific Public Facilities, Improvements and Programs to be financed with the tax increment financing revenues will be approved through subsequent or separate action of the Town.

The Town finds that each of the Public Facilities, Improvements and Programs described herein, and the Project Costs thereof, will either directly or indirectly provide or encourage new employment opportunities within the Town or encourage and promote economic development that will broaden the Town's tax base and improve the general economy of the Town. The Development Program thus will provide financing for certain important Public Facilities, Improvements and Programs currently under consideration by the Town. These projects either are related to the Development Program or are otherwise qualifying projects under Chapter 206 of Title 30-A of the Maine Revised Statutes.

Section 2.04: Reserved.

Section 2.05: Relocation Plan. No businesses or persons will be displaced or relocated as a result of the development activities proposed in the District.

Section 2.06: Transportation Improvements. Except for the Public Improvements contemplated by this Development Program, the existing transportation facilities of the Town will be adequate to accommodate the improvements contemplated by this Development Program.

Section 2.07: Environmental Controls. All environmental controls required by law shall apply to development in the District, including any applicable requirements of the Town of Cumberland Zoning Ordinance and all applicable State and federal environmental laws and regulations.

Section 2.08: District Operation. The day-to-day operations of the District will require no substantial efforts by the Town other than staffing and programming of the economic development office and supporting staff funded by this Development Program to the extent described in Table I of Section 2.03 hereof.

Section 2.09: Program Duration. The duration of the District will be 30 years from the beginning of the first tax year (July 1, 2015) after designation of the District and the effective date of the approval of the District by the Commissioner of the Maine Department of Economic and Community Development requested to be granted by July 1, 2015.

Section 2.10: Approval Considerations and Characteristics of the District. A. Statutory Considerations for Approval. Before designating the District and before establishing this Development Program, the Town held a public hearing at which interested parties were given a reasonable opportunity to present testimony concerning the District and Development Program. The Town has considered any evidence presented at such public hearing. Notice of the hearing was given as referenced in this Development Program. Before designating the District and before establishing this Development Program, the Town determined and hereby finds and determines that the District created hereunder and this Development Program will contribute to the economic growth or well-being of the Town and to the betterment of the health, welfare or safety of the inhabitants of the Town, including employment opportunities, broadened and improved tax base and economic stimulus, constituting good and valid public purposes and any adverse economic effect on or detriment to any existing business is outweighed by the contribution made by the District and the Development Program to the economic growth or well-being of the Town and the betterment of the health, welfare and safety of its inhabitants, and the Town further makes the other findings and determinations as set forth in this Development Program and the Exhibits hereto.

B. Statutory Conditions for Approval; Physical Characteristics. The Town hereby finds and determines that the District satisfies the conditions imposed under Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, as a prerequisite to designation of the District, including those relating to the physical description of the District and to certain financial and statistical information as more particularly described in Exhibit H hereof:

(i) All of the land in the District is suitable for commercial uses and is in need of rehabilitation, redevelopment or conservation work and therefore at least 25%, by area, of the real property within the District meets at least one of the following statutory criteria: (1) must be a blighted area; (2) must be in need of rehabilitation, redevelopment or conservation work; or (3) must be suitable for commercial uses;

(ii) The total area of the District is 105.52 acres and thus such area represents .71% of the total acreage of the Town (which total acreage is approximately 14,848 acres) and does not exceed 2% of the total acreage of the Town. The total area of the District and the total area of all other development districts in the Town (which combined total is 645.16 acres) is 4.35% of the total acreage of the Town and thus does not exceed 5% of the total acreage of the Town;

(iii) The taxable Original Assessed Value of the District is \$0 and the taxable Original Assessed Value of all existing tax increment financing districts within the Town is \$13,145,600 and such combined amounts of taxable Original Assessed Values thus represent 1.06% of the total value of taxable real property within the Town as of April 1st preceding the date of the designation of the District and thus do not exceed 5% of the total value of taxable property within the Town as of April 1st preceding the date of the designation of the District.

Section 2.11: Designation of the District. The Town hereby designates Development District #6, the Natural Gas Pipeline East Municipal Tax Increment Financing District as a Municipal Development District and a Tax Increment Financing District. The area of the Town of Cumberland shown as the Natural Gas Pipeline East Municipal Tax Increment Financing District as more particularly described in this Development Program is hereby designated as a development district and a tax increment financing district and such designation shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the

District by the Maine Department of Economic & Community Development, without the requirement of any further action by the Town, the Municipal Officers or any party. A plan depicting the District is attached hereto as Exhibit A and the District is further described in Exhibit B.

Article III. Financial Plan.

Section 3.01: Cost Estimates for the Development Program. The estimated costs of the Public Facilities, Improvements and Programs are set forth in Section 2.03, Table No. 1.

Section 3.02: Amount of Indebtedness to be Incurred. The Town will not incur any indebtedness at this time in connection with the Capital Program. The Town, however, anticipates that it may elect at a future date to incur indebtedness to finance a portion of the Public Facilities, Improvements and Programs but no such additional indebtedness is authorized at this time.

Section 3.03: Sources of Anticipated Revenues. The source of the revenue to be used to pay the costs of this Development Program is the Tax Increment on the Increased Assessed Value of the District. Tax Increment means all Property Taxes assessed by the Town, in excess of any state, county or special district tax, upon the Increased Assessed Value of all real property in the District. Increased Assessed Value means the valuation amount by which the Current Assessed Value of the District exceeds the taxable Original Assessed Value of the real property in the District. Current Assessed Value means the taxable assessed value of the real property in the District certified by the municipal assessor as of April 1st of each year that the District remains in effect. Property Taxes means any and all ad valorem property taxes levied, charged or assessed against real property by the Town. Original Assessed Value means the taxable assessed value of the real property in the District as of March 31, 2015 (April 1, 2014). Attached hereto as Exhibit B is the anticipated form of certification of Original Assessed Value by the Assessor of the Town of Cumberland in accordance with the requirements of Title 30-A § 5227 of the Maine Revised Statutes. All Property Tax on the Original Assessed Value shall continue to be deposited in the general fund of the Town.

Section 3.04: Estimated Increased Assessed Value; Portion Applied to Development Program. The Town hereby designates, as Captured Assessed Value, 100% of the Increased Assessed Value as the portion of the Increased Assessed Value to be applied or retained each year to pay costs of the Public Facilities, Improvements and Programs and the Capital Program. The amount of the total Tax Increment that is to be used each year to pay or reimburse the Town's costs of the Public Facilities, Improvements and Programs is the entire Tax Increment of the entire District.

Exhibit C sets forth: (i) the annual estimates of the Increased Assessed Value of the District resulting from implementation of the Development Program; and (ii) the estimated annual Tax Increment per year on the Increased Assessed Value following implementation of the Development Program, that will be used to finance the Public Facilities, Improvements and Programs.

A Development Program Fund shall be established by the Town consisting of a Project Cost Account and a Sinking Fund. The Development Program Fund Project Cost Account shall consist of the Town's Project Cost Account (the "Town's Project Cost Account"). All funds deposited into the Town's Project Cost Account will be used to pay costs of the Public Facilities, Improvements and Programs described in Section 2.02 hereof or will be deposited into the reserve fund(s) hereafter described. The Town will establish the Town Project Cost Account or a series of Town Project Cost Accounts for the Town, as one or more permanent municipal reserve funds created and administered pursuant to the provisions of Title 30-A Section 5801 of the Maine Revised Statutes, as amended, which funds shall be dedicated to the financing and payment of costs of the Public Facilities, Improvements and Programs. Upon each payment of Property Tax with respect to property in the District, the Town shall deposit to the Town Project Cost Account all of the Tax Increment. As the deposit and investment of funds in the Town Project Cost Account accrue and increase to a level which permits

implementation of a portion of the Public Facilities, Improvements and Programs, the Public Facilities, Improvements and Programs will be undertaken and funded from such reserve fund(s). Accordingly, all Tax Increment deposited into the Town's Project Cost Account reserve fund(s) shall be deemed to have been expended and used to satisfy the obligations of the Town's Project Cost Account with respect to the Public Facilities, Improvements and Programs described in the Development Program when deposited into such reserve fund(s). If the Town determines to issue any bonds or indebtedness to pay for costs of the Public Facilities, Improvements and Programs, a development Sinking Fund account shall be created and amounts sufficient to satisfy all annual debt service on such bonds and indebtedness shall be transferred to such Sinking Fund from the Town's Project Cost Account but no amounts shall be transferred to the Sinking Fund from the Developer's Project Cost Accounts.

Section 3.05: Description of Terms and Conditions of Agreements. No Credit Enhancement Agreements are authorized or contemplated by this Development Program. The Town will enter construction contracts and similar agreements relating to construction of the Public Facilities and Improvements described in Section 2.02 hereof.

Section 3.06: Calculation of Tax Shifts. In accordance with Maine statutes governing the establishment of tax increment financing districts, the table set forth below identifies the estimated tax shifts, as more particularly described in Exhibit E hereto, which will result during the term of the District from the establishment of the District.

<u>Tax Shift Item</u>	<u>Estimated Average Annual Amount</u>	<u>Estimated Total Amount</u>
Educational Aid	\$65,561	\$1,966,842
County Tax	\$ 5,108	\$ 153,259
Revenue Sharing	\$ 5,348	\$ 160,439
Total:	\$76,017	\$2,280,540

Article IV: Municipal Approvals.

Section 4.01: Public Hearing. Before designating the District and adopting the Development Program, the Town Council, as the legislative body of the Town, held a public hearing. Notice of the hearing was published on April __, 2015, a date that was at least 10 days before the hearing, in The Portland Press Herald, a newspaper of general circulation within the Town. A copy of the Notice of Public Hearing is attached hereto as Exhibit E. The Public Hearing was held in accordance with the requirements of 30-A M.R.S.A. § 5226 on April 13, 2015. At the public hearing, interested parties were given a reasonable opportunity to present testimony concerning the District and the Development Program.

Section 4.02: Authorizing Votes. The Town Council Orders, designating the District and approving this Development Program, as proposed for adoption by the Town Council of the Town at a meeting thereof duly called and held on April 13, 2015, are attached hereto as Exhibit F. The Town Manager is hereby authorized and directed, on behalf of the Town to execute and submit to the Commissioner of Economic and Community Development for approval such applications and further documentation as may be necessary or appropriate for final approval and establishment of this Development Program and financial plan pursuant to 30-A M.R.S.A. Chapter 206; and the Town Manager be, and hereby is, authorized and empowered, in his discretion, from time to time, to make such technical revisions to this Development Program for the District as he deems reasonably necessary or convenient in order to facilitate the process for review and approval by the Department of Economic and Community Development, so long as such revisions are not inconsistent with the basic structure and intent of this Development Program.

EXHIBIT A

PROPERTY DESCRIPTION AND CONFIGURATION OF DISTRICT

Development District #6, the Natural Gas Pipeline East Municipal Tax Increment Financing District is located in Cumberland, Maine and includes the parcels shown on the Map or Plan of the District attached hereto as Exhibits A-1 and A-2, said parcels being further described in the Certificate of the Assessor (Exhibit B to this Development Program). Note that the roads and rights of way designated on Exhibits A-1 and A-2 to be included in proposed TIF District #6 are not included in the previously approved and existing TIF Districts 1, 2, 3, 4 and 5. To the extent any roads or rights of way are included within those existing Districts, they are not shown on Exhibits A-1 and A-2 as being, nor proposed to be included in TIF District 6.

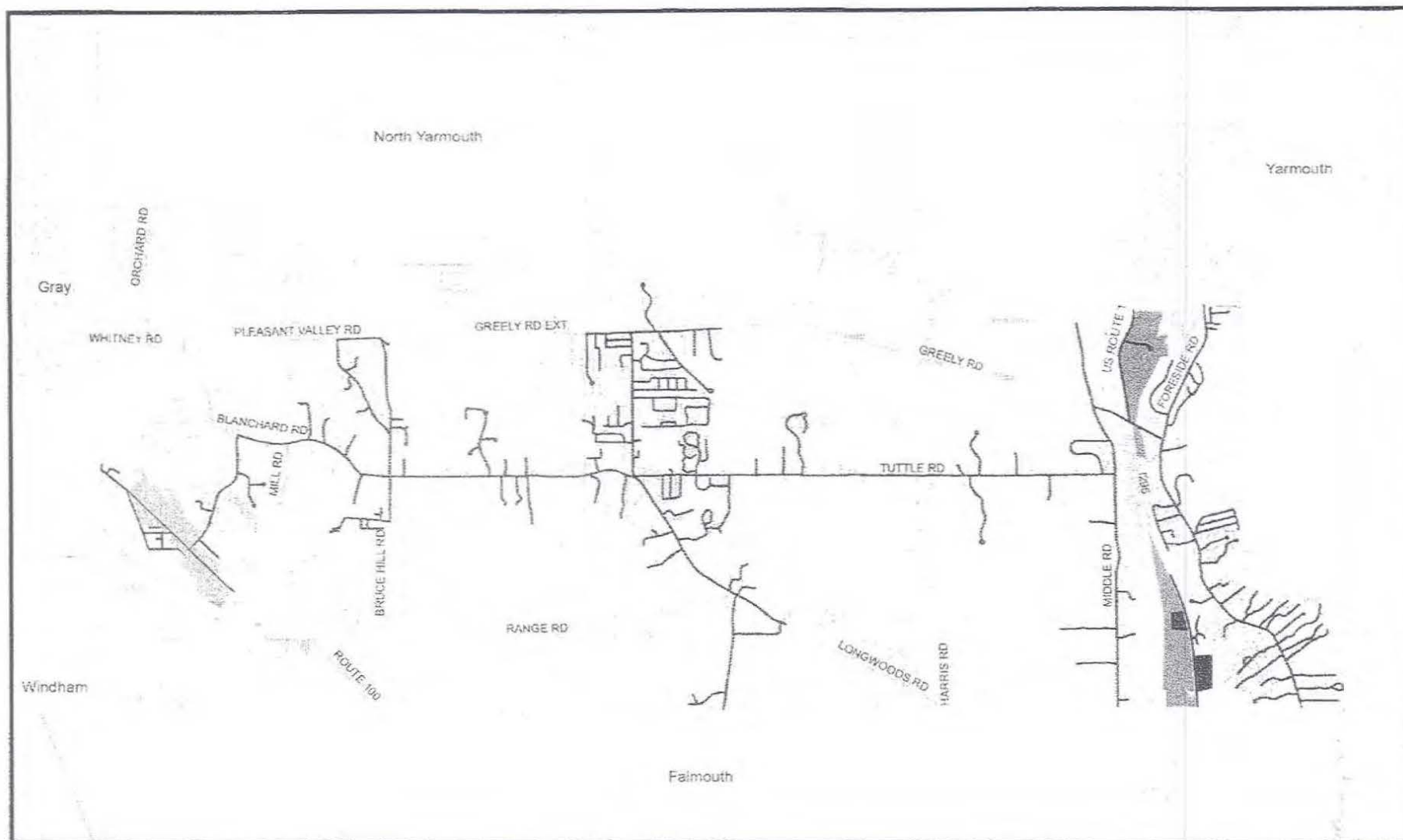
A twenty foot wide strip of the following streets and roads, being the location of the gas lines:

Amanda's Way
Amy Ln
Archer Ln
Balsam Dr
Baxter Ln
Bea Ln
Birch Ln
Bittersweet Ln
Blue Heron Ln
Broad Cove Way
Broadmoor Dr
Brookside Dr
Butterworth Farm Rd
Candlewick Ln
Carol St
Carriage Rd
Catalpa Ln
Chets Way
Concord Cir
Conifer Ridge Rd
Cottage Farms Rd
Country Charm Rd
Coveside Dr
Crestwood Rd
Cross Rd
Crossing Brook Rd
Crystal Ln
Cumberland Commons
Cumberland Meadows
Cumberland Meadows
Dean's Way

Drowne Rd
Ebb Tide Dr
Evergreen Ln
Farwell Ave
Ferne Ln
Flintlock Dr
Foreside Rd
Friar Ln
Granite Ridge Rd
Greely Rd
Greely Rd
Greely Rd Ext
Grove St
Hallmark Rd
Hawthorn Ct
Hazeltine Dr
Hedgerow Dr
Hemlock Dr
Heritage Ln
Heron Ln
Hillcrest Dr
Hopes Way
Island Pond Rd
Island View Dr
James Way
Jessies Ln
Jusam Way
Karole Ln
Lanewood Rd
Lantern Ln
Lawn Ave
Ledge Rd
Linda St
Lockwood Ln
Long Meadows Rd
Longview St
Maeves Way
Main St
Maple St
Marion Cir
Mary Ln
Maurice Way
Mayflower Dr
Meadow Ln

Meadow Way
Meadowview Rd
Merion Way
Middle Rd
Nubbin Way
Oak St
Ocean Ter
Ole Musket Rd
Osgood Dr
Philip St
Pine Ln
Pine Ridge Rd
Pinewood Dr
Powell from Middle Rd
Powell- Interstate
Powell to Foreside
Prince St
Range WAY
Russell Rd
Sanderson Rd
Sawyer Ln
School- Wilson
School- Middle
School - High School
Schooner Ridge Rd
Seacove Rd
Shadow Run Ln
Shirley Ln
Sparhawk Ln
Spears Hill Ln
Spruce Ln
Starboard Ln
Stockholm Dr
Stony Ridge Rd
Storey Brook Ln
Stornoway Rd
Strawberry Ridge Ln
Sturdivant Rd
Surrey Ln
Tall Pines Way
Teal Dr
Thomas Drive
Town Landing Rd
True Spring Dr

Tuttle Rd
US Route 1- North
US Route 1- South
Val Halla Rd
Wild Way
Wildflower Way
Wildwood Blvd
Willow Ln
Winn Rd
Woodside Dr
Wyman Way



The roads and rights of way designated on this map to be included in proposed TIF Districts 6 and 7 are not included in the previously approved and existing TIF Districts 1, 2, 3, 4 and 5.

To the extent any roads or rights of way are included within those existing districts, they are not shown on this map as being nor proposed to be included in the new TIF Districts 6 and 7.

Town of Cumberland TIF Districts

Acreages from Original TIF Approvals

TIFs (4.59% area)

- TIF #1: 195 ac
- TIF #2 (Route 1 South): 22.3 ac
- TIF #3 (Cumberland Foreside Village): 98.71 ac
- TIF #4 (Route 100): 93.03 ac
- TIF #5 (Route 100): 130.80 ac
- TIF #6 (Natural Gas East): 105.00 ac
- TIF #7 (Natural Gas West): 35.82 ac

0 1,600 3,200 6,400
Feet

Map prepared: March 23, 2015

EXHIBIT B

**TOWN OF CUMBERLAND
CERTIFICATE OF ASSESSOR**

The undersigned assessor of the Town of Cumberland, Maine, does hereby certify pursuant to the provisions of Title 30-A M.R.S.A. Section 5227 that the Original Assessed Value of the taxable real property within the boundaries of Development District #6, the Natural Gas Pipeline East Municipal Tax Increment Financing District, as described in the Development Program for the District, was \$0 as of March 31, 2015 (April 1, 2014).

IN WITNESS WHEREOF this Certificate has been executed as of this 13th day of April, 2015.

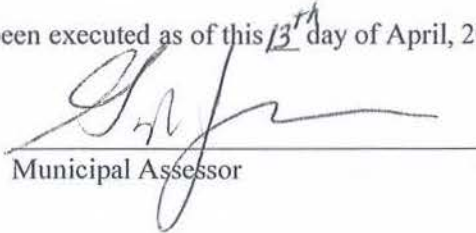

Municipal Assessor

EXHIBIT C

TAX INCREMENT PROJECTIONS
and COMPUTATION OF TAX SHIFTS

**Captured Assessed Value & TIF Revenue Projection Table - Town of
Cumberland TIF #6**

TIF Year	Fiscal Year	Increased Assessed Value Real Prop.	Captured Valuation @100% of Value Captured	Projected Mill Rate	Total Projected New Taxes Captured	Captured Revenue to Municipal Project Account
1	2015-2016	\$4,532,447	\$4,532,447	17.40	\$78,865	\$78,865
2	2016-2017	\$4,826,946	\$4,826,946	17.40	\$83,989	\$83,989
3	2017-2018	\$7,027,708	\$7,027,708	17.40	\$122,282	\$122,282
4	2018-2019	\$7,755,019	\$7,755,019	17.40	\$134,937	\$134,937
5	2019-2020	\$7,796,779	\$7,796,779	17.40	\$135,664	\$135,664
6	2020-2019	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
7	2020-2021	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
8	2021-2022	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
9	2022-2023	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
10	2023-2024	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
11	2024-2025	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
12	2025-2026	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
13	2026-2027	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
14	2027-2028	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
15	2028-2029	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
16	2029-2030	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
17	2030-2031	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
18	2031-2032	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
19	2033-2034	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
20	2034-2035	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
21	2035-2036	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
22	2036-2037	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
23	2037-2038	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
24	2038-2039	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
25	2039-2040	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
26	2040-2041	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
27	2041-2042	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
28	2042-2043	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
29	2043-2044	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
30	2044-2045	\$8,000,000	\$8,000,000	17.40	\$139,200	\$139,200
30 Year TIF Total		\$231,938,899	\$231,938,899		\$4,035,737	\$4,035,737

Tax Shifts-Avoided Formula Impacts from Sheltering of Valuation: Town of Cumberland TIF #6

TIF Year	Fiscal Year	Total Added Valuation	Sheltered Valuation	Avoided Formula Impacts on Municipality from Sheltering of Valuation			
				Avoided Loss of State Aid to for Education	Avoided Loss of State Municipal Revenue Sharing	Avoided Increase in County Tax	Total Avoided Impacts
1	2015-2016	\$4,532,447	\$4,532,447	\$38,435	\$3,135.22	\$2,995	\$44,566
2	2016-2017	\$4,826,946	\$4,826,946	\$40,933	\$3,338.93	\$3,190	\$47,461
3	2017-2018	\$7,027,708	\$7,027,708	\$59,595	\$4,861.26	\$4,644	\$69,100
4	2018-2019	\$7,755,019	\$7,755,019	\$65,763	\$5,364.36	\$5,124	\$76,251
5	2019-2020	\$7,796,779	\$7,796,779	\$66,117	\$5,393.25	\$5,152	\$76,662
6	2020-2021	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
7	2020-2021	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
8	2021-2022	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
9	2022-2023	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
10	2023-2024	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
11	2024-2025	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
12	2025-2026	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
13	2026-2027	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
14	2027-2028	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
15	2028-2029	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
16	2029-2030	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
17	2030-2031	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
18	2031-2032	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
19	2033-2034	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
20	2034-2035	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
21	2035-2036	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
22	2036-2037	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
23	2037-2038	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
24	2038-2039	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
25	2039-2040	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
26	2040-2041	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
27	2041-2042	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
28	2042-2043	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
29	2043-2044	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
30	2044-2045	\$8,000,000	\$8,000,000	\$67,840	\$5,533.82	\$5,286	\$78,660
30 Year TIF Total		\$231,938,899	\$231,938,899	\$1,966,842	\$160,439	\$153,259	\$2,280,540

EXHIBIT D

TAX SHIFT COMPUTATIONS

A tax increment financing district will result in certain tax shifts which result because the retained captured assessed value of the District will be excluded from the State Valuation of the property in the Town. These tax shifts are noted in three basis formulae which use local property tax valuation as a basis for calculation. These three formulas are:

- State Aid to Education
- Municipal Share of County Taxes
- Revenue Sharing

The computations are set forth in the attachment to this Exhibit D. The following is the process used to derive each of these tax shifts.

EDUCATION TAX SHIFT: Computed by comparing State Department of Education Form ED 279 for the Town with and without retained CAV.

COUNTY TAX SHIFT: In order to compute this shift, we first obtained the most recent County State Valuation from the State Bureau of Taxation. We then determined the average Captured Assessed Value for the District over the life of the District. We then determined the Town's current share of the County Tax by dividing the current Town Valuation by the Current County Valuation. We then determined what the Town's Share of the County Tax would be if the new value from the District were added by the Town's Valuation without the creation of the District by dividing the sum of the current Town Valuation plus the average new value by the sum of the current County Valuation plus the average new value. The difference is the factor representing the percentage of the County Tax Shift. Next, we determined the estimated average annual county tax over the life of the district. To arrive at this number, the average change in County Tax for the last five years was determined and the percentage increase projected to the middle of the district's life. This projected tax was then multiplied by the factor developed above to determine the County Tax Shift.

REVENUE SHARING SHIFTS: The first step in determining the Revenue Sharing Tax Shifts was to obtain the total Municipal Revenue Sharing Amount from the State Treasurer. The five steps outlined in the following formula were then applied:

STEP ONE: $\frac{\text{Municipal Population} \times \text{Local Property Tax Levied}}{\text{State Local Valuation}} = \text{Current Factor}$

STEP TWO: $\frac{\text{Municipal Population} \times \text{Local Property Tax Levied}}{\text{State Local Valuation} + \text{Captured Assessed Value}} = \text{Adjusted Factor}$

STEP THREE: $\frac{\text{Current Factor}}{\text{Adjusted Factor}} = \text{I.X}$

STEP FOUR: $\text{I.X} - 1.0 = .X$

STEP FIVE: $.X (\text{Total Municipal Revenue Sharing Amount}) = \text{Revenue Sharing Shift}$

EXHIBIT E

**TOWN OF CUMBERLAND
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Council of the Town of Cumberland will hold a public hearing on April 13, 2015 at 7:00 p.m. in the Council Chambers at the Town Hall, 290 Tuttle Road in Cumberland for purposes of receiving public comments on the designation of the proposed Town of Cumberland Tax Increment Financing District # 6, Natural Gas Pipeline East, and the adoption of a Development Program for said District, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The proposed TIF District and Development Program will enable the Town to capture tax revenues generated by investments made within the District related to natural gas distribution infrastructure. The Town proposes to allocate certain revenues generated from this infrastructure within the District for municipal projects including road improvements and other municipal infrastructure as approved and permitted pursuant to 30-A M.R.S.A. § 5225.

A copy of the proposed Development Program for the proposed District #6 is on file with the Town Clerk and may be obtained from and reviewed at the offices of the Town Clerk during normal business hours. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at the hearing. For more information, please contact the Town Manager, Bill Shane, at 829-2205.

EXHIBIT F

**TOWN COUNCIL ORDERS
NATURAL GAS PIPELINE EAST
MUNICIPAL TAX INCREMENT FINANCING DEVELOPMENT DISTRICT**

Ordered that the Town hereby (a) designates the Natural Gas Pipeline East Municipal Tax Increment Financing District and adopts the Development Program for the District, such designation and adoption to be on the terms and provisions of the Natural Gas Pipeline East Municipal Tax Increment District Development Program" ("Development Program") as presented at this Town Council Meeting, and as has been on file in the Town Clerk's Office, a copy of which is incorporated herein by reference; (b) makes the findings set forth in the Development Program; (c) adopts the financial plan including the percentage of increased assessed value of said District to be retained as captured assessed value in accordance with the Development Program; and (d) authorizes the Town Manager to submit to the State of Maine Commissioner of Economic and Community Development for approval such applications and further documentation as may be necessary or appropriate for final approval and establishment of the Natural Gas Pipeline East Municipal Tax Increment Financing District and its Development Program and financial plan pursuant to 30-A M.R.S.A. Chapter 206.

EXHIBIT G
STATUTORY REQUIREMENTS & THRESHOLDS
NATURAL GAS PIPELINE EAST MUNICIPAL INFRASTRUCTURE
TAX INCREMENT FINANCING DISTRICT #6 DEVELOPMENT PROGRAM

Section A. Acreage Caps		
1. Total Municipal Acreage		14,848 acres
2. Acreage of Proposed Municipal TIF District		105.52 acres
3. Downtown-designation acres in proposed Municipal TIF District		0
4. Transit-Oriented Development acres contained in proposed Municipal TIF District		0
5. Total acreage [=A2-A3:A4] of Proposed Municipal TIF District counted toward 2% limit		105.52 acres
6. Percentage [=A5/A1] of total acreage in proposed municipal TIF District (cannot exceed 2%)		0.71%
7. Total acreage of all existing/proposed municipal TIF districts in municipality including Municipal Affordable Housing Development Districts: TIF #1: 195 acres; TIF #2 (Route One South): 22.3 acres; TIF District #3 (Cumberland Foreside Village): 98.71 acres; TIF District #4 (Route 100): 93.03 acres; TIF District #5 (Route 100): 130.60 acres; TIF District #6 (Natural Gas East): 105.52 acres		645.16 acres
30-A 5223(3) EXEMPTIONS		
8. Acreage of an existing/proposed Downtown-designation Municipal TIF District		0
9. Acreage of all existing/proposed Transit-Oriented Development Municipal TIF Districts		0
10. Acreage of all existing/proposed community wind power Municipal TIF District		0
11. Acreage of all existing/proposed single taxpayer/high valuation Municipal TIF District		0
12. Acreage in all existing/proposed Municipal TIF Districts common to Pine Tree Development Zones per 30-A 5250-l(14)(A) excluding any such acreage also factored in Exemptions 8-11 above		0
13. Total acreage [=A13/A1] of all existing/proposed Municipal TIF districts counted toward 5%		645.16 acres
14. Percentage of total acreage [=A13/A1] of all existing/proposed Municipal TIF Districts (cannot exceed 5%)		4.35 %
15. Real property in proposed Municipal TIF District that is:		
(Note: a, b, or c must be at least 25%)	Acres	% [=Acres/A2]
a. Blighted	0	
b. In need of rehabilitation/conservation	0	
c. Suitable for industrial/commercial site	105.52	100%
TOTAL [except for 5223(3) exemptions, a, b or c must be at least 25%]	105.52	100%
Section B. VALUATION CAP		
1. Total TAXABLE municipal valuation-use last April 1 and MRS Certified Ratio		\$1,244,270,800
2. Taxable Original Assessed Value (OAV) of proposed Municipal TIF District. <i>Use April 1 before March 31 preceding municipal designation (March 31, 2015, i.e., April 1, 2014)</i>		\$0
3. Taxable OAV of all existing/proposed Municipal TIF Districts in the municipality: TIF #1: \$355,000; TIF #2 (Route One South): \$339,400; TIF District #3 (Cumberland Foreside Village):		Existing: \$13,145,600

\$3,717,000; TIF District #4 (Route 100): \$2,866,400; TIF District #5 (Route 100): \$5,867,800; Proposed TIF District #6 (Natural Gas East): \$0	Proposed: \$0 Total: \$13,145,600
30-A 5223(3) EXEMPTIONS	
4. Taxable OAV of an existing/ proposed Downtown-designation Municipal TIF District	0
5. Taxable OAV of all existing/proposed Transit-Oriented Development Municipal TIF Districts	0
6. Taxable OAV of all existing/proposed community wind power Municipal TIF Districts	0
7. Taxable OAV of all existing/proposed single taxpayer/high valuation Municipal TIF Districts	0
8. Taxable OAV of all existing/proposed Municipal TIF Districts common to Pine Tree Development Zones per 30-A 5250-1(14)(A) excluding any such OAV also factored in Exemptions 4-7 above	0
9. Total taxable OAV [=B3-B4:B8] of all existing/proposed Municipal TIF Districts counted toward 5% limit	\$13,145,600
10. Percentage of total taxable OAV [=B9/B1] of all existing/proposed Municipal TIF Districts (cannot exceed 5%)	1.06%

ITEM

15-044

To hold a Public Hearing to consider and act on the designation of proposed TIF District #7 (The Natural Gas Pipeline West) and the adoption of a Development Program for the same

Refer to item 15-043
Materials are the same

ITEM 15-045

To hold a Public Hearing to consider and act on an amendment to
Chapter 242 (Stormwater Management), Article 2
(Post-Construction Stormwater Management), Section 242-25
(General Requirements), of the Cumberland Code

Chapter 242. Stormwater Management

Article II. Post-Construction Stormwater Management

§ 242-25. General requirements.

Any person owning, operating, leasing or having control over stormwater management facilities required by a post-construction stormwater management plan approved under this article shall demonstrate compliance with that plan as follows:

A.

That person or a qualified post-construction stormwater inspector hired by that person shall, at least annually, inspect the stormwater management facilities, including but not limited to any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures, in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan.

B.

If the stormwater management facilities require maintenance to function as intended by the approved post-construction stormwater management plan, that person shall take corrective action(s) to address the deficiency or deficiencies.

C.

That person shall employ a qualified post-construction stormwater inspector to provide, on or by ~~March 1~~ **June 1** of each year, a completed and signed certification to the enforcement authority, in a form identical to that attached as Appendix 2 to this article,^[1] certifying that the stormwater management facilities have been inspected and that they are adequately maintained and functioning as intended by the approved post-construction stormwater management plan, or that they require maintenance or repair, describing any required maintenance and any deficiencies found during inspection of the stormwater management facilities, and if the stormwater management facilities require maintenance or repair of deficiencies in order to function as intended by the approved post-construction stormwater management plan, the person shall provide a record of the required maintenance or deficiency and corrective action(s) taken.

ITEM 15-046

To hold a Public Hearing to consider and act on authorizing the
Code Enforcement Officer to enter into a Consent Agreement with
property owners located at 17 Edes Road

CONSENT AGREEMENT

This Consent Agreement is entered into on this ____ day of April, 2015 by and between Carole A. Ryder ("Ryder"), an individual who owns property located at 17 Edes Road, Cumberland, Maine (the "Property") and the Town of Cumberland, a municipal corporation located in the County of Cumberland and the State of Maine (the "Town").

Ryder and the Town stipulate the following facts:

1. The Town is a municipal corporation organized under the laws of the State of Maine. William Longley is the duly authorized Code Enforcement Officer of the Town and authorized under state law to administer and enforce the Town's Zoning Ordinance.
2. Thomas R. Allen obtained a building permit for the house and deck on July 9, 1987, with the Certificate of Occupancy for the Property being issued on November 29, 1987.
3. Ryder and Gary A. White purchased 17 Edes Road from Thomas R. Allen and Kathleen M. Allen by deed dated September 24, 1993 and recorded on September 27, 1993 in the Cumberland County Registry of Deeds in Book 10977, Page 333. In preparation for that transaction, Donna Larson, the then Code Enforcement Officer for the Town of Cumberland, signed a "No Action" letter regarding the Property, on behalf of the Town, in which the "inadvertent building front set-back violation" was acknowledged. A copy of the "No Action" letter is attached hereto as Exhibit A. The interest of Gary A. White was awarded to Ryder under the terms of their divorce settlement agreement, as evidenced by the Abstract of Divorce Decree dated January 6, 2005 and recorded on January 11, 2005 in said Registry of Deeds in Book 22218, Page 217.
4. Ryder is in the process of selling the Property. The anticipated buyers are Meghan R. Wells and Jonathan P. Wells.
5. Survey work conducted by Flynn Land Surveying, LLC on April 1, 2015 reveals apparent encroachments by the house and the deck attached to the house. The house is located within the setback requirement of 50 feet from the front property boundary line; the deck is located within the setback requirement of 75 feet from the rear property boundary line. Attached as Exhibit A is a copy of the Mortgage Loan Inspection Plan showing the aforementioned encroachments.
6. The Zoning Ordinance requires a structure to be 50 feet from the front boundary line and 75 feet from the rear boundary line.
7. The Code Enforcement Officer has investigated the case and has determined that the aforementioned setback violations do not result in any significant health, safety or welfare problems.

8. Ryder agrees to pay the Town's attorney's fees and costs associated with this Consent Agreement in the amount of \$500. Such payment shall be made payable to the Town of Cumberland.
9. The existing house, any overhangs, porch stairs and decks as shown on Exhibit A shall be allowed to remain and be repaired as the structures currently sit in their current location. The existing house, porch stairs and decks shall not be expanded or replaced, except in conformance with the requirements of the Town of Cumberland Zoning Ordinance.
10. The Town agrees to relinquish its rights to prosecute Ryder, her successors in real property interest, assigns and heirs, for any alleged violation arising from the setback disputes arising from construction or location of the house, porch stairs and/or deck.
11. This Consent Agreement shall be binding upon Ryder, her successors in real property interest, assigns and heirs and it shall be duly recorded by Ryder in the Cumberland County Registry of Deeds within 30 days of its execution, with a copy of the recorded instrument to be provided to the Code Enforcement Officer.
12. At a meeting of the Town Council on April ____, 2015, the Town approved this resolution of the alleged zoning violation, based on the terms and conditions set forth in this agreement, and authorize the Code Enforcement Officer to sign this Consent Agreement on behalf of the Town.

IN WITNESS WHEREOF, the undersigned have executed this Consent Agreement on the date appearing beside their names below.

Date: April ____, 2015

Carole A. Ryder

TOWN OF CUMBERLAND

Date: April ____, 2015

By: William Longley
Its: Code Enforcement Officer

STATE OF MAINE

Cumberland, ss.:

On April _____, 2015, personally appeared the above-named Carole A. Ryder and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Print Name:

Notary Public/Attorney at Law

STATE OF MAINE

Cumberland, ss.:

On April _____, 2015, personally appeared the above-named William Longley, duly authorized Code Enforcement Officer of the Town of Cumberland, Maine, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of the Town of Cumberland..

Before me,

Print Name:

Notary Public/Attorney at Law

"Exhibit A"

TOWN OF CUMBERLAND

Town Office Building
P.O. Box 128
12 Drowne Road
Cumberland, Maine 04021
(207) 829-5559

September 23, 1993

James M. Amendolara, Esquire
Maine Title Company
10 Free Street
Portland, ME 04101

and

KeyCorp Mortgage, Inc.
One Canal Plaza, P.O. Box 9770
Portland, ME 04112

RE Thomas R. and Kathleen M. Allen
17 Edes Road
Cumberland, Maine

Dear Sirs:

Please accept this letter as confirmation that the Town of Cumberland has acknowledged that an inadvertant building front set-back violation exists at the above-captioned address. Furthermore, the Town of Cumberland, its officers and agents will take no action to enforce the applicable zoning code currently in effect relative to said violation.

Very truly yours,

Donna Larson

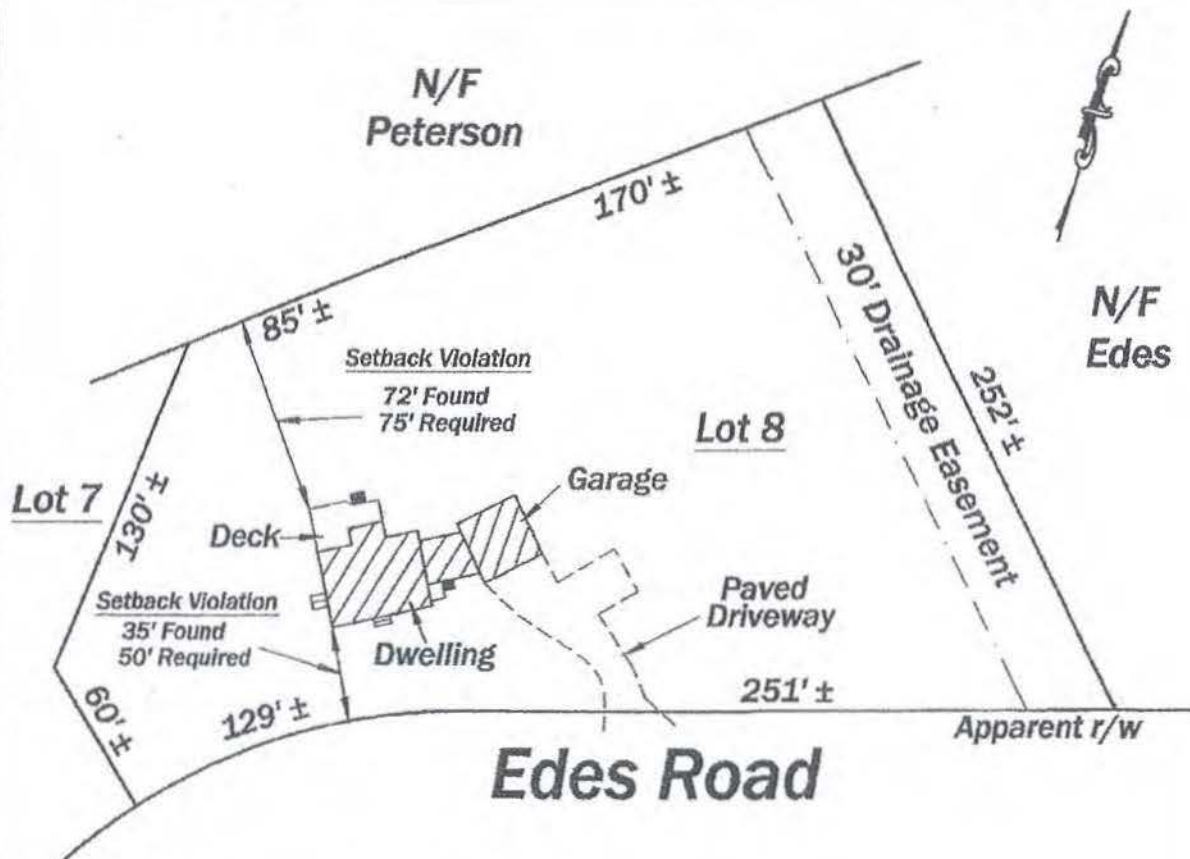
Code Enforcement Officer

Donna Larson

THIS IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE RECORDED OR USED IN LOCATING BOUNDARIES

ADDRESS: 17 Edes Road
Cumberland, Maine

INSPECTION DATE: 4/1/2015
SCALE: 1" = 60'



See above setback violations on the dwelling and deck.
See referenced deed for list of rights and responsibilities.

THE DWELLING DOES NOT HORIZONTALLY SCALE IN A SPECIAL FLOOD HAZARD AREA PER
FEMA COMMUNITY MAP: 230162 PANEL: 16C ZONE: C DATE: 10/15/1985

THE DWELLING IS NOT IN COMPLIANCE WITH MUNICIPAL ZONING SETBACKS.

OWNER: Carole A. Ryder

APPLICANT: Meghan R. Wells & Jonathan P. Wells

REQUESTING PARTY: Cornerstone Title & Settlement

LENDER: Prospect Mortgage, LLC ISAQA

FILE #: 15-1053

MUNICIPAL REFERENCE:

MAP: R4A BLOCK: LOT: 9

TITLE REFERENCE:

DEED BOOK: 22218 PAGE: 217 COUNTY: Cumberland

PLAN BOOK: 161 PAGE: 55 LOT: 8

MORTGAGE LOAN INSPECTION PLAN

FLYNN LAND SURVEYING, LLC
136 PLAINS ROAD
RAYMOND, MAINE 04071
207 329-9913



THIS INSPECTION IS FOR MORTGAGE LENDER USE ONLY. ITS SPECIFIC PURPOSE IS TO RENDER AN OPINION ON COMPLIANCE TO MUNICIPAL ZONING SETBACKS AND ZONE LOCATION ON THE FEMA FLOOD MAPS FOR THE EXISTING DWELLING AND ACCESSORY STRUCTURES. THERE ARE NO MONUMENTS SET OR MARKINGS MADE IN THE FIELD TO DEPICT THE LOCATION OF TITLE OR EASEMENT BOUNDARIES. THE LOCATION OF THE IMPROVEMENTS SHOWN ARE APPROXIMATE AND SHOULD NOT BE USED TO OBTAIN A BUILDING PERMIT. DISTANCES SHOWN ARE TAKEN FROM THE PROVIDED TITLE REFERENCES. SEE TITLE REFERENCES FOR ANY APPURTENANCES. A BOUNDARY SURVEY IS RECOMMENDED FOR AN ACCURATE LOCATION. THIS INSPECTION MAKES EXCEPTION TO ALL THE TECHNICAL STANDARDS ESTABLISHED BY THE STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS. LOCATION OF WETLANDS ARE NOT DETERMINED AND ANY SHOWN ARE TAKEN FROM THE PROVIDED REFERENCES. COMPLIANCE TO DEEDED COVENANTS AND RESTRICTIONS NOT DETERMINED.

JOB NUMBER: 1531

ABUTTER NOTICES:

11 Edes Rd -
Abutters w/in 300'

R04/A 8/ / /
GAGNE BRIAN H
GAGNE THERESA
23 EDES ROAD
CUMBERLAND CTR, ME 04021

R04/A 1/ / /
EDES MICHAEL T
EDES JENNIFER B.
8 EDES ROAD
CUMBERLAND, ME 04021

R04/A 4/ / /
WHITE RICHARD K*
MALLON JANIS C
26 EDES ROAD
CUMBERLAND, ME 04021

R04/ 18/B / /
PETERSON THOMAS J
PETERSON JANE E
115 TUTTLE ROAD
CUMBERLAND, ME 04021

R04/A 2/ / /
WILLIAMS BRIAN J
WILLIAMS TRACY B
14 EDES ROAD
CUMBERLAND, ME 04021

R04/A 10/ / /
TEBBS, AARON A
TEBBS, ANNETTE J
6 STONYBROOK LANE
NORTH YARMOUTH, ME 04097

R04/A 9/ / /
RYDER CAROLE A
17 EDES ROAD
CUMBERLAND, ME 04021

R04/A 3/ / /
GROVES GREGORY M
20 EDES ROAD
CUMBERLAND, ME 04021

R04/A 7/ / /
SWISHER DOUGLAS L
SWISHER HEATHER K
29 EDES ROAD
CUMBERLAND, ME 04021

R04/ 20/A / /
CASHMAN JOHN E
CASHMAN MARY JO
8 FARMS EDGE WAY
CUMBERLAND, ME 04021



Cumberland Town Council

Monday, April 13, 2015

Cumberland Town Hall Council Chambers at 7:00pm



NOTICE FROM THE TOWN OF CUMBERLAND

The following item will appear on the April 13, 2015 Town Council Agenda:

To hold a Public Hearing to consider and act on authorizing the Code Enforcement Officer to enter into a Consent Agreement with property owners located at 17 Edes Road.

An opportunity for public comment will be provided.

A copy of the Consent Agreement is attached. For more information, please contact Code Enforcement Officer, William Longley at 829-2206 or wlongley@cumberlandmaine.com

Agenda items are subject to change without notice.

The most current agenda is available on our
website www.cumberlandmaine.com

ITEM

15-047

To set a Public Hearing date (April 27th) to consider and act on a
Mass Gathering Permit for Cumberland Youth Lacrosse Girls
Tournament to be held at Twin Brook on May 16, 2015

ITEM

15-048

To set a Public Hearing date (April 27th) to consider and act on a
Mass Gathering Permit for Cumberland Youth Lacrosse Boys
Tournament to be held at Twin Brook on June 20, 2015

ITEM

15-049

To set a Public Hearing date (April 27th) to consider and act on a
Mass Gathering Permit for Girls On the Run to be held on June 7th
at the Cumberland Fairgrounds

ITEM

15-050

To set a Public Hearing date (April 27th) to consider and act on a Mass Gathering Permit for The Chickadee Classic Dog Show to be held June 16th – June 21st at the Cumberland Fairgrounds

ITEM 15-051

To hold a Public Hearing to consider and act on adoption of the
FY'16 Municipal Budget

Town Manager will have presentation
at meeting.

NEW BUSINESS

March 2015

Dear Councilors and Town Staff,

Thank you very much for the beautiful bouquet of flowers. Their beauty brightened my recovery. I am all the more grateful and humble for our community.

Fondly,

Shirley S-K

Farwell - Pinewood Area

Town of Cumberland
Neighborhood Meeting
April 13, 2015 7:00 PM



Town Hall- 290 Tuttle Road—Council Chambers

There will be a Neighborhood Meeting to discuss the upcoming **Summer paving and drainage work** in your neighborhood. Engineers from Gorrill Palmer will be present to give an overview of the project and listen to concerns you may have related to your specific area of the road. Please let us know if you cannot attend this meeting, but have concerns you'd like to share regarding the road in front of or near your property (drainage, buried pipes, etc.).

Hope to see you there!

Bill Shane, Town Manager

wshane@cumberlandmaine.com

Hedgerow Area

Town of Cumberland
Neighborhood Meeting
April 14, 2015 7:00 PM



Town Hall- 290 Tuttle Road—Council Chambers

There will be a Neighborhood Meeting to discuss the upcoming **Summer paving and drainage work** in your neighborhood. Engineers from Gorrill Palmer will be present to give an overview of the project and listen to concerns you may have related to your specific area of the road. Please let us know if you cannot attend this meeting, but have concerns you'd like to share regarding the road in front of or near your property (drainage, buried pipes, etc.).

Hope to see you there!

Bill Shane, Town Manager

wshane@cumberlandmaine.com

Ledge Rd.
Town of Cumberland
Neighborhood Meeting
April 9, 2015 6:00 PM



Town Hall- 290 Tuttle Road—Council Chambers

There will be a Neighborhood Meeting to discuss the results of last fall's **Drainage Study and Recommendations** by Doug Reynolds of Gorrill Palmer Engineers and also to review paving schedules and future work scheduled for the streets in your neighborhood.

Hope to see you there!

Bill Shane, Town Manager

wshane@cumberlandmaine.com

Lawn - Cottage Rd. Area

Town of Cumberland
Neighborhood Meeting
April 14, 2015 6:00 PM



Town Hall- 290 Tuttle Road—Council Chambers

There will be a Neighborhood Meeting to discuss the upcoming **Summer paving and drainage work** in your neighborhood. Engineers from Gorrill Palmer will be present to give an overview of the project and listen to concerns you may have related to your specific area of the road. Please let us know if you cannot attend this meeting, but have concerns you'd like to share regarding the road in front of or near your property (drainage, buried pipes, etc.).

Hope to see you there!

Bill Shane, Town Manager

wshane@cumberlandmaine.com

Harris Rd-

**Town of Cumberland
Neighborhood Meeting
April 7, 2015 6:00 PM**



Town Hall- 290 Tuttle Road—Council Chambers

There will be a Neighborhood Meeting to discuss the upcoming **Summer Work on the hill near Home #120 on Harris Road**. Engineers from Gorrill Palmer will be present to give an overview of the project and listen to concerns you may have related to this project. No work has been budgeted for this year on the connector road to Route 9 (other than grading and some signage) .

Hope to see you there!

Bill Shane, Town Manager

wshane@cumberlandmaine.com

BUDGET REPORTS

04/08/2015 16:45
hperreault

TOWN OF CUMBERLAND
YEAR-TO-DATE BUDGET REPORT

P 1
glytdbud

FOR 2015 09

Expenses

ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
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001 General Fund

10 General Government

130 Administration	474,359	0	474,359	422,225.33	.00	52,133.67	89.0%
140 Assessor	80,463	0	80,463	67,077.85	.00	13,385.15	83.4%
150 Town Clerk	208,078	0	208,078	150,079.03	.00	57,998.97	72.1%
160 Technology	165,346	0	165,346	134,144.16	.00	31,201.84	81.1%
165 Elections	13,953	0	13,953	10,149.48	.00	3,803.52	72.7%
170 Planning	63,541	0	63,541	45,112.85	.00	18,428.15	71.0%
190 Legal	32,500	0	32,500	42,670.92	.00	-10,170.92	131.3%
TOTAL General Government	1,038,240	0	1,038,240	871,459.62	.00	166,780.38	83.9%

20 Public Safety

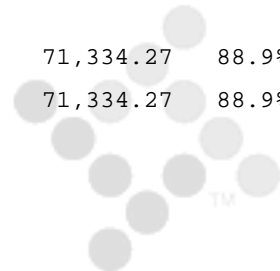
210 Police	1,196,499	0	1,196,499	917,913.32	.00	278,585.68	76.7%
220 Fire	827,001	0	827,001	664,037.39	.00	162,963.61	80.3%
240 Code Enforcement	90,871	0	90,871	71,238.86	.00	19,632.14	78.4%
260 Animal Control	27,300	0	27,300	21,812.67	.00	5,487.33	79.9%
TOTAL Public Safety	2,141,671	0	2,141,671	1,675,002.24	.00	466,668.76	78.2%

30 Public Services

310 Public Works	941,925	0	941,925	818,766.65	.00	123,158.35	86.9%
320 Waste Disposal	521,771	0	521,771	329,208.47	.00	192,562.53	63.1%
430 Parks	220,772	0	220,772	168,726.63	.00	52,045.37	76.4%
440 West Cumberland Rec	7,720	0	7,720	4,070.10	.00	3,649.90	52.7%
TOTAL Public Services	1,692,188	0	1,692,188	1,320,771.85	.00	371,416.15	78.1%

40 Recreation

410 Recreation	644,444	0	644,444	573,109.73	.00	71,334.27	88.9%
TOTAL Recreation	644,444	0	644,444	573,109.73	.00	71,334.27	88.9%



04/08/2015 16:45
hperreault

TOWN OF CUMBERLAND
YEAR-TO-DATE BUDGET REPORT

P 2
glytdbud

FOR 2015 09

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
45 Library							
450 Library	387,607	0	387,607	295,557.56	.00	92,049.44	76.3%
TOTAL Library	387,607	0	387,607	295,557.56	.00	92,049.44	76.3%
90 Other							
580 General Assistance	32,000	0	32,000	25,130.41	.00	6,869.59	78.5%
590 Health Services	10,375	0	10,375	9,481.00	.00	894.00	91.4%
620 Cemetery Association	26,700	0	26,700	22,500.00	.00	4,200.00	84.3%
630 Conservation Commission	6,000	0	6,000	2,902.51	.00	3,097.49	48.4%
800 Fire Hydrants	62,000	0	62,000	40,782.82	.00	21,217.18	65.8%
810 Street Lighting	37,000	0	37,000	28,455.46	.00	8,544.54	76.9%
830 Contingent	25,000	0	25,000	.00	.00	25,000.00	.0%
840 Municipal Building	162,652	0	162,652	124,534.56	.00	38,117.44	76.6%
850 Abatements	20,000	0	20,000	72,683.24	.00	-52,683.24	363.4%
TOTAL Other	381,727	0	381,727	326,470.00	.00	55,257.00	85.5%
98 Fixed Expenses							
650 Debt Service	919,267	0	919,267	721,098.74	.00	198,168.26	78.4%
750 Insurance	207,499	0	207,499	172,019.81	.00	35,479.19	82.9%
860 MSAD #51	14,313,306	0	14,313,306	10,734,979.50	.00	3,578,326.50	75.0%
890 County Tax	696,073	0	696,073	696,073.00	.00	.00	100.0%
910 Capital Imp. Plan	1,323,868	0	1,323,868	1,323,868.00	.00	.00	100.0%
TOTAL Fixed Expenses	17,460,013	0	17,460,013	13,648,039.05	.00	3,811,973.95	78.2%
TOTAL General Fund	23,745,890	0	23,745,890	18,710,410.05	.00	5,035,479.95	78.8%
GRAND TOTAL	23,745,890	0	23,745,890	18,710,410.05	.00	5,035,479.95	78.8%

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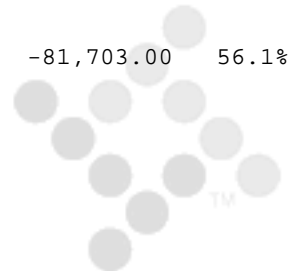
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Revenues

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
001 General Fund							
011 Other Tax Revenues							
0011 0303 Excise Tax	-1,430,000	0	-1,430,000	-1,217,812.93	.00	-212,187.07	85.2%
0011 0304 Boat Excise Tax	-5,000	0	-5,000	-2,827.00	.00	-2,173.00	56.5%*
0011 0328 Outer Islands Property T	-40,000	0	-40,000	-20,933.44	.00	-19,066.56	52.3%*
0011 0329 Payment in Lieu of Taxes	-23,793	0	-23,793	-14,328.00	.00	-9,465.00	60.2%*
TOTAL Other Tax Revenues	-1,498,793	0	-1,498,793	-1,255,901.37	.00	-242,891.63	83.8%
012 Licenses & Permits							
0012 0311 Hunting & Fishing Licens	-700	0	-700	-406.75	.00	-293.25	58.1%*
0012 0312 Marriage Lic & Vital Rec	-3,000	0	-3,000	-2,063.20	.00	-936.80	68.8%*
0012 0313 Birth Certificates	-365	0	-365	-1,135.60	.00	770.60	311.1%
0012 0314 Death Certificates	-500	0	-500	-1,455.60	.00	955.60	291.1%
0012 0315 Clerk Licenses	-4,500	0	-4,500	-2,120.00	.00	-2,380.00	47.1%*
0012 0316 Shellfish Licenses	-3,000	0	-3,000	-1,321.14	.00	-1,678.86	44.0%*
0012 0317 Conservation Fees	-500	0	-500	-273.86	.00	-226.14	54.8%*
0012 0334 Snowmobile Reg	-300	0	-300	-217.00	.00	-83.00	72.3%*
0012 0361 Auto Reg. Fees	-20,000	0	-20,000	-14,399.00	.00	-5,601.00	72.0%*
0012 0362 Boat Reg. Fees	-500	0	-500	-660.40	.00	160.40	132.1%
0012 0366 Building Permits	-70,000	0	-70,000	-55,284.05	.00	-14,715.95	79.0%
0012 0367 Electrical Permits	-15,000	0	-15,000	-14,054.45	.00	-945.55	93.7%
0012 0368 Plumbing Permits	-15,000	0	-15,000	-15,976.75	.00	976.75	106.5%
0012 0369 Other Permits	-2,500	0	-2,500	-1,050.00	.00	-1,450.00	42.0%*
0012 0383 Agent Fees-Moses	0	0	0	-10.00	.00	10.00	100.0%
0012 0398 Application Fee	-1,000	0	-1,000	-1,000.00	.00	.00	100.0%
0012 0401 Dog Revenue	-5,000	0	-5,000	-2,252.00	.00	-2,748.00	45.0%*
0012 0404 Commercial Haulers Licen	-600	0	-600	.00	.00	-600.00	.0%*
TOTAL Licenses & Permits	-142,465	0	-142,465	-113,679.80	.00	-28,785.20	79.8%
013 Intergovernmental Revenues							
0013 0327 Homestead State Reimb	0	-185,920	-185,920	-104,217.00	.00	-81,703.00	56.1%*



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	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
0013 0331 State Revenue Sharing	-385,710	0	-385,710	-295,379.46	.00	-90,330.54	76.6%
0013 0332 Park Fee Sharing	-7,080	0	-7,080	.00	.00	-7,080.00	.0%*
0013 0335 DOT Block Grant	-68,440	0	-68,440	-62,592.00	.00	-5,848.00	91.5%
0013 0337 Other State Aid	0	0	0	-4,508.74	.00	4,508.74	100.0%
0013 0341 North Yarmouth Recreatio	-35,902	0	-35,902	-26,928.00	.00	-8,974.00	75.0%
0013 0342 North Yarmouth Library S	-141,379	0	-141,379	-106,035.00	.00	-35,344.00	75.0%
0013 0347 North Yarmouth Channel 2	-2,547	0	-2,547	-1,909.00	.00	-638.00	75.0%*
0013 0348 ACO Sharing Payments	0	0	0	-6,322.00	.00	6,322.00	100.0%
0013 0397 Windham-Fire & Rescue	-3,900	0	-3,900	.00	.00	-3,900.00	.0%*
TOTAL Intergovernmental Revenues	-644,958	-185,920	-830,878	-607,891.20	.00	-222,986.80	73.2%
015 Other Revenues							
0015 0305 Interest & Penalties	-30,000	0	-30,000	-23,324.15	.00	-6,675.85	77.7%
0015 0306 Over/Short	-100	0	-100	2,431.85	.00	-2,531.85	-2431.9%*
0015 0364 Growth Permits	-1,500	0	-1,500	-3,100.00	.00	1,600.00	206.7%
0015 0365 Board of Appeals	-100	0	-100	.00	.00	-100.00	.0%*
0015 0379 Investment Earnings	0	0	0	-206.14	.00	206.14	100.0%
0015 0381 Building Rentals	-500	0	-500	.00	.00	-500.00	.0%*
0015 0382 Sale of Assets	-25,000	0	-25,000	-7,700.00	.00	-17,300.00	30.8%*
0015 0390 Misc. Revenue	-48,000	0	-48,000	-40,822.82	.00	-7,177.18	85.0%
0015 0399 Staff Review Fee	-10,000	0	-10,000	-8,709.00	.00	-1,291.00	87.1%
0015 0402 Cable TV Revenue	-110,000	0	-110,000	-114,620.19	.00	4,620.19	104.2%
0015 0403 Mooring Fees	-1,000	0	-1,000	-165.00	.00	-835.00	16.5%*
0015 0410 Private Ways	-400	0	-400	-600.00	.00	200.00	150.0%
0015 0432 Workers Compensation Div	0	0	0	-26,586.80	.00	26,586.80	100.0%
0015 0508 Impact Fees	-40,000	0	-40,000	-58,770.85	.00	18,770.85	146.9%
0015 0513 Assessing Records	-100	0	-100	-30.00	.00	-70.00	30.0%*
TOTAL Other Revenues	-266,700	0	-266,700	-282,203.10	.00	15,503.10	105.8%
210 Police							
0021 0351 Police Issued Permits	-3,500	0	-3,500	-688.00	.00	-2,812.00	19.7%*
0021 0353 Police Insurance Reports	-500	0	-500	-410.00	.00	-90.00	82.0%
0021 0427 PARKING TICKETS	-200	0	-200	.00	.00	-200.00	.0%*
0021 0428 POLICE OUTSIDE DETAIL	-35,000	0	-35,000	-16,868.29	.00	-18,131.71	48.2%*
0021 0536 ANIMAL CONTROL OFF REVEN	-2,500	0	-2,500	-1,767.00	.00	-733.00	70.7%*
0021 0546 Court Reimbursements	-3,500	0	-3,500	-969.80	.00	-2,530.20	27.7%*



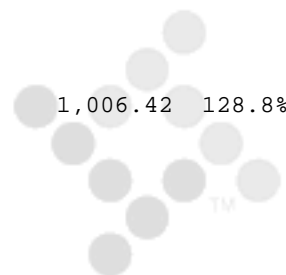
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	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
0021 0547 Miscellaneous Police Rev	-500	0	-500	-854.40	.00	354.40	170.9%
0021 0620 Grant revenue	-53,000	0	-53,000	-20,206.00	.00	-32,794.00	38.1%*
TOTAL Police	-98,700	0	-98,700	-41,763.49	.00	-56,936.51	42.3%
220 Fire							
0022 0390 Misc. Revenue	-15,000	0	-15,000	-780.00	.00	-14,220.00	5.2%*
0022 0431 OUTSIDE COVERAGE	-15,000	0	-15,000	-19,019.57	.00	4,019.57	126.8%
0022 0504 Rescue Billing	-155,000	0	-155,000	-85,635.20	.00	-69,364.80	55.2%*
0022 0505 Non Emergency Transports	0	0	0	-41,577.71	.00	41,577.71	100.0%
0022 0507 Paramedic Intercepts	-2,000	0	-2,000	-300.00	.00	-1,700.00	15.0%*
TOTAL Fire	-187,000	0	-187,000	-147,312.48	.00	-39,687.52	78.8%
410 Recreation							
0041 0370 Recreation Programs	-20,016	0	-20,016	-6,986.66	.00	-13,029.34	34.9%*
0041 0371 Fall Recreation Revenue	-60,622	0	-60,622	-33,432.50	.00	-27,189.50	55.1%*
0041 0372 Winter Recreation Revenue	-94,563	0	-94,563	-104,720.26	.00	10,157.26	110.7%
0041 0373 Spring Recreation Revenue	-32,000	0	-32,000	-9,148.00	.00	-22,852.00	28.6%*
0041 0374 Summer Recreation Revenue	-212,370	0	-212,370	-36,024.92	.00	-176,345.08	17.0%*
0041 0385 After School Programs	-145,000	0	-145,000	-137,338.90	.00	-7,661.10	94.7%
0041 0570 Rec Soccer Revenue	-3,255	0	-3,255	-7,456.00	.00	4,201.00	229.1%
0041 0606 CPR/First Aid Revenues	0	0	0	-150.00	.00	150.00	100.0%
TOTAL Recreation	-567,826	0	-567,826	-335,257.24	.00	-232,568.76	59.0%
430 Parks							
0043 0390 Misc. Revenue	-15,000	0	-15,000	-8,372.08	.00	-6,627.92	55.8%*
0043 0617 Twin Brooks Donations	0	0	0	-152.00	.00	152.00	100.0%
TOTAL Parks	-15,000	0	-15,000	-8,524.08	.00	-6,475.92	56.8%
450 Library							
0045 0392 Library Fines	-3,500	0	-3,500	-4,506.42	.00	1,006.42	128.8%



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	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
0045 0393 Library Interest Income	-200	0	-200	-60.48	.00	-139.52	30.2%*
0045 0394 Misc. Library Revenue	-1,000	0	-1,000	-1,168.50	.00	168.50	116.9%
TOTAL Library	-4,700	0	-4,700	-5,735.40	.00	1,035.40	122.0%
TOTAL General Fund	-3,426,142	-185,920	-3,612,062	-2,798,268.16	.00	-813,793.84	77.5%
TOTAL REVENUES	-3,426,142	-185,920	-3,612,062	-2,798,268.16	.00	-813,793.84	
GRAND TOTAL	-3,426,142	-185,920	-3,612,062	-2,798,268.16	.00	-813,793.84	77.5%

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