

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, December 28, 2015

6:00 Workshop

7:00 P.M. Call to Order

6:00 P.M. WORKSHOP re: future addition to the Central Fire Station

I. CALL TO ORDER

II. APPROVAL OF MINUTES

December 14, 2015

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

15 – 179 To hold a Public Hearing to consider and act on a request from the Moonlight Skimmers Snowmobile Club to allow access to the trails in the Town Forest for snowmobiling.

15 – 180 To authorize the Town Manager to accept a gift of 7.9 acres of land and to authorize the execution of a gift letter on the Town's behalf in the amount of \$47,400.

15 – 181 To hold a Public Hearing to consider and act on amendments to Chapter 200 (Roads and Public Property), Section 2 (Animals at large) of the Cumberland Code (dogs at the Broad Cove Reserve), as recommended by the Ordinance Committee.

15 – 182 To hold a Public Hearing to consider and act on a Class I Liquor License application for Cumberland House of Pizza for the period of January 17, 2016 – January 17, 2017.

15 – 183 To hold a Public Hearing to consider and act on a Class I Liquor License application for Louie's Grill for the period of January 8, 2016 – January 8, 2017.

15 – 184 To appoint Tamara O'Donnell as Registrar of Voters for the term of January 1, 2016 through December 31, 2017.

15 – 185 To consider and act on authorizing the Town Manager to notify Cumberland County that the Town will not continue Assessing services in FY2017.

15 – 186 To appoint members to vacant Board & Committee seats.

VI. NEW BUSINESS

- Orchard Road Parking
- Skillin Road intersection stop sign (*tentative dates for neighborhood meetings January 18th, 26th, 27th or 28th*)

VII. EXECUTIVE SESSION pursuant to 1 M.R.S.A., § 405(6)(A)(1) re: a personnel matter.

VIII. ADJOURNMENT

MOTIONS

MOTIONS

- 15 – 179** **I move to authorize** the Moonlite Sno-Skimmers Snowmobile Club limited access in the Town Forest on the trails approved by the Town Council. All access will be discontinued once there is less than 6 inches of snow on any of the approved trails.
- 15 – 180** **I move to table.**
- 15 – 181** **I move to amend** Chapter 200 (Roads and Public Property), Section 2 (Animals at large) of the Cumberland Code (dogs at the Broad Cove Reserve), as recommended by the Ordinance Committee.
- 15 – 182** **I move to authorize** the Class I Liquor License application for Cumberland House of Pizza for the period of January 17, 2016 – January 17, 2017.
- 15 – 183** **I move to authorize** the Class I Liquor License application for Louie’s Grill for the period of January 8, 2016 – January 8, 2017.
- 15 – 184** **I move to appoint** Tamara O’Donnell as Registrar of Voters for the term of January 1, 2016 through December 31, 2017.
- 15 – 185** **I move to authorize** the Town Manager to notify Cumberland County that the Town will not continue Assessing services in FY2017.
- 15 – 186** **I move to appoint:**
Sam York and Mike Schwindt to the Conservation Subdivision Committee
Peter Sherr as the Planning Board Liaison to the committee

Mike Schwindt and Paul Weiss to the Lands and Conservation Commission

Joshua Ottow and Brent Sullivan to the Ocean Access Committee

Brent Sullivan to the Coastal Waters Commission

Doug Pride, Kenneth Blanchard and Mary Porter to the Personnel Appeals Board
- I move to recess** to Executive Session pursuant to 1 M.R.S.A., § 405(6)(A)(1) re: a personnel matter.

MINUTES

12-14-15

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, December 14, 2015

6:15 P.M. NOMINATING COMMITTEE WORKSHOP

7:00 P.M. CALL TO ORDER

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

I. APPROVAL OF MINUTES

Motion by Councilor Gruber, seconded by Councilor Edes, to accept the November 23, 2015 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

Motion by Councilor Stiles, seconded by Councilor Turner, to accept the December 2, 2015 special meeting minutes as presented.

VOTE: 5-0-2 (Edes & Copp abstained) MOTION PASSED

II. MANAGER'S REPORT

Captain Mark Stewart, of the Cumberland Fire Department presented a donation of \$500 to the Food Pantry. They also donated the proceeds from their Christmas tree sale (\$905) to the Food Pantry.

Shawn McBrierty of the Moonlite Sno-Skimmers Snowmobile Club presented the following request to allow the snowmobile club to use the trails in the Town Forest:

Town Forest Snowmobile Trail Proposal Presentation to Cumberland Town Council - 12/14/15



Stewards of the local trails and landowners for 43 years

Moonlite Sno-Skimmers, Cumberland and North Yarmouth Snowmobile Club

- Active Club for **43 years**, working to safely provide over 30 miles of **multi-use trail** access to Club Members, as well as benefiting non-members, dog walkers, snowshoers, cross country skiers, horse riders, mountain bikers, hikers and many other folks who are not members who use the **private property** where the sled trials are.
- Club has 25 or so Family and Business Members (\$33, \$43), ½ dozen or so of whom dedicate hours and hours each pre-season and during the short winter weeks for trail access, putting up and taking down nearly 300 trail signs, working with landowners, re-routing trails, administrative efforts, grooming, brush & tree cutting, etc.
 - 200ish sleds registered in both towns, so a little more than 10% are members. Similar rates to other towns and Clubs.
- We have one of the most difficult trail areas to maintain in the State, given the amount of new housing and **re-routes** that occur.



- These new **multi-use trails** intersect 3 times with the current snowmobile trail that has been there 30 or 40 years, running across from Drowne Road to the "Lama Field" through the "phragmites" and is wet, stump filled and has poor sight lines due to all the closed in brush and hanging trees.
- We are concerned these intersections may cause a safety issue. Both from going from soft ground to raised, hard pack multi-use trail crossings for the snowmobilers and potentially for an intersection issue for walkers, skiers, etc.
- The beginning of the new multi-use trail head at Drowne Road is on the snowmobile trail and may be the future location of the "Club House" where the grooming sleds are kept. (Also where a "post" and "bucket" need to be addressed.)
 - This trail network is the **historical backbone** to those members in Center Cumberland to get to snowmobile to places such as Rachel's at Val Halla and we are hoping to eventually get back across the Route 9, 102 pole line to Knights Pond (which access is currently shutdown by CMP).
 - Kids used to run the railroad tracks, prior to the Club re-opening the Tuttle Road crossing last year, after nearly 10 years of closure.
 - This system provides access to Route 9 and Irving, to Turkey Lane, Range Road and Falmouth over the "Bateman Trail" as the previous trail was re-routed a few years ago due to the Drowne Road housing development. (Old trail was where road is now.)
 - Bateman "cut" a trail for us, but it's bumpy, stumpy and there are multiple drainage crossing issues from Drowne Road runoff (5 culverts now on the Town Trail).
 - "Beaver Bridge" to Route 9 Irving Trail was just re-routed this fall on the other side of Kim Waite's gray house on Route 9, due to the new "blue" house built in the field where the snowmobile trail used to run near the horse fence.

Proposal:

- Would like to use .70 miles of the "outer loop" Town Forest Trail for seasonal, shared use with snowmobiles, similar to our partnership over in the Rines Forest.
- This loop would be from M3ish on the Town map, around the outer loop, to M11 and down to Drown Road (where the trail used to be).
 - Unless it made sense to extend all the way over to the Town Hall parking lot as a "park and ride" something that has been asked for in the past by Members. (Or for emergency access.)
 - We would also propose a new 100' "cut" from the Outer Loop, over to the "Bateman Trail" to the "Beaver Bridge" and Route 9 and the Irving Station.
 - I have marked the trail with orange ribbons and could manually clear the trail area next weekend.
 - This would eliminate the "Bateman Trail" located behind the Drown Road houses.
 - Bill Shane stated the Town might cover the cost to backfill with dirt and possibly extend that trail toward the "Beaver Bridge".
- The inside loop could still be signed as "No Snowmobiling" and be pedestrian only, etc. (M11-M16)
- If accepted, we would **propose putting a bridge of some kind across the open pipe culvert** near M3, where the "Logging Road" trail hooks into the system, which is a better place to enter the Forest for snowmobiles. (Possible use of "mats" Club recently purchased from CMP.)
- Will create the ability for the Club to groom and pack the outer trail during the winter and provide easier access to groom over to Route 9, Irving, Turkey Lane and the Falmouth line on the other side of Range Road and also groom over to Tuttle, Val Halla, Greely Road, the pole line, etc.
 - This would provide a hard base for skiers, snow shoes or, walkers.
 - We would request that the "pole" and "bucket" be removed (at each end?) and submerged for winter access on the Drown Road "cutout" where the Club House may eventually go.
 - Original discussion with Bateman about the trail not crossing the sidewalk, etc.



Current status of the snowmobile trail – Poor



Other needs that should also be addressed



Concerns from L&CC:

- 1) **Pedestrian Safety** – We travel and maintain over 30 miles of multi-use trails in Cumberland and North Yarmouth each winter with zero issues. (Biggest potential issue are dogs off leash, but we experience this already on our trails.) It's an 8-10 week situation to work together on.
- 2) **Speed** – There isn't a straight-away on the "outer loop" trail for more than 50-100'. This will reduce speed greatly from snowmobiles, I'd estimate 25 mph as top possible speed. (Picture next slide.) "Reasonable and prudent" for the conditions is the Maine Law. There is no speed limit we can enforce.
- 3) **Request to use aluminum nails for proper signs** – Not a problem.
- 4) **Noise/Change in "experience"** - (1) Every snowmobile manufactured after February 1, 1975...in this State must be constructed to limit total vehicle noise to not more than 78 decibels of sound pressure level at 50 feet...." Other common noise decibel levels: City traffic (80), Vacuum Cleaner (80), Lawn Mower (90), Chain Saw (110). Snowmobiles currently use the Town Forest and area. Never had a dog walker complain about being on our trails and having snowmobiles interfering with their experience. We get a lot of "thank you" responses for keeping the trails open.



Snowmobile related accidents in Maine 2014

There were 28,896 traffic crashes on Maine public roads: 44,426 vehicles 62,130 vehicle occupants (drivers and passengers) 287 pedestrians 206 bicycles 28 ATVs 11 snowmobiles – 2014 Maine Highway Safety Facts

<http://www.themtc.org/publications/databook/maine-highway-safety-facts.pdf>

<http://www.maineinjurylawyerblog.com/category/snowmobile-accidents>

<http://www.mesnow.com/pdfs/2015Guide.pdf>

Six fatal snowmobile crashes occurred during the 2013-2014 riding season, which is Nov. 30, 2013 to April 30, 2014: Jan. 31, Byron; Feb. 1, Dixfield (on public way so Maine State Police investigated); Feb. 23, Farmington; March 4, Dover-Foxcroft; March 7, New Portland (on a public way so Somerset County S.O. investigated); March 22, Hermon.

<http://www.dailybulletin.com/db/features/new-snowmobile-safety-campaign-unveiled/>

Last season, there were 177 snowmobile crashes in Maine. Six of these were fatal. According to the Maine Warden Service, the most common reasons for these crashes are speed, driving beyond one's ability, and driving outside the distance of people's headlights at night.

<http://www.maineinjurylawyerblog.com/2015/01/snowmobile-season-in-maine.html>

Next Steps?:

1. Disappointed the L&CC didn't support our request. Looking for Town Council acceptance and support of proposal to maintain our partnership across all trails.
2. Sign the trails properly, affixing permanent signs to the trees on the Outer Loop, with plywood backing, using aluminum nails.
3. Request the Town to backfill sand/gravel across the 100' "crossover" to the "Beaver Bridge" Trail and extend, if applicable, to property line, with a sign like Rines Forest.
4. Request the Town cover the open pipe/culvert from "Tuttle Road" trail to Outer Loop with an 8' wide bridge. (Possible "mat" we recently purchased from CMP could work, but it's 4' x 16', could possibly cut one in two.)
5. Educate our Members on the changes, promote via Facebook page (nearly 300 viewers), discuss at Club Meetings (1st and 3rd Wednesdays at Toddy Brook).
6. Be responsible Stewards of the Town Forest, assisting in cutting downed trees, grooming the outer loop trail, assisting as needed, etc.
7. Future partnerships for Town trail use, changes, etc.? Support of 102 line re-opening.

The Council requested to have this item put on the next agenda so that they can act on it.

III. PUBLIC DISCUSSION

State Representative, Mike Timmons said that today, Governor LePage today delivered a letter to Legislative leadership and the State Treasurer clarifying his position and future intentions regarding bonding in 2016. In the letter the Governor indicates that he will issue \$5 million in Land for Maine's Future bonds, which were ratified in 2012. Authority to issue another \$6.47 million in LMF bonds was allowed to expire in November, due to Legislative inaction.

Chairman Bingham asked if the 6.47 million in LMF bonds that was allowed to expire due to Legislative inaction are gone forever or if the Legislature can turn that around.

Mr. Timmons said that there is a bill coming forward that will extend the time limit for those bonds.

IV. LEGISLATION AND POLICY

15 – 166 To hold a Public Hearing to consider and act on amendments to the mooring application and Chapter 84 (Fees and Fines), Section 12 (Moorings) of the Cumberland Code, as recommended by the Ordinance Committee.

Chairman of the Coastal Waters Commission, Lew Incze, presented the following:

Coastal Waters Commission

LEW INCZE, CHAIRMAN

DECEMBER 14, 2015

John Berrett
Dave Carlson
Hugh Judge
Mike Schwindt
Dave Witherill (Co-Chair)

Deb Flannigan, Staff
Tom Gruber, Council Liaison

4 recommendations for your consideration

Coastal Waters Commission 2015 Recommendations — Overview

1. New Mooring Application Form & Fees
2. Update and "Housekeeping" of existing Ordinance
3. Establish a New Mooring Area in Broad Cove
3. Provide a recommendation concerning a Pier-Sharing MOU between the Town and 179 Foreside HOA at Broad Cove Reserve

Coastal Waters Commission 2015 1. Mooring Application & Fees

- New Application Form (substantially revised from old one)
 1. Affects all moorings going forward, renewals and new applications
 1. Updated and reorganized content, more information
 1. More streamlined process for annual renewals – Check box if all information remains as before
- New Fee Structure - \$50 residents (year-round and seasonal and property owners); \$250 non-residents

Questions?
Public Hearing 15-166

Chairman Bingham opened the Public Hearing.

Public discussion: None

Chairman Bingham closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Edes, to amend the mooring application and Chapter 84 (Fees and Fines), Section 12 (Mooring) of the Cumberland Code, as recommended by the Coastal Waters Commission.

VOTE: 7-0

UNANIMOUS

15 – 167 To hold a Public Hearing to consider and act on repealing and replacing Chapter 48 (Coastal Waters) of the Cumberland Code, as recommended by the Ordinance Committee.

Mr. Incze presented the following:

Coastal Waters Commission 2015

2. Ordinance Overhaul

- Over-all clean-up and replacement of dated, unnecessary, and confusing language
- Defines mooring rights for ROWs
- Revises and explains how mooring location assignments are made
- Improves definitions and use of terms throughout (clarity and consistency)
- Updates mooring inspection requirements

(continued)

Ordinance Overhaul

(continued)

- Adds an appeal process for administrative decisions
- Currently ~40 moorings; interest in new ones in Broad Cove

Questions?
Public Hearing 15-167

Chairman Bingham opened the Public Hearing.

Public discussion: None

Chairman Bingham closed the Public Hearing.

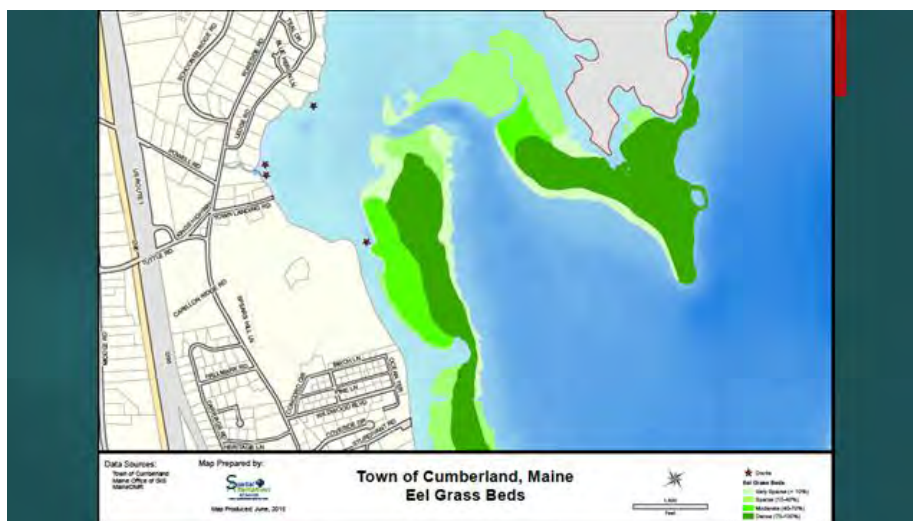
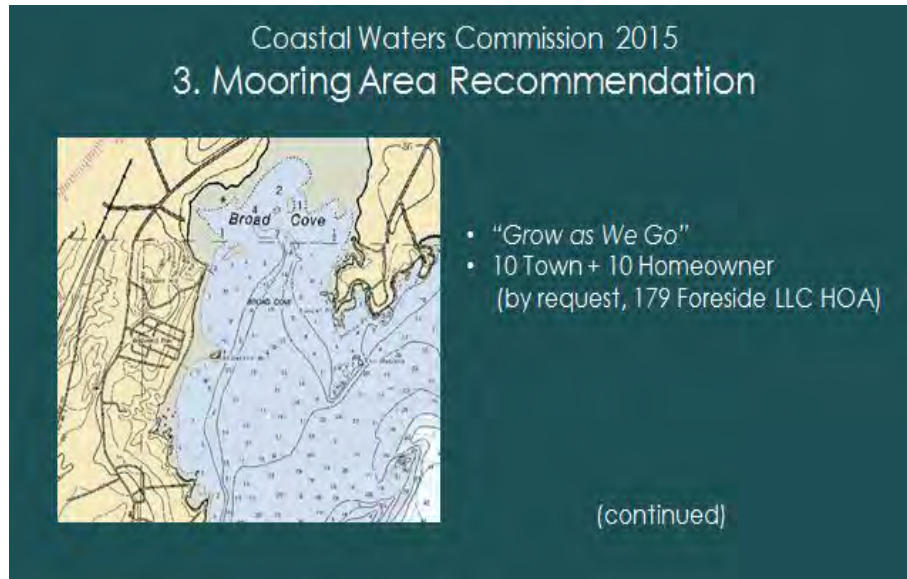
Motion by Councilor Gruber, seconded by Councilor Storey-King, to repeal and replace Chapter 48 (Coastal Waters) of the Cumberland Code, as recommended by the Coastal Waters Commission.

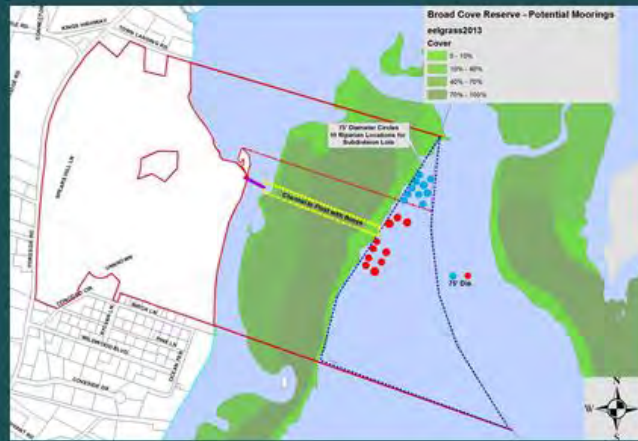
VOTE: 7-0

UNANIMOUS

15 – 168 To consider and act on authorizing the Town Manager to work with the Army Corps of Engineers and Coast Guard to create a new mooring area at Broad Cove Reserve.

Mr. Incze presented the following:





3. Mooring Area Recommendation (conclusion)

- Coast Guard & Army Corp Approval will be needed
- Tentative opening: Summer 2016
- 2 new floats for pier in 2016
 - multi-use, survey results
 - incorporated into future design
 - probably 12' x 24'



Questions?
Public Hearing 15-168

Motion by Councilor Gruber, seconded by Councilor Stiles, to authorize the Town Manager to work with the Army Corps of Engineers and Coast Guard to create a new mooring area at Broad Cove Reserve and add 1 or 2 additional floats in 2016.

VOTE: 7-0

UNANIMOUS

15 – 169 To hold a Public Hearing to consider and act on a Memorandum of Understanding with 179 Foreside Road, LLC for a future new pier at Broad Cove Reserve.

Coastal Waters Commission 2015
4. Pier-Sharing Agreement
(with 179 Foreside LLC HOA, *if* we go ahead with a pier replacement)

- Why is a new pier needed?
- What are the main points of the proposed agreement?
- What are the benefits to each party?

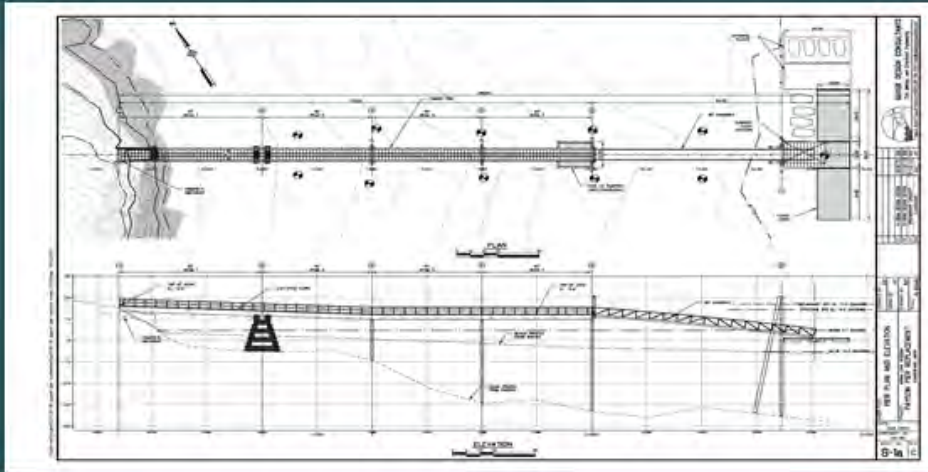
Engineering Report: Baker Engineers

Limited remaining service life

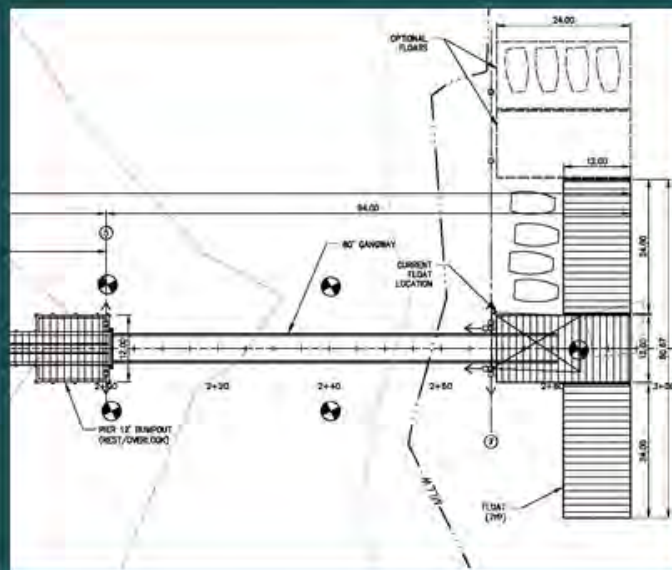


5 years or next major storm/icing

\$25,000 Shore & Harbor Planning Grant (State Planning Office, Maine Coastal Program) for design/engineering of a new pier, Baker Engineers



Issue: \$\$\$\$
(Presently \$329,000)



Proposed Agreement

- HOA would pay $\frac{1}{2}$ of capital cost of a replacement pier & floats, up to \$150,000
- HOA also would pay $\frac{1}{2}$ annual maintenance up to \$5,000 (includes float storage), plus a matched contribution to capital reserve fund up to \$5,000 for maint./repair (5 yr renewable)
- Town maintains full ownership and rule (same rules for everyone)
- HOA would have their own dinghies (2; possibly up to 5 in future determined by need, practicality, and Town) [Recall that Town will also provide dinghies for public use.]

Benefits

- Agreement would help ensure existence of a quality pier into the future—benefit to HOA and Town, ~50-year life
- Town would realize huge initial capital cost savings in event of pier replacement (& operational savings first 5 years)
- HOA will have their own dinghies (Town will provide others)

*** Commission's unanimous recommendation ***



Agreement does not commit to pier replacement, a decision to be made later, but makes replacement much more affordable & attractive

- Survey results to date, future plans



**Questions?
Public Hearing 15-169**

Chairman Bingham opened the Public Hearing.

Nathan Bateman thanked the Council and the Coastal Waters Commission for all their hard work on coming up with an excellent design.

Ted Chadbourne of 50 Stockholm Drive asked if \$300,000 were spent on a new pier, would that expenditure be voted on by the residents?

Chairman Bingham said that it would be a budget item, not a bond.

Chairman Bingham closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Turner, to authorize the Town Manager to execute a Memorandum of Understanding with 179 Foreside Road, LLC for a future new pier at Broad Cove Reserve.

VOTE: 7-0 UNANIMOUS

15 – 170 To hold a Public Hearing to consider and act on amendments to Chapter 84 (Fees and Fines), Section 19 (Shellfish Licenses) of the Cumberland Code, as recommended by the Shellfish Conservation Commission.

Town Manager Shane explained that there is a shortage of clams in our clam flats right now. The Shellfish Conservation Commission has decided to reduce all recreational shellfish license fees to \$10.00 and to waive the senior resident licenses fee. The commercial license fees will remain the same.

Motion by Councilor Turner, seconded by Councilor Stiles, to amend Chapter 84 (Fees and Fines), Section 19 (Shellfish Licenses) of the Cumberland Code, as recommended by the Shellfish Conservation Commission.

VOTE: 7-0 UNANIMOUS

15 – 171 To consider and act on amendments to Chapter 261 (Taxation), Article I (Property Tax Assistance) of the Cumberland Code, as recommended by the Senior Circuit Breaker Committee.

Councilor Copp said that the Senior Circuit Breaker Committee met to discuss this item and feel that this is a good plan. The Town Manager and staff have work very hard to come up with this plan after the State eliminated the program.

Councilor Stiles added that the application is a little more complicated than the previous application, but Town Staff will be available to assist anyone who needs help filling it out.

Motion by Councilor Gruber, seconded by Councilor Copp, to amend Chapter 261 (Taxation), Article I (Property Tax Assistance) of the Cumberland Code, as recommended by the Senior Circuit Breaker Committee.

VOTE: 7-0 UNANIMOUS

15 – 172 To hear a report from the Tax Collector re: Foreclosed Properties.

Town Manager Shane said that we bring the foreclosed property list to the Council every year. He is happy to report that this year we only have one resident who has two properties on the list. Per the Council's policy, we allow taxpayers up to 3 months to work with staff to get the properties out of foreclosure. He recommends tabling this item to March 15th to work with them and get the taxes current.

Motion by Councilor Storey-King, seconded by Councilor Stiles, to table to March 14, 2016.

VOTE: 7-0 UNANIMOUS

15 – 173 To appoint members to Boards and Committees.

Councilor Copp explained that the Nominating Committee met earlier this evening and is making the following recommendation:

Board of Adjustments and Appeals:

Reappoint Ron Copp, Sr., Christian Lewis, Michael Martin and Scott Wyman.

Board of Assessment Review:

Reappoint Mark Stevens and James Thomas

Board of Sewer Appeals:

Reappoint Ralph Oulton and Eileen Wyatt

Coastal Waters Commission:

Reappoint David Carlson and Hugh Judge

Appoint Anne Bulger

Cumberland Housing Authority:

Reappoint Connie Bingham and Bill Hanson

Appoint Sally Pierce

Lands & Conservation Commission:

Reappoint Ted Chadbourne, Ellen Hoffman and David Young

Appoint Sally Pierce and Anne Bulger

Planning Board:

Reappoint Jeff Davis

Appoint John Berrett

Prince Memorial Library Advisory Board

Reappoint David Echeverria

Recreation /Community Education Advisory Board

Appoint Patty Normandeau and Jeff Porter

Rines Property Citizens Advisory Committee

Reappoint Sally Stockwell, Bruce Wildes and Brian McAlister

Shellfish Conservation Commission

Reappoint John Berrett, Jessica Joyce and Robert Maloney

Appoint John Ryder and Ralph Oulton

Twin Brook Facility Advisory Committee:
Reappoint Michael Cooney, John Leavitt and Anne Witte

Val Halla Golf & Recreation Board of Trustees:
Reappoint Bill Hansen

Conservation Subdivision Advisory Committee:
Appoint Bob Waterhouse

The following committees will be sunset because they were task related committees and their work is complete:
Comprehensive Plan Update Committee
Cumberland Energy Advisory Committee
Land Use Committee
Veterans Monument Committee

Motion by Councilor Stiles, seconded by Councilor Copp, to accept the appointments as presented.
VOTE: UNANIMOUS

15 – 174 To authorize the Town Manager to accept a gift of 7.9 acres of land and to authorize the execution of a gift letter on the Town's behalf in the amount of \$47,400.

Town Manager Shane explained that the property owners notified him that they are not going to list their land for sale until January and they prefer to wait until 2016 to gift the land to the Town. He recommended tabling this item to December 28th.

Motion by Councilor Stiles, seconded by Councilor Storey-King, to table to December 28, 2015.
VOTE: 7-0 UNANIMOUS

15 – 175 To consider and act on the renewal of the Cumberland County Community Development Block Grant Program.

Town Manager Shane explained that this is a cooperative that we are involved in with multiple communities where we get together and decide how to spend the federal dollars that are sent to Cumberland County. This has been a successful program.

Motion by Councilor Turner, seconded by Councilor Copp, to authorize the renewal of the Cumberland County Community Development Block Grant Program.
VOTE: 7-0 UNANIMOUS

15 - 176 To set a Public Hearing date of December 28th to consider and act on Chapter 200 (Roads and Public Property), Section 2 (Animals at large) of the Cumberland Code, as recommended by the Ordinance Committee.

Motion by Councilor Stiles, seconded by Councilor Storey-King, to set a Public Hearing date of December 28th to consider and act on Chapter 200 (Roads and Public Property), Section 2 (Animals at large) of the Cumberland Code, as recommended by the Ordinance Committee.
VOTE: 7-0 UNANIMOUS

15 – 177 To set a Public Hearing date of December 28th to consider and act on a Class I Liquor License application for Cumberland House of Pizza for the period of January 17, 2016 – January 17, 2017.

Motion by Councilor Stiles, seconded by Councilor Copp, to set a Public Hearing date of December 28th to consider and act on a Class I Liquor License application for Cumberland House of Pizza for the period of January 17, 2016 – January 17, 2017.

VOTE: 7-0 UNANIMOUS

15 – 178 To set a Public Hearing date of December 28th to consider and act on a Class I Liquor License application for Louie's Grill for the period of January 8, 2016 – January 8, 2017.

Motion by Councilor Stiles, seconded by Councilor Copp, to set a Public Hearing date of December 28th to consider and act on a Class I Liquor License application for Louie's Grill for the period of January 8, 2016 – January 8, 2017.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Edes – he attended the annual Employee Appreciation Luncheon recently. It was nice to recognize the great work that our Town employees do. Thank you to all of them.

Councilor Gruber – thank you to the Aging in Place Committee for all your hard work. The Committee will be submitting a 501-C-3 application which will put them into non-profit status. This will allow us to go after our own funding for our Aging in Place program.

The Down Easters Chorus performed a holiday concert at Town Hall recently. It was very well attended.

There will be a luncheon at the Congregational Church this Thursday.

The committee is working on a ride program with the Congregational Church.

Sally Maynard passed away last week. She will be missed in our community.

The Town Council Finance Committee will meet with the School Finance Committee next Monday to talk about each other's budget process.

Councilor Storey-King – thank you to the 7th graders at Greely Middle School who have been collecting items for a baby supply drive for the food pantry. It has been exciting seeing the student engaged in this.

Both the Greely boys and girls basketball teams are exciting to watch right now.

She has been noticing a lot of trash and cans and bottle litter around Town. We all need to be doing a better job of taking care of our community and not littering.

Councilor Turner – he feels that the Town did the right thing when we purchased the property at the Broad Cove Reserve.

Chairman Bingham – Mike Perfetti and the Cumberland Community Band played at the tree lighting recently. They really sounded great and do a tremendous job.

Happy Holiday's to everyone.

Councilor Stiles – the Joint Standing Committee met with North Yarmouth last week to discuss a management plan for the Knight's Pond Property. The meeting went very well.

The Library has a very good weekly e-newsletter that is very informative. Everyone should sign up and know what great programs are happening at the Library.

He reminded everyone that we are continuing to take donations for the 4-H auction for next year that will benefit the Food Pantry with meat products. He thanked Councilor Copp for his continuous donation of \$20 at every Council meeting.

He wished everyone a very Merry Christmas and a safe and Happy New Year.

Councilor Copp – he wants to recognize the hard work that the Town Manager put into bringing back the Senior Circuit Breaker program. The new program is possible because the Manager cares about our senior residents. He hopes that everyone eligible will take advantage of this new program.

During this holiday season, he urged everyone to remember those less fortunate.

Town Manager Shane – Deputy Chief, Evariste Bernier of the Cumberland Fire/Rescue Department was chosen as the Employee of the Year at the employee appreciation luncheon this year. Evariste is a dedicated employee who does so much and we are very fortunate to have him as an employee.

Police Officer, Ryan Martin responded to a rescue call for a man having a cardiac issue in North Yarmouth recently. Because of his EMT training, Ryan saved the man's life three times before the rescue arrived. Having our police officers being EMT certified is a tremendous service to our community.

The Food Pantry will be handing out 85 Christmas baskets this year. We truly appreciate all the donations that we receive.

VI. ADJOURNMENT

Motion by Councilor Copp, seconded by Councilor Storey-King, to adjourn.

VOTE: 7-0 UNANIMOUS

TIME: 9:08 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

ITEM

15-179

To hold a Public Hearing to consider and act on a request from the Moonlight Skimmers Snowmobile Club to allow access to the trails in the Town Forest for snowmobiling



M E M O R A N D U M

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

To: Town Council
From: William R. Shane, Town Manager
Date: December 9, 2015
Re: Manager's Report - Snowmobiles

The Snowmobile Club has requested use of some of the trails in the Town Forest. I think they will be at your meeting and you may wish to consider to advertise this as a Public Hearing for Dec. 28th. The Lands & Conservation Commission is not in favor of additional access by snowmobiles in the Town Forest primarily due to safety concerns. I have attached their minutes to this memo.



Cumberland Town Lands and Conservation Commission

Date: December 5, 2015 (* = Chair; + = liaison TC; ++=Town Mgr.) Bill Shane++ (abs)
To: CTL&CC members: Tom Gruber + (late) Susan Nolde (abs)
Peter Bingham+ Brad Hilton *Sam York
Ted Chadbourne (late) Ellen Hoffman David Young (abs)
From: Ellen Hoffman
Re: Meeting December 2, 2015

- The minutes from November meeting were not discussed for approval.
- Town Forest – Seasonal request to use sections of the Town Forest (Earnest Rand) trail as a snowmobile trail. Tyler Nash and Shawn McBriarity of the Moonlite Sno-Skimmers snowmobile club attended the meeting. They presented their case of using sections of the Town Forest trail (from the salt shed down toward M11 (on red trail) around through M7 (on green trail) and exit the forest on their old trail. The major reason for this request is two-fold: 1) the existing snowmobile trail that bisects the Town Forest runs through a swampy area and needs maintenance; and 2) when the Village Green subdivision was built, their trail from the salt shed out to Route 9 was rerouted and not well groomed (contains many stumps and is not very level). [Refer to the 2014 Town Forest map for trail colors and marker numbers (M).]
- Discussion:
 - Their concerns/comments
 - They mentioned that in any scenario (use of rerouted trail or Town Forest trail) they would have to cut a new section to continue to Route 9 by the Mobile station.
 - They mentioned that the connector to Route 9 would need a sign when it enters private property (they have land owner permission to use).
 - Signage important – they will post at all intersections.
 - They mentioned that they would like to establish somewhat of a partnership with the Town and CL&CC to help maintain the Town Forest trails as well as other trails in town.
 - Mentioned that a pole needs to be removed (and change of anchor?) to get grooming equipment around (blocking entrance).
 - Our concerns /comments
 - We are not sure yet the extent of use of the new trails.
 - With the improvement of the trail, the users now include a wide variety of age groups.
 - Different needs of the trail – walkers/dog walkers, joggers, XC skiing, show shoeing, XC skiing HS. Problem with no speed limit for snowmobilers.
 - Mentioned that if they used the red trail instead of the rerouted trail, it would be further away from senior housing – noise issue. (Not everyone agreed this was an issue.)
 - It was asked if any restrictions on nighttime use (there is not). They mentioned that the majority of riding is daytime.

- Change the experience of walking the trail – noisy, safety issue especially at crossing, exhaust.
 - Mentioned that the signs they put up should use aluminum nails for safety.
 - Discussion around how to improve the intersection of the existing snowmobile trail and Town Forest trail since the Town Forest trail is higher. Talked about putting fill along sides to change isn't so abrupt – less dangerous for snowmobilers. Town should improve embankment and safety of trail.
 - Members think there should be no motorized vehicles on green trail.
- Final motion with our recommendation sent to Bill Shane (for Town Council):
 - The Cumberland Lands and Conservation Commission recommends to the Town Council not to permit snowmobiles on the green portion of the trail as depicted in the 2014 Map of the Town Forest Trail except for the snowmobile crossings. The speed at the trail crossings should be at no more than 10 MPH. The town should make trail crossings safe by adding fill to the sides of the snowmobile trail at these points where necessary.
- Town Forest:
 - Waiting on benches.
 - Sam has done some cutting around the (marked) hickory trees.
 - Joe Anderson was unable to find anyone available to spray buckthorn this fall. We need to be more on top of it for next year – get in line early. Also need to know the cost.
 - Brad will write up a game plan as far as a schedule for cutting/spraying going forward. Need to cut in the spring and spray in the fall.
 - Need to discuss what to do with the newly acquired triangle of land by the RR tracks that abuts the town forest. Idea of making it into a dog park. Possible project to look into for next year.
 - Remaining issues:
 - Talked about naming/marketing the trails by color. Sam mentioned that the state of Vermont uses some sort of colored plastic markers to mark their trails. The map at the kiosk will need to be update with new trail names.
 - Two large info signs – Ellen sent photos of signs to all and mentioned that the only change needed was to move the unmanaged forest sign down the trail slightly and to the other side since now as you read the sign, you see stumps from newly cut trees.
 - Tree info signs. Need to identify which trees/plants we want to mark for identification. Will need to figure out format. Project for next year. Sue suggested she might be interested in fund raising for project. Will the

location of the info signs be indicated on the kiosk map? Public works may also help with signs.

- There are 4 benches being made by the Yarmouth Rotary Club. The benches will have a back and possibly have the rotary insignia branded onto the back of the bench. The kiosk will also have a note about the benches being donated by the Yarmouth Rotary Club. When they are ready to be installed, need to coordinate with Bill and Cumberland public works – to help transport and provide any needed fill. After benches are in place, Town Council will do some sort of recognition to the Yarmouth Rotary Club.
- Sam questioned if we need more than the four benches. Will revisit later.
- Need to update Maine Trail Finders and other online sites once new trails are named and marked. Also need to update verbiage (EH).
- Town to do:
 - Rip-rap needs to be put around culverts
 - Mulch needed on sides of trail
 - Canal needs to be dredged
 - Still some clean-up work needs to be done in cut areas
 - Update map at kiosk – reorient – change color of land fill area.
 - Maybe see if Alpha 1 is interested in giving us feedback for wheelchair or access to limited mobility individuals.
- Grant for invasive plant education, control and eradication. Sue – no update
- Rines Forest – no update
- Vernal pools – no update
- Greely Woods – Back on the front burner – but no update
- Town owned properties on Range Way – link to Rock Ridge. Open Space Use survey results are in (roughly 20% response rate of neighbors). The results and implications were not discussed other than it was mentioned that the road needs to be improved. Town waiting to hear from Buzz Lamb's attorney.
- Ideas/ Project 2016 – need to discuss ideas next meeting. Need a clear plan for new members.
 - Town Forest – see above
 - Arbor Day and tree giveaway – (Sue and Ellen) next year
 - Cumberland Circle trail - Need to map with town's GPS
 - *Update the trail guide – online and hard copy.
 - Need to make sure submit write-up for annual report to get more exposure. (Sam)
- **Next meeting January 6th 7pm**

ITEM

15-180

To authorize the Town Manager to accept a gift of 7.9 acres of land and to authorize the execution of a gift letter on the Town's behalf in the amount of \$47,400

William Shane

From: William Shane
Sent: Tuesday, December 22, 2015 9:44 AM
To: 'Hugh and Pam Harwood'
Subject: RE: Harwood Property

Hi Pam & Hugh,

I asked the Town Council to table your request and I explained you were placing your property on the market in January. Unless I hear that you have changed your mind and do wish the gift letter for this tax year, the Town Council will table the gift letter request on Monday, December 28th until you are ready to execute the transfer.

Thank you again for your consideration and this potential gift to the Town.

Happy Holidays!

Bill

William R. Shane, P.E.
Town Manager
290 Tuttle Road
Cumberland, Maine 04021

Tel: 207-829-2205
Fax: 207-829-2224
Cell: 207-232-5258



M E M O R A N D U M

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

To: Town Council
From: William R. Shane, Town Manager
Date: December 9, 2015
Re: Items 15- 174 – Gift of 7.9 Acres of Land near Town Forest

The Pam and Hugh Harwood have offered a 7.9 Acre gift to the Town. This land will allow us to even off our property lines from the Town Forest to the Railroad Tracks.

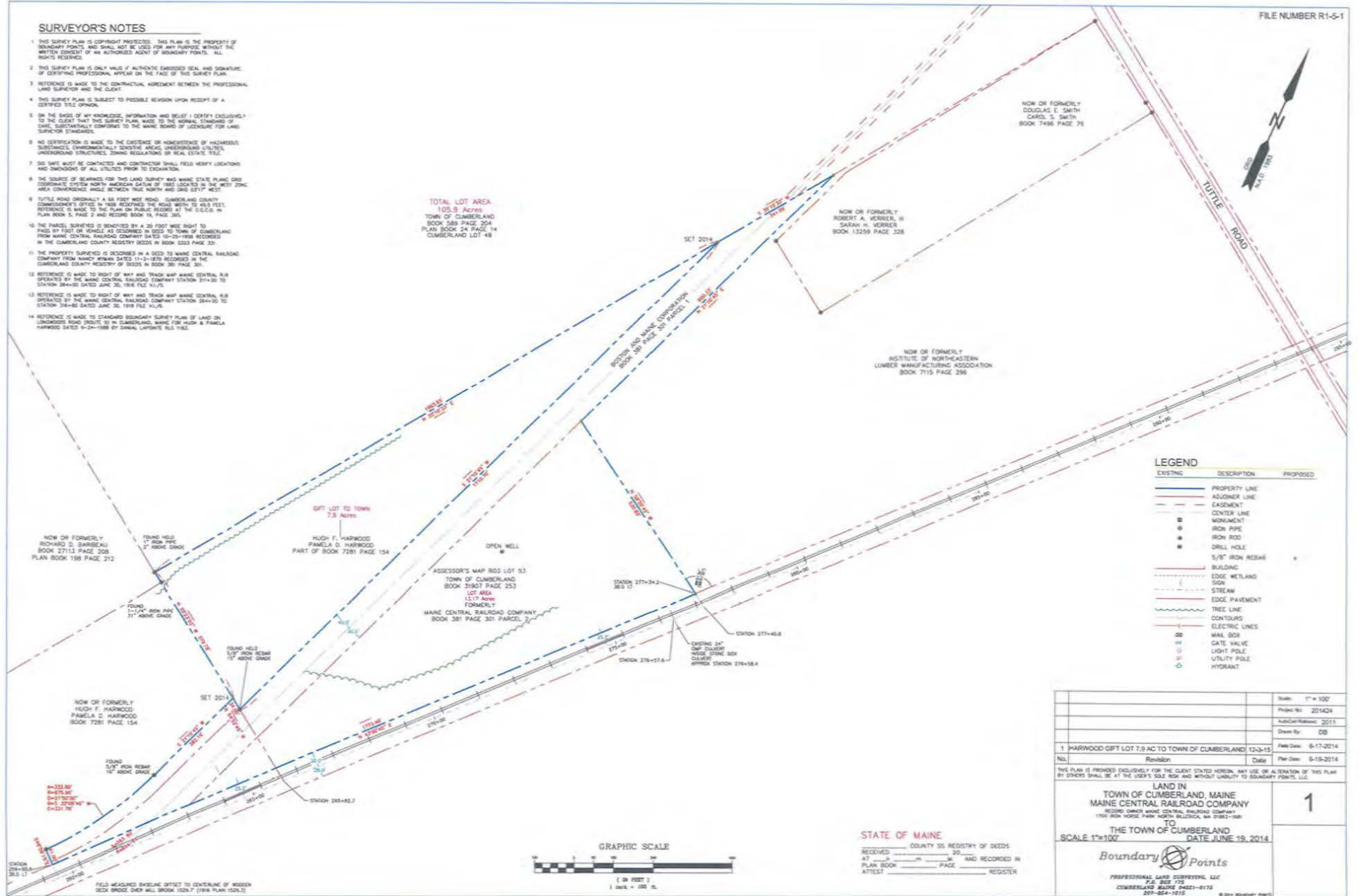
I am recommending we accept the 7.9 Acre piece of land and ask for your authorization to execute a gift letter in the amount of \$47,400 to the Harwood's (\$6,000 per acre x 7.9 Acres).



SURVEYOR'S NOTES

1. THIS SURVEY PLAN IS COPYRIGHT PROTECTED. THIS PLAN IS THE PROPERTY OF BOUNDARY POINTS AND SHALL NOT BE USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF BOUNDARY POINTS. ALL RIGHTS RESERVED.
2. THIS SURVEY PLAN IS ONLY VALID IF AUTHENTIC GEMMED SEAL AND SIGNATURE OF CERTIFYING PROFESSIONAL APPEAR ON THE FACE OF THIS SURVEY PLAN.
3. REFERENCE IS MADE TO THE CONTRACTUAL AGREEMENT BETWEEN THE PROFESSIONAL LAND SURVEYOR AND THE CLIENT.
4. THIS SURVEY PLAN IS SUBJECT TO POSSIBLE REVISION UPON RECEIPT OF A CERTIFIED TITLE OPINION.
5. ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, I CERTIFY EXCLUSIVELY TO THE CLIENT THAT THIS SURVEY PLAN WOULD BE THE NORMAL STANDARD OF CARE, SUBSTANTIALLY CONFORMING TO THE MAINE BOARD OF LAND SURVEYOR STANDARDS.
6. NO CERTIFICATION IS MADE TO THE EXISTENCE OR NON-EXISTENCE OF HAZARDOUS SUBSTANCES, ENVIRONMENTALLY SENSITIVE AREAS, UNDERGROUND UTILITIES, UNDERGROUND STRUCTURES, ZONING REGULATIONS OR REAL ESTATE TITLES.
7. SEE NOTE MUST BE CONTACTED AND CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND DIMENSIONS OF ALL UTILITIES PRIOR TO EXCAVATION.
8. THE SOURCE OF BEARINGS FOR THIS LAND SURVEY WAS MAINE STATE PLAIN COORDINATE SYSTEM NORTH AMERICAN DATUM OF 1983 LOCATED IN THE WEST ZONE. AREA CONFORMANCE SHALL BE WITHIN TRUE NORTH AND GRID 22171. WEST.
9. THE PARCEL SURVEYED IS BOUNDARY BY A 20 FOOT WIDE RIGHT OF WAY BY FIRST OF VEHICLE AS DESCRIBED IN DEED TO TOWN OF CUMBERLAND FROM MAINE CENTRAL RAILROAD COMPANY DATED 10-20-1956 RECORDED IN THE CUMBERLAND COUNTY REGISTRY DEEDS IN BOOK 3223 PAGE 331.
10. THE PROPERTY SURVEYED IS DESCRIBED IN A DEED TO MAINE CENTRAL RAILROAD COMPANY FROM MAINE STATE PLAIN DATED 11-2-1970 RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 381 PAGE 301.
11. REFERENCE IS MADE TO RIGHT OF WAY AND TRAIL MAP MAINE CENTRAL R.R. UPDATED BY THE MAINE CENTRAL RAILROAD COMPANY STATION 271+00 TO STATION 284+00 DATED JUNE 30, 1916 FILE 17/15.
12. REFERENCE IS MADE TO RIGHT OF WAY AND TRAIL MAP MAINE CENTRAL R.R. OPERATED BY THE MAINE CENTRAL RAILROAD COMPANY STATION 284+00 TO STATION 294+00 DATED JUNE 30, 1916 FILE 17/15.
13. REFERENCE IS MADE TO STANDARD BOUNDARY SURVEY PLAN OF LAND ON LONGWOODS ROAD (ROUTE 9) IN CUMBERLAND, MAINE FOR HUGH & PAMELA HARWOOD DATED 9-24-1988 BY DANIEL LAFORTUNE, RLS 1142.

TOTAL LOT AREA
105.9 Acres
TOWN OF CUMBERLAND
BOOK 589 PAGE 204
PLAN BOOK 24 PAGE 14
CUMBERLAND LOT 48



LEGEND

EXISTING	DESCRIPTION	PROPOSED
—	PROPERTY LINE	—
—	ADJOINER LINE	—
—	EASEMENT	—
—	CENTER LINE	—
●	MONUMENT	●
●	IRON PIPE	●
●	IRON ROD	●
●	DRILL HOLE	●
—	5/8" IRON REBAR	—
—	BUILDING	—
—	EDGE WETLAND	—
—	STREAM	—
—	EDGE PAVEMENT	—
—	TREE LINE	—
—	CONTOURS	—
—	ELECTRIC LINES	—
—	WALL	—
—	GATE VALVE	—
—	LIGHT POLE	—
—	UTILITY POLE	—
—	HYDRANT	—

Scale: 1" = 100'	
Project No: 201424	
AutoCad Release: 2011	
Drawn By: DB	
Field Date: 6-17-2014	
No. 1	Revision: Date: 6-15-2014
This plan is provided exclusively for the client stated herein. Any use or alteration of this plan by others shall be at the user's sole risk and without liability to Boundary Points, LLC.	
<p>LAND IN TOWN OF CUMBERLAND, MAINE MAINE CENTRAL RAILROAD COMPANY TO THE TOWN OF CUMBERLAND DATE JUNE 19, 2014</p> <p>SCALE 1"=100'</p> <p>Boundary Points</p> <p>PROFESSIONAL LAND SURVEYOR, LLC P.O. BOX 775 CUMBERLAND MAINE 04230-0775 207-864-1815</p>	
1	

STATE OF MAINE

RECEIVED _____ COUNTY SS. REGISTRY OF DEEDS
AT _____ AND RECORDED IN
PLAN BOOK _____ PAGE _____
ATTEST _____ REGISTER

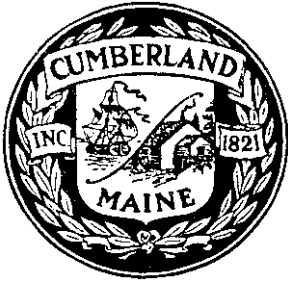
GRAPHIC SCALE



ITEM

15-181

To hold a Public Hearing to consider and act on amendments to Chapter 200 (Roads and Public Property), Section 2 (Animals at large) of the Cumberland Code (dogs at the Broad Cove Reserve), as recommended by the Ordinance Committee



M E M O R A N D U M

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

To: Town Council
From: William R. Shane, Town Manager
Date: December 22, 2015
Re: Dogs at Broad Cove

Attached you will find the draft minutes of the Dec. 9th Ocean Access Committee. The Committee recommended no change to the Broad Cove Management Policy which does not allow dogs on the Town Owned property on the 21+ Acre parcel.

The enforcement of this policy will require codification, but does create some difficulty for our Police Department. An owner walking up the access road (Beach Drive) would technically be in violation of our ordinance if the rules applied to the Broad Cove Reserve Property.

The Ordinance Committee agreed that the prohibition should:

- Require all dogs to be on leash at all times from the turnaround on Beach Drive back to Rt 88
- Dogs should be restricted to the walking path through the woods to the Stone wall trail on Rt 88
- No dogs shall be allowed beyond the Beach Drive turnaround (beach and grass field areas)

The Council will need to vote on which policy or recommendation that wish to codify.

**Ocean Access Committee
Meeting Minutes
December 9, 2015
Cumberland Town Offices – Council Chambers
6:00 P.M.**

I. Call to Order: The meeting was called to order at 6:05 p.m.

Roll Call: Present:

Denny Gallaudet, Chair, Maureen Connolly, Vice-Chair, C. Ingrid Parkin, , Charles Adams, Lew Incze, Stephen Thomas, Tom Gruber, Council Liaison, Penny Asherman, CCLT, - recused

Absent: Sandra Gorsuch-Plummer, George Turner, Council Liaison

Staff: Bill Shane, Town Manager, Pam Bosarge, Administrative Assistant

II. Approval of the September 9, 2015 Minutes:

Mr. Adams moved to approve the minutes of September 9, 2015 as presented.

Ms. Parkin seconded.

VOTE: UNANIMOUS 6-0

III. Report from Coastal Waters Commission Meeting – Lew Incze.

Mr. Incze stated the Coastal Waters Commission will be presenting its recommendations to the Town Council on Monday night.

Mr. Gallaudet asked if the Committee was looking for any action from the Ocean Access Committee.

Mr. Incze stated no; just comments.

Mr. Incze reviewed the recommendations of the Coastal Waters Commission to be presented to the Town Council. Mr. Incze stated there was a public survey with approximately 40 responses.

Mr. Incze reviewed the recommendations as follows:

- Establish a New Mooring Area in Braod Cove
- Mooring Area Recommendation “Grow as we Go”
- 10 Town & 10 Homeowner Moorings (by request, 179 Foreside LLC HOA)
- Moorings to be located outside of Eel grass area review of proposed mooring location – with a proposed buoy channel from the pier.
- Tenative opening: Summer 2016
- 2 new floats for pier in 2016 – incorporate into future design – proposed 12’ x 24’ floats
- Provida a recommendation concerning a Pier Sharing Agreement between the Town and 179 Foreside HOA at Broad Cove Reserve.
 - The pier has a limited remaining life span of 5 years / or a major storm.
 - The Town has received a 25,000 Shore & Planning Grant.
 - Currently 80% of the design work has been completed
 - The new pier proposal will be six feet wide
 - The anticipated cost will be \$329,000.

- The proposed cost sharing agreement is for the HOA to pay ½ capital cost of a replacement pier and float.
- HOA pay ½ annual maintenance up to \$5,000 (includes storage), plus a matched contribution to capital reserve fund up to \$5,000 for maint. / repair (5 year renewable)
- HOA would have their own dinghies (2: possibly up to five in future, determined on need and practicality, and Town) (Recall that the Town will also provide dinghies for public use).

Committee comments:

- How were people notified of the survey? It was recommended that it be included in the Crier and Forecaster.
- Hours for boaters and Homeowners'
- Will small carts be allowed to haul belongings to boats; will there be room to leave the carts for the day.
- Will there be need for lighting on the pier.
- Will the new floats accommodate the ADA ramp?
- The Committee discussed the need for dinghies and space availability and who would have access to the dinghies.
- Question of whether it would be feasible for the HOA to pay half the cost of the new pier and not be limited to \$150,000 if the cost is estimated at \$329,000

Response to comments:

- The survey was recommended by the consultant; the Town interns will return for the Holiday break and will work on circulation of the survey.
- The gate will be open from sunrise to sunset. It will be difficult to regulate when Homeowners' have access for boating hours.
- Carry in and out boats will be allowed
- Barney Baker suggested solar lighting; which will be a policy and management question
- The ADA ramp will be at a later time due to cost and structure required
- The dinghies will need to be figured out as the needs arrive; there is not a lot of anticipation for moorings in this area due to the depth of the water
- The pier is still in the design phase and half cost sharing is feasible and will be discussed with actual cost numbers.

IV. Improvements – HC Parking, drainage, loop access, gate

Mr. Shane reviewed the signage and improvements as follows:

- There are no parking signs on the right side of the road.
- The temporary parking on the left side of the road will accommodate 25 vehicles. There have been stakes placed to designate parking areas. Handicapped parking signs will be up next week.
- The boat house has been moved – the location has been cleaned up and spread with wood chips and has a silt barrier fence for protection.
- The gate will be installed next week.
- The level spreader has been installed for drainage
- Thomas Bennet has received a \$5,000 grant for archeological studies and is applying for an \$18,000 grant. He has been in touch with the high school.
- The gate is the last piece of the improvements for this season

Committee Comments:

- Should the temporary parking be used as permanent instead of building a parking lot? It might be very difficult to transition people from parking along the road.
- Will the gate be locked in the evenings – *it will be closed not locked*
- Question when visiting the site should the Committee members say something to people with dogs

Mr. Shane stated the Ordinance Committee has recommended to the Council:

- No dogs beyond gate
- Leash only back to Route 88 – with the exception of the Stone Wall Trail

The Committee discussed dogs and what impact it would have in continuing to allow them on the Stone Wall Trail.

Section Related to Dogs at Broad Cove pg. 3 of Draft meeting minutes Dec. 9, 2015

Mr. Shane stated this is something that will be an issue in the future; and asked for input from the Committee.

Mr. Gallaudet asked if there was a motion to consider amending the current no dogs allowed policy.

Mr. Thomas moved to consider amending the current policy of no dogs allowed at Broad Cove Reserve.

The motion did not pass due to lack of a second. The Committee was in favor of leaving the no dog policy as stated.

Comments:

- The CCLT may want to re-consider dogs on the Stone Wall Trail.
- Signage is required to inform people that no dogs are allowed at Broad Cove Reserve, it was suggested to place a sign just past Spears Hill
- Place no dog notice in the Forecaster and Crier
- To send a notice of all rules for dogs on town properties with Dog License Renewals and at time when dogs are licensed.

Mr. Shane stated the Town Council will be discussing dog policy and rules at the December 28th Council meeting. The only enforcement for dogs is to amend the Ordinances.

V. Forrest Bell Presentation –

Mr. Shane suggested we have Forrest Bell present his report on invasive species at the January meeting to allow time to consider any monetary concerns for the fiscal year 2017 budget. The Code Officer has informed us that all cutting on the property is at maximum according to Shoreland Zoning. This would also include invasive species. We should invite Mr. Longley to the January meeting to hear the presentation of Forrest Bell.

VI. Other Business:

Ms. Asherman stated there is a grant available for \$3,000 to \$5,000 for interpretive signage; the application deadline is the third week in January. Thomas Bennet will help with the grant and Ms. Parkin will work with Ms. Asherman on submitting the grant.

Councilor Gruber and the Committee thanked Mr. Gallaudet for his excellent job as chair of the committee. The Committee was able to accomplish a great amount of work with his guidance.

VII. Adjournment: The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Pam Bosarge
Administrative Assistant



M E M O R A N D U M

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

To: Town Council
From: William R. Shane, Town Manager
Date: December 9, 2015
Re: Items 15- 176 – Chapter 200 Roads& Public Property

The Ordinance Committee may have a recommendation for you at your Dec 28th meeting related to Dogs at the Broad Cove Reserve Property. Currently we have a policy in the management plan restricting dogs from the property. Up to 3 homes may access their properties from Beach Drive, making compliance with this policy difficult if you are walking a dog long the road. The Ocean Access Committee also will be discussing this at their Dec 9th meeting and hopefully will have a recommendation for you.

No Action Necessary for Monday Evening other than to set Public Hearing.

William Shane

From: William Shane
Sent: Saturday, December 05, 2015 12:19 PM
To: Denny Gallaudet
Cc: Ocean Access Committee; Chris Bolduc
Subject: Dogs at Broad Cove
Attachments: LI Presentation 12-14-15.jpg; Modified Dog Restriction.jpg

Hi Denny,

For enforcement of the dog ordinance we need to make a recommendation to the Town Council for their meeting on Dec 28th. The piece we may have missed; however, is access for homeowners to their property. This impacts at least two and possibly three future homeowners. They would need to drive their dogs (inside their cars) to RT 88 if they wished to walk their dog in order not to violate the current Management Plan Language.

You may wish to consider a modification of the Management Plan and a recommendation to the Town Council for the Ordinance Language to reflect this. I had stopped a dog walker on the road and told her she was in violation of the Town's policy prohibiting dogs on the property and she actually brought up the fact of how would a dog owner living on the property get a dog to Rt 88 without driving it?

Currently, the prohibition is a "policy" and unenforceable by our Animal Control Officer unless codified.

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

An easy fix would be to prohibit dogs from the beach or at the gate. The gate will be up within the next two weeks.

See you Wednesday,

Bill

William R. Shane, P.E.
Town Manager
290 Tuttle Road
Cumberland, Maine 04021

Tel: 207-829-2205
Fax: 207-829-2224
Cell: 207-232-5258

Chapter 200

Roads and Public Property

[HISTORY: Adopted by the Town of Cumberland as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Stormwater management — See Ch. **242**.

Street names and property numbers — See Ch. **246**.

Subdivision of land — See Ch. **250**.

Article I

Roads and Town-Owned Property

[Adopted 5-20-1985]

§ 200-1 **Digging up street or highway.**
[Amended 9-10-2012]

No person, except by direction of the Road Commissioner, when acting within the scope of his authority, shall dig up any part of a street, highway, or Town way without first obtaining written permission from the Town Council. Whoever violates this section shall be punished as provided in § **200-5**.

§ 200-2 **Animals at large.**
[Amended 9-10-2012; 7-14-2014]

- A. Whoever, being the owner or person having the care of any sheep, swine, horses, oxen, cows, or other grazing animals, shall permit them to go at large or to graze on any street, lane, park, square, cemetery or other public place within the limits of the Town of Cumberland, or permit any such animal to go or stand upon any sidewalk therein, and whoever shall fasten any horse or other grazing animal to any tree growing in any street, public way or park within said limits, shall be subject to violations as provided in § **200-5**.
- B. Dogs shall be considered at large when on Town-owned public property such as cemeteries, Prince Memorial Library, the Cumberland Historical Society, Town Hall, and any other Town-owned open space located within 100 feet of a residential property, as well as all athletic fields, unless controlled by a leash of not more than 15 feet in length. Dogs are permitted in the Rines Forest and on all Town-owned open space located more than 100 feet from a residential property, except as otherwise specifically excluded above, provided that they are on leash or under voice control. Dogs shall be permitted on all other Town-owned property pursuant to the times and rules as designated in the table below:

	Twin Brook	Twin Brook	Twin Brook	Twin Brook	Val Halla	Val Halla	Broad Cove Reserve
	(Tuttle Road)	(Tuttle Road)	(Greely Road)	(Greely Road)			Prohibited from turnaround on Beach Drive to the Water
	3/1 – 12/1	12/2-2/28	3/1-12/1	12/2-2/28	3/1-12/1	12/2-2/28	Year Round
Open to noon	Voice Control	Not Allowed	Leash Only	Voice Control	Not Allowed	Voice Control	Leash Only
Noon to close	Leash Only	Not Allowed	Voice Control	Voice Control	Not Allowed	Voice Control	Leash Only
During organized activities	Leash Only	Not Allowed	Leash Only	Voice Control	Not Allowed	Voice Control	Leash Only

	Twin Brook	Twin Brook	Twin Brook	Twin Brook		
	(Tuttle Road)	(Tuttle Road)	(Greely Road)	(Greely Road)	Val Halla	Val Halla
	3/1 – 12/1	12/2 – 2/28	3/1 – 12/1	12/2 – 2/28	3/1 – 12/1	12/2 – 2/28
Open to noon	Voice control	Not allowed	Leash only	Voice control	Not allowed	Voice control
Noon to close	Leash only	Not allowed	Voice control	Voice control	Not allowed	Voice control
During organized activities	Leash only	Not allowed	Leash only	Voice control	Not allowed	Voice control

- C. "Voice control" shall mean that the dog returns immediately to and remains by the side of the owner in response to the owner's verbal command. The owner of a dog under voice control shall have in hand at all times a leash of not more than 15 feet in length in order to restrain the dog as needed. A leash shall not include an electronic control collar or other device. "Owner" shall mean any person who is an actual owner of a dog or is in possession or keeping of a dog on public property. No more than three dogs shall be under the control of one owner at one time while on public property.
- D. "Public property" shall mean all land owned by the Town of Cumberland, including without

limitation Twin Brook Recreation Area, the Rines Forest, the Town Forest and Val Halla Golf Course and Recreation Center. All additional regulations and policies as adopted by the Town Council for specific public property as well as Chapter **17**, Animal Control, of this Code shall also apply to animals at large and owners. Where the provisions of this article and another applicable policy or chapter are in conflict, the more restrictive provision shall apply.



RD

ELL RD

TOWN LANDING RD

TUTTLE RD

CARILLON RIDGE RD

SPEARS HILL LN

FORESIDE RD

HALLMARK RD

SURREY LN

CARRIAGE RD

HERITAGE LN

BIRCH LN

PINE LN

WILDWOOD BLVD

COVESIDE DR

STURDIVANT RD

OCEAN TER

R95

R95

US ROUTE 41



Gate

ITEM

15-182

To hold a Public Hearing to consider and act on a Class I Liquor License application for Cumberland House of Pizza for the period of January 17, 2016 – January 17, 2017

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES 01/17/2016

INDICATE TYPE OF PRIVILEGE: ☐ MALT ☐ SPIRITUOUS ☐ VINOUS

INDICATE TYPE OF LICENSE:

- ☒ RESTAURANT (Class I,II,III,IV)
☐ HOTEL-OPTINONAL FOOD (Class I-A)
☐ CLASS A LOUNGE (Class X)
☐ CLUB (Class V)
☐ TAVERN (Class IV)

- ☐ RESTAURANT/LOUNGE (Class XI)
☐ HOTEL (Class I,II,III,IV)
☐ CLUB-ON PREMISE CATERING (Class I)
☐ GOLF CLUB (Class I,II,III,IV)
☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B/A)		
SHKELBIA DOBRA DOB: 01/27/1963			CUMBERLAND HOUSE OF PIZZA		
VIOLETA DOBR DOB: 02/06/1960					
Address <u>H9 DRION WAY</u>			Location (Street Address) <u>176 Grey Road</u>		
			City/Town <u>CUMBERLAND</u>	State <u>ME</u>	Zip Code <u>04021</u>
			Mailing Address <u>P.O. Box 297</u>		
City/Town <u>WINDHAM</u>	State <u>ME</u>	Zip Code <u>04062</u>	City/Town <u>WINDHAM</u>	State <u>ME</u>	Zip Code <u>04062</u>
Telephone Number <u>207-892-0195</u>	Fax Number <u>0</u>		Business Telephone Number <u>207-829-5400</u>	Fax Number <u>207-829-5400</u>	
Federal I.D. # <u>20-5046874</u>			Seller Certificate # <u>1091307</u>		

3. If premises is a hotel, indicate number of rooms available for transient guests: N/A
4. State amount of gross income from period of last license: ROOMS \$ N/A FOOD \$ 328,560 LIQUOR \$ 39,922.93
5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
- If YES, complete Supplementary Questionnaire
6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name: N/A
8. If business is NEW or under new ownership, indicate starting date: N/A
Requested inspection date: 01/12/2016/any date Business hours: 11:00 AM - 9:00 PM Sunday - Saturday
9. Business records are located at: _____
10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐
11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
SHKELQIN DOBRA	01/27/1963	ALBANIA
VIOLETA DOBRA	02/06/1960	ALBANIA

Residence address on all of the above for previous 5 years (Limit answer to city & state)

H SKAMPA DRIVE #2, WINDHAM, ME 04062
H SKAMPA DRIVE #2, WINDHAM, ME 04062

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: CHRIS COPP

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____
BAR - SEE THE ATTACHED

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☐ NO ☒ Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1 mile Which of the above is nearest? PARISH HOUSE

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

**Supplemental Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

CUMBERLAND HOUSE OF PIZZA

2. Other business name for your entity (DBA), if any:

N/A

3. Date of filing with the Secretary of State: July 01, 2008

4. State in which you are formed: MAINE

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: N/A

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
SHKELQIN DOBRA	H SKAMPA DRIVE, #2	01/27/1963	50%
VIOLETA DOBRA	H SKAMPA DRIVE, #2	02/06/1960	50%

7. Is any principal person involved with the entity a law enforcement official?

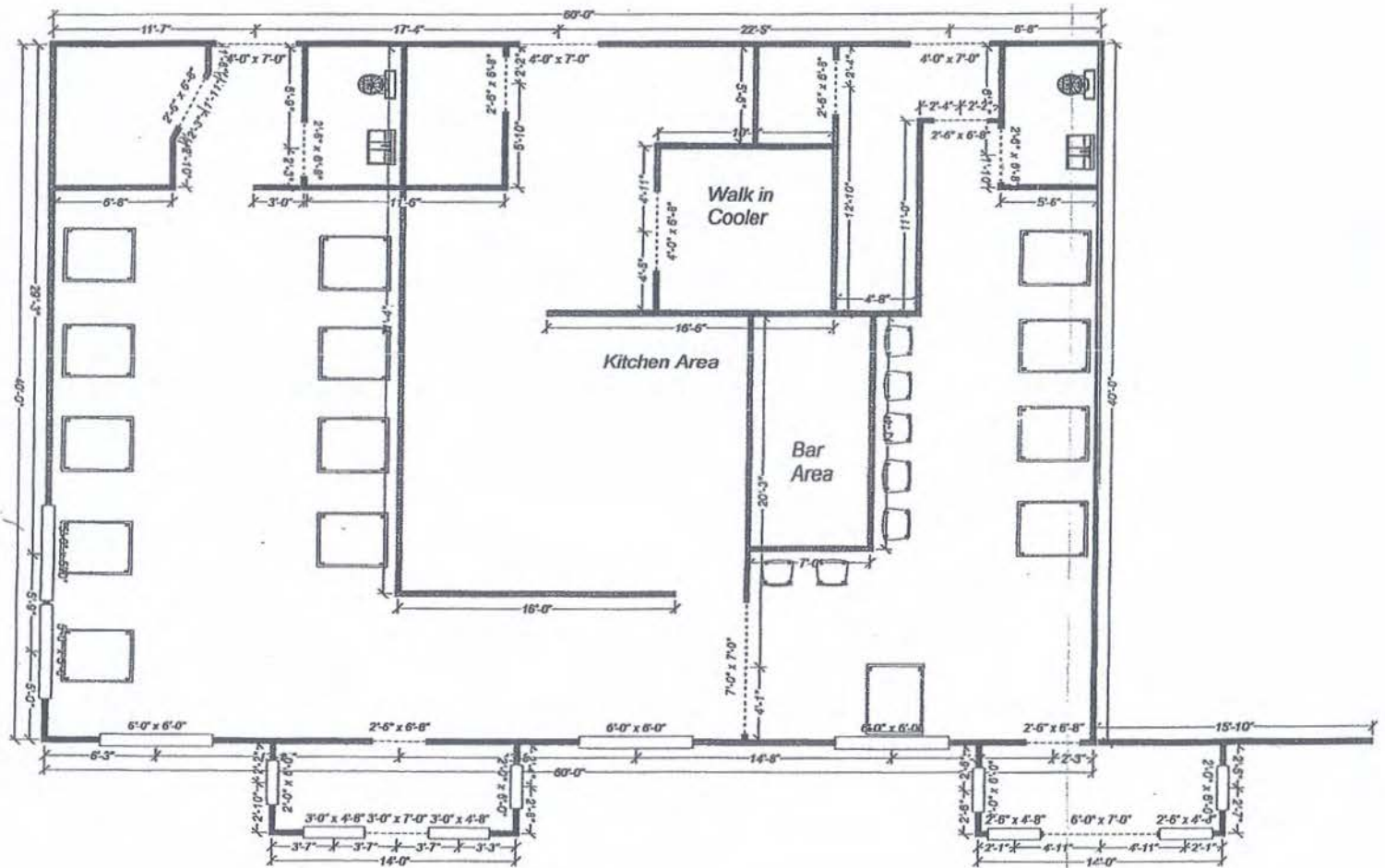
Yes

☐

No

☒

8. If Yes to Question 7, please provide the name and law enforcement agency:



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

STATE OF MAINE

Dated at: _____, Maine _____ ss
City/Town (County)
On: _____
Date

The undersigned being: _____ Municipal Officers _____ County Commissioners of the
_____ City _____ Town _____ Plantation _____ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal within 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A §4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A §4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

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

Dated at: _____ on _____, 20 _____

Town/City, State

Date

Please sign in blue ink

x Shkelqin Dobra
Signature of Applicant or Corporate Officer(s)

x Violeta Dobra
Signature of Applicant or Corporate Officer(s)

SHKELQIN DOBRA
Print Name

VIOLETA DOBRA
Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE..... \$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐

No



10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

[Signature]
Signature of Duly Authorized Person

NOVEMBER 16, 2015
Date

SHKELQIM DOBRA
Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

ITEM

15-183

To hold a Public Hearing to consider and act on a Class I Liquor
License application for Louie's Grill for the period of
January 8, 2016 – January 8, 2017

BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES

1-8-16

INDICATE TYPE OF PRIVILEGE:

☒ MALT

☒ SPIRITUOUS

☒ VINOUS

INDICATE TYPE OF LICENSE:

☒ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTINONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER:

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) -(Sole Proprietor, Corporation, Limited Liability Co., etc.) LOUIE'S GRILLE LLC DOB:			2. Business Name (D/B/A) LOUIE'S GRILLE		
JAMES GUIDI DOB: 5/8/62			319 Main St		
319 Main St. DOB:			Location (Street Address)		
Address			CUMBERLAND Maine 04021		
City/Town State Zip Code			City/Town State Zip Code		
Cumberland, Me 04021			same		
Mailing Address			Mailing Address		
City/Town State Zip Code			City/Town State Zip Code		
Telephone Number Fax Number			Business Telephone Number Fax Number		
Federal I.D. # 46-2666810			Resale # 1164980		
			Seller Certificate # 24600		

LIQ. LIC # 7757

EMAIL ADDRESS:

jguidi@maine.rr.com

3. If premises is a hotel, indicate number of rooms available for transient guests:

N/A

4. State amount of gross income from period of last license: ROOMS \$

FOOD \$ 913381

LIQUOR \$ 90505

5. Is applicant a corporation, limited liability company or limited partnership?

YES ☒ NO ☐

complete Supplementary Questionnaire, If YES

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name: _____

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

9. Business records are located at: 319 Main Street

10. Is/are applicant(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
JAMES P GIVON	5-8-62	Portland, ME

Residence address on all of the above for previous 5 years (Limit answer to city & state)

14 Hedgerow Drive Cumberland, Maine

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: FLASH Island Inc. 220 Maine Mall Rd S. Portland

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

48 SEAT Full Serve Restaurant - Lunch + Dinner Only

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 500 + Which of the above is nearest? School

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Family Private loan

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Cumbersland Maine on 12-22-15, 20 15
Town/City, State Date

James P. Guidi
Signature of Applicant or Corporate Officer(s)
JAMES P GUIDI
Print Name

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE.....\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to the **Treasurer of Maine**. This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 8 State House Station Augusta ME 04333-0008. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: _____, Maine _____ SS
City/Town (County)

On: _____
Date

The undersigned being: ف Municipal Officers ف County Commissioners of the
ف City ف Town ف Plantation ف Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and herby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal within 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

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



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

**Supplemental Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

LOUIE'S GRILLE LLC

2. Other business name for your entity (DBA), if any:

LOUIE'S GRILLE

3. Date of filing with the Secretary of State: _____

4. State in which you are formed: Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: N/A

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
James P Guin	14 Hedgerow Drive	5/8/62	100%
	Cumecoland		

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐

No ☒

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

Signature of Duly Authorized Person

Date

Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

ITEM

15-184

To appoint Tamara O'Donnell as Registrar of Voters for the term
of January 1, 2016 through December 31, 2017



MEMORANDUM

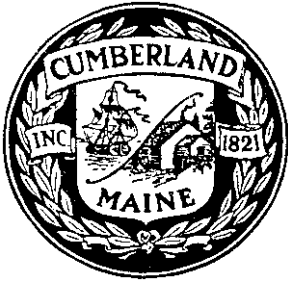
Town of Cumberland, Maine
290 Tuttle Road
Cumberland Center, ME 04021
Telephone (207) 829-2205 • Fax (207) 829-2214

To: Town Council
From: William R. Shane, Town Manager
Date: December 22, 2015
Re: Appointment of Registrar of Voters

Every odd numbered year, the Town Council is required by State Law, to appoint a Registrar of Voters who is responsible for the maintenance and keeping of all the official records pertaining to voter registration. I recommend the reappointment of Town Clerk, Tamara O'Donnell as Registrar of Voters from January 1, 2016 – December 31, 2017.

ITEM 15-185

To consider and act on authorizing the Town Manager to notify
Cumberland County that we will not continue Assessing services
in FY2017



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

December 29, 2015

Peter J. Crichton, MPA, CMM
County Manager
Cumberland County
142 Federal Street
Portland, ME 04101

RE: Notice to Not Continue with County Assessing Services

Dear Peter:

The Cumberland Town Council voted unanimously Monday evening to discontinue County Assessing Services beginning in the new Fiscal Year (July 1, 2016). We appreciate the opportunity to participate in this regional program and sincerely wish you and your staff the best in the future.

Unfortunately, the program did not meet the expectations of the Town Council and its desire to deliver a more personalized level of service as it related to taxation of property within the community.

Thank you and Renee Lachapelle, the new Assessor, for the professionalism and much improved level of service since her taking over the program in Cumberland. I am confident you will be well served by Renee and your service will grow under her leadership.

Yours Truly,

William R. Shane, P.E.
Town Manager

ITEM 15-186

To appoint members to vacant Board & Committee seats

TOWN OF CUMBERLAND
APPLICATION FOR MEMBERSHIP TO A TOWN BOARD OR COMMITTEE



I AM INTERESTED IN SERVING ON THE FOLLOWING BOARD(S) OR COMMITTEE(S):

- | | |
|---|--|
| <input type="checkbox"/> BOARD OF ADJUSTMENT & APPEALS | <input type="checkbox"/> AGING IN PLACE COMMITTEE |
| <input type="checkbox"/> BOARD OF ASSESSMENT REVIEW | <input checked="" type="checkbox"/> LANDS & CONSERVATION COMM. |
| <input type="checkbox"/> BOARD OF SEWER APPEALS | <input type="checkbox"/> PLANNING BOARD |
| <input type="checkbox"/> PERSONNEL APPEALS BOARD | <input type="checkbox"/> RECREATION/COMMUNITY ED ADVISORY BD. |
| <input type="checkbox"/> COASTAL WATERS COMMISSION | <input type="checkbox"/> PRINCE MEMORIAL LIBRARY ADVISORY BD. |
| <input type="checkbox"/> CUMBERLAND HOUSING AUTHORITY | <input type="checkbox"/> OCEAN ACCESS COMMITTEE |
| <input type="checkbox"/> RINES FOREST ADVISORY COMM | <input type="checkbox"/> SHELLFISH CONSERVATION COMM. |
| <input type="checkbox"/> TWIN BROOK ADVISORY COMM | <input type="checkbox"/> VAL HALLA BOARD OF TRUSTEES |
| <input type="checkbox"/> VOTER REGISTRATION APPEALS BOARD | <input type="checkbox"/> CONSERVATION SUBDIVISION ADVISORY COMMITTEE |

PLEASE PRINT or TYPE

NAME: Paul Weiss

ADDRESS: 314 Blanchard Road CITY/STATE/ZIP Cumberland, ME 04021

TELEPHONE: Home: 829-4626 Work: 662-3954 Cell: 756-0776

EMAIL ADDRESS: weissp@me.com

PLEASE TELL US WHY YOU ARE INTERESTED IN SERVING ON THE BOARD (S) OR COMMITTEE(S) YOU HAVE SELECTED? DO YOU HAVE ANY SPECIAL TRAINING OR SKILLS IN THIS AREA?

I have done this in the past. I am keenly interested in 2 areas. 1 increasing the conservation lands in Cumberland and or course being good stewards of that multi use land

Also # 2 is that I am interested in making a Mountain Bike and Hiking trail that will connect adjacent lands and over to other town connections like Falmouth. I want to integrate Snowmobile trails as part of this and have multi user buy off including Horse back folks and other non motorized uses

ARE YOU AVAILABLE FOR EVENING MEETINGS? Yes most of the time

DATE: 12/15/2015 SIGNATURE: Paul Weiss

Note: Thank you for your interest in serving the Town of Cumberland. This application will be kept on file for one year. You may be asked to attend a brief interview meeting with a subcommittee of the Town Council prior to your appointment when committee vacancies occur. Please return this form to the Town of Cumberland Administration Office at 290 Tuttle Road, Cumberland, ME 04021.

-----Town of Cumberland Use Only-----

Date Application Received/Posted _____

Interview Date _____

Committee/Board Nominated/Approved _____

Term Expiration _____

TOWN OF CUMBERLAND
APPLICATION FOR MEMBERSHIP TO A TOWN BOARD OR COMMITTEE



I AM INTERESTED IN SERVING ON THE FOLLOWING BOARD(S) OR COMMITTEE(S):

- | | |
|---|--|
| <input type="checkbox"/> BOARD OF ADJUSTMENT & APPEALS | <input type="checkbox"/> AGING IN PLACE COMMITTEE |
| <input type="checkbox"/> BOARD OF ASSESSMENT REVIEW | <input type="checkbox"/> LANDS & CONSERVATION COMM. |
| <input type="checkbox"/> BOARD OF SEWER APPEALS | <input type="checkbox"/> PLANNING BOARD |
| <input type="checkbox"/> PERSONNEL APPEALS BOARD | <input type="checkbox"/> RECREATION/COMMUNITY ED ADVISORY BD. |
| <input type="checkbox"/> COASTAL WATERS COMMISSION | <input type="checkbox"/> PRINCE MEMORIAL LIBRARY ADVISORY BD. |
| <input type="checkbox"/> CUMBERLAND HOUSING AUTHORITY | <input checked="" type="checkbox"/> OCEAN ACCESS COMMITTEE |
| <input type="checkbox"/> RINES FOREST ADVISORY COMM | <input type="checkbox"/> SHELLFISH CONSERVATION COMM. |
| <input type="checkbox"/> TWIN BROOK ADVISORY COMM | <input type="checkbox"/> VAL HALLA BOARD OF TRUSTEES |
| <input type="checkbox"/> VOTER REGISTRATION APPEALS BOARD | <input type="checkbox"/> CONSERVATION SUBDIVISION ADVISORY COMMITTEE |

PLEASE PRINT or TYPE

NAME: Joshua Ottow
ADDRESS: 19 Contry Charm Rd CITY/STATE/ZIP Cumberland
TELEPHONE: Home: 829-8212 Work: _____ Cell: 400-1405
EMAIL ADDRESS: Ottowjj@gmail.com

PLEASE TELL US WHY YOU ARE INTERESTED IN SERVING ON THE BOARD (S) OR COMMITTEE(S) YOU HAVE SELECTED? DO YOU HAVE ANY SPECIAL TRAINING OR SKILLS IN THIS AREA?

I am interested in serving on the Ocean Access Committee because the Broad Cove Reserve is one of Cumberland's most treasured assets, but it needs to be managed well. My special training/skills is that my profession is a middle school principal. This job requires thoughtful strategic planning and balancing diverse stakeholder needs.

ARE YOU AVAILABLE FOR EVENING MEETINGS? Sure

DATE: 12/15/15 SIGNATURE: [Signature]

Note: Thank you for your interest in serving the Town of Cumberland. This application will be kept on file for one year. You may be asked to attend a brief interview meeting with a subcommittee of the Town Council prior to your appointment when committee vacancies occur. Please return this form to the Town of Cumberland Administration Office at 290 Tuttle Road, Cumberland, ME 04021.

-----Town of Cumberland Use Only-----

Date Application Received/Posted _____ Interview Date _____
Committee/Board Nominated/Approved _____ Term Expiration _____

TOWN OF CUMBERLAND
APPLICATION FOR MEMBERSHIP TO A TOWN BOARD OR COMMITTEE



I AM INTERESTED IN SERVING ON THE FOLLOWING BOARD(S) OR COMMITTEE(S):

- | | |
|---|--|
| <input type="checkbox"/> BOARD OF ADJUSTMENT & APPEALS | <input type="checkbox"/> AGING IN PLACE COMMITTEE |
| <input type="checkbox"/> BOARD OF ASSESSMENT REVIEW | <input type="checkbox"/> LANDS & CONSERVATION COMM. |
| <input type="checkbox"/> BOARD OF SEWER APPEALS | <input type="checkbox"/> PLANNING BOARD |
| <input type="checkbox"/> PERSONNEL APPEALS BOARD | <input type="checkbox"/> RECREATION/COMMUNITY ED ADVISORY BD. |
| <input checked="" type="checkbox"/> COASTAL WATERS COMMISSION | <input type="checkbox"/> PRINCE MEMORIAL LIBRARY ADVISORY BD. |
| <input type="checkbox"/> CUMBERLAND HOUSING AUTHORITY | <input checked="" type="checkbox"/> OCEAN ACCESS COMMITTEE |
| <input type="checkbox"/> RINES FOREST ADVISORY COMM | <input type="checkbox"/> SHELLFISH CONSERVATION COMM. |
| <input type="checkbox"/> TWIN BROOK ADVISORY COMM | <input type="checkbox"/> VAL HALLA BOARD OF TRUSTEES |
| <input type="checkbox"/> VOTER REGISTRATION APPEALS BOARD | <input type="checkbox"/> CONSERVATION SUBDIVISION ADVISORY COMMITTEE |

PLEASE PRINT or TYPE

NAME: BRENT SULLIVAN
ADDRESS: 77 MIDDLE RD CITY/STATE/ZIP CUMBERLAND ME
TELEPHONE: Home: _____ Work: 781-5110 Cell: 671-8695
EMAIL ADDRESS: BSullivan@handyboat.com

PLEASE TELL US WHY YOU ARE INTERESTED IN SERVING ON THE BOARD (S) OR COMMITTEE(S) YOU HAVE SELECTED? DO YOU HAVE ANY SPECIAL TRAINING OR SKILLS IN THIS AREA?

I am a long time resident of North Yarmouth near Cumberland with a young family. As the I have pleasure and serviced over 500 runnings annually and have direct control over water access at Handy Boat in Falmouth as General Manager and dockmaster. Also attend and communicate with Falmouth Harbor committee and harbor master. My professional area of expertise aligns with Cumberland plan and look forward to helping community I live in.

ARE YOU AVAILABLE FOR EVENING MEETINGS? YES

DATE: 12/22/15 SIGNATURE: BS

Note: Thank you for your interest in serving the Town of Cumberland. This application will be kept on file for one year. You may be asked to attend a brief interview meeting with a subcommittee of the Town Council prior to your appointment when committee vacancies occur. Please return this form to the Town of Cumberland Administration Office at 290 Tuttle Road, Cumberland, ME 04021.

-----Town of Cumberland Use Only-----

Date Application Received/Posted _____ Interview Date _____
Committee/Board Nominated/Approved _____ Term Expiration _____

NEW BUSINESS



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
MAINE FOREST SERVICE
168 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0168

WALTER E. WHITCOMB
COMMISSIONER

December 22, 2015

The Maine Forest Service has surveyed for Browntail Moth (BTM) for decades. We have been fortunate that the numbers have been relatively low in most areas for the past decade providing relief for people and trees. But now we are seeing a dramatic increase in the BTM population. This letter is to forewarn towns that will feel the effects of this insect in 2016 and allow property owners time to survey their land and decide if they need to take against the BTM.

For those who are unfamiliar with BTM, the hairs of the larvae cause a rash similar to poison ivy and can also cause respiratory distress in sensitive individuals. The hairs persist for a number of years and can continue to cause problems when mowing or other activities stir them up. The caterpillars eat the leaves of oak, apple and other hardwood trees from May to early July and can cause branch dieback and may eventually kill the tree.

Browntail moth adults fly in July and lay their eggs on host trees. The eggs hatch in August and tiny -1/8" - caterpillars eat by skeletonizing the underside of leaves before they make overwintering webs. For the first time in years there was enough late-summer damage to the leaves, particularly Sagadahoc County, that it could be mapped from the air (see attached map). This indicates that populations are potentially very high in some coastal towns. Ground surveys of overwintering webs have confirmed high populations in parts of Bath, Bowdoinham, Topsham, West Bath, Woolwich (Sagadahoc County), Brunswick, Cumberland, Freeport, Harpswell (Cumberland County).

The overwintering web survey is continuing and final results will be available in March. The survey is conducted from the roadside in areas delineated by the aerial survey or that has experienced problems in the past and expands outward to define the generally affected area. This is not all inclusive and people need to check their own property if they are concerned about having BTM problems in 2016.

Below is a link to the Maine Forest Service Browntail Moth website with more information including:

- A slide show of the History and Current Situation in Maine
- Description of the BTM and how to control it
- What the overwintering webs look like
- A list of Licensed Pesticide Applicators for landowners to contact this winter about potential control work in the spring
- State Law specific to BTM control near the ocean

http://www.maine.gov/dacf/mfs/forest_health/invasive_threats/browntail_moth_info.htm

I will be out of the office for the month of January and will be able to respond to questions when I return.

Sincerely,

Charlene Donahue
Forest Entomologist
Maine Forest Service, ACF
charlene.donahue@maine.gov

DOUGLAS P. DENICO
DIRECTOR

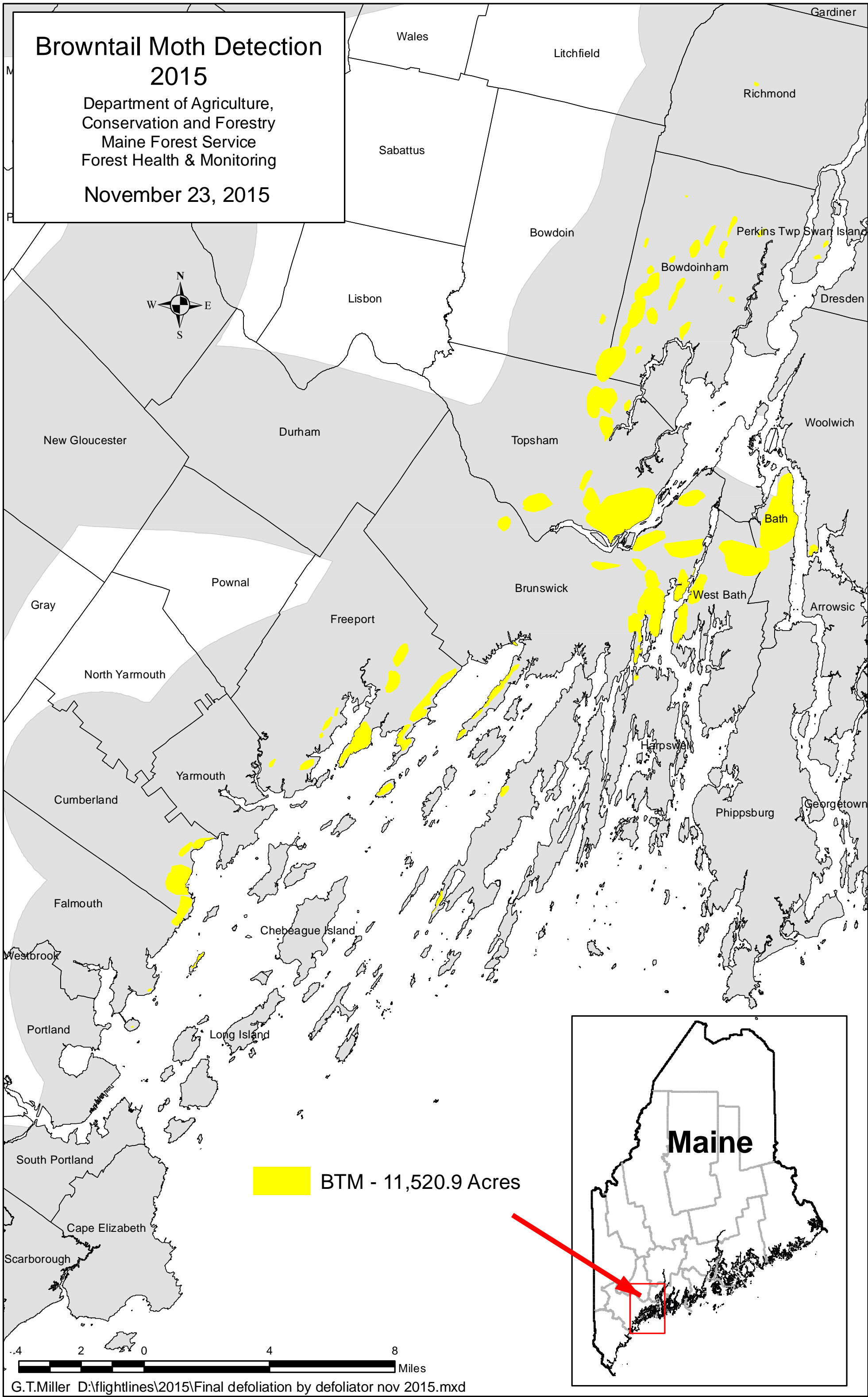
18 ELKINS LANE, HARLOW BUILDING
AUGUSTA, ME 04330
www.maine.gov/dacf

PHONE: 207-287-2431
OR: 800-367-0223
FAX: 207-287-2432

Browntail Moth Detection 2015

Department of Agriculture,
Conservation and Forestry
Maine Forest Service
Forest Health & Monitoring

November 23, 2015



BUDGET REPORT

REVENUES



Financials, Revenue & Citizen Services and Human Capital Management



12/22/2015
16:34:28

TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1
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FOR PERIOD 06 OF 2016

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
<hr/>					
0011 Tax Revenues					
<hr/>					
0011 0303 Motor Vehicle Excise Tax	-738,307.14	-814,287.27	-859,353.53	-871,716.45	-1,480,000.00
0011 0304 Boat Excise Tax	-2,195.70	-2,604.60	-1,641.60	-2,438.90	-10,000.00
0011 0328 Outer Islands Property Tax	-20,232.32	-20,783.21	-20,933.44	-19,944.63	-40,000.00
0011 0329 Payment in Lieu of Taxes	.00	-11,556.00	-14,328.00	-14,804.00	-23,793.00
TOTAL Tax Revenues	-760,735.16	-849,231.08	-896,256.57	-908,903.98	-1,553,793.00
0012 License & Permit Revenues					
<hr/>					
0012 0311 Hunting & Fishing License	-184.50	-276.33	-304.00	-185.75	-600.00
0012 0312 Marriage Lic & Vital Records	-1,499.00	-1,252.20	-1,717.40	-1,285.20	-1,900.00
0012 0313 Birth Certificates	-610.60	-952.40	-542.60	-487.20	-365.00
0012 0314 Death Certificates	-791.00	-427.20	-547.40	-580.80	-1,000.00
0012 0315 Clerk Licenses	-626.00	-1,290.00	-1,280.00	-1,385.00	-4,500.00
0012 0316 Shellfish Licenses	-1,058.07	-371.17	-768.78	-25.00	-3,000.00
0012 0317 Conservation Fees	-216.93	-89.83	-146.22	-10.00	-500.00
0012 0334 Snowmobile Reg	-285.00	-127.00	-102.00	-32.00	-200.00
0012 0361 Auto Reg. Fees	-9,626.00	-10,341.00	-10,269.00	-9,954.00	-21,000.00
0012 0362 Boat Reg. Fees	-124.00	-519.20	-457.40	-142.00	-500.00
0012 0366 Building Permits	-58,025.83	-38,648.53	-43,415.70	-42,824.62	-70,000.00
0012 0367 Electrical Permits	-7,979.18	-10,595.53	-11,588.15	-9,368.30	-18,000.00
0012 0368 Plumbing Permits	-10,788.00	-11,825.30	-11,306.25	-7,387.48	-18,000.00
0012 0369 Other Permits	-400.00	-1,425.00	-900.00	-650.00	-2,500.00
0012 0383 Agent Fees-Moses	-4.00	-9.92	-6.00	-2.00	.00
0012 0398 Application Fee	-800.00	-633.33	-500.00	-355.56	-1,000.00
0012 0401 Dog Licenses	-774.00	-1,260.00	-640.00	-467.00	-3,000.00
0012 0404 Commercial Haulers License	-200.00	.00	.00	-200.00	-600.00
TOTAL License & Permit Revenue	-93,992.11	-80,043.94	-84,490.90	-75,341.91	-146,665.00
0013 Intergovernmental Revenues					
<hr/>					
0013 0327 Homestead State Reimb	-171,007.14	-128,546.00	-104,217.00	-128,242.00	.00
0013 0331 State Revenue Sharing	-288,849.73	-204,848.92	-184,024.92	-219,288.92	-385,710.00
0013 0332 Park Fee Sharing	.00	.00	.00	.00	-7,080.00
0013 0335 DOT Block Grant	-40,836.00	-68,440.00	-62,592.00	-63,232.00	-62,592.00



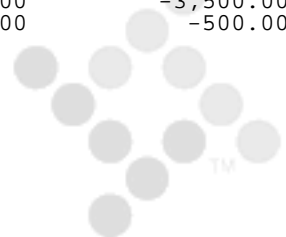
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TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 2
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FOR PERIOD 06 OF 2016

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
0013 0337 State Grant revenue	.00	.00	-2,673.74	.00	.00
0013 0338 Federal Grants	.00	.00	-10,000.00	.00	.00
0013 0341 North Yarmouth Recreation Shar	-25,176.50	-8,498.00	-17,952.00	-1,822.00	-7,355.00
0013 0342 North Yarmouth Library Share	-65,638.00	-66,475.00	-70,690.00	-36,488.00	-145,952.00
0013 0347 North Yarmouth Channel 2	.00	-1,213.00	-1,273.00	-637.00	-2,674.00
0013 0348 ACO Sharing Payments	-1,697.22	-2,475.00	.00	.00	.00
0013 0397 Windham-Fire & Rescue	.00	.00	.00	.00	-3,900.00
0013 0509 Regional Assessing	-29,244.00	.00	.00	.00	.00
TOTAL Intergovernmental Revenue	-622,448.59	-480,495.92	-453,422.66	-449,709.92	-615,263.00
0015 Other Revenues					
0015 0305 Interest & Penalties	-15,060.03	-24,367.97	-17,838.27	-11,516.63	-40,000.00
0015 0306 Over/Short	55.37	91.11	-122.28	-51.31	-100.00
0015 0364 Growth Permits	-2,000.00	-2,500.00	-2,300.00	-2,300.00	-2,000.00
0015 0365 Board of Appeals	-100.00	.00	.00	-100.00	-100.00
0015 0379 Investment Earnings	-1,346.25	-136.72	-117.38	1,039.72	.00
0015 0381 Building Rentals	.00	.00	.00	.00	-500.00
0015 0382 Sale of Assets	-714.00	-550.00	-2,100.00	-7,599.00	-25,000.00
0015 0390 Misc. Revenue	-1,610.11	-35,268.80	-29,762.19	-33,680.17	-38,000.00
0015 0399 Staff Review Fee	-9,450.00	-1,566.67	-5,209.00	-1,219.44	-10,000.00
0015 0402 Cable TV Revenue	-1,100.00	.00	.00	.00	-107,000.00
0015 0403 Mooring Fees	-130.00	-135.00	-135.00	-135.00	-1,000.00
0015 0410 Private Ways	-200.00	-400.00	-400.00	-600.00	-400.00
0015 0432 Workers Compensation Dividend	-7,300.34	-15,122.30	-26,586.80	.00	.00
0015 0508 Impact Fees	-31,690.40	-44,737.55	-42,157.05	-57,853.60	-50,000.00
0015 0513 Assessing Records	.00	.00	-30.00	.00	-100.00
TOTAL Other Revenues	-70,645.76	-124,693.90	-126,757.97	-114,015.43	-274,200.00
0021 Police Related Revenues					
0021 0351 Police Issued Permits	-1,952.00	-616.14	-456.00	-255.00	-3,500.00
0021 0353 Police Insurance Reports	-240.00	-272.00	-258.00	-304.00	-500.00
0021 0427 Parking Tickets	-230.00	-10.00	.00	.00	-200.00
0021 0428 Outside Detail	-20,163.04	-26,000.26	-15,442.45	-22,827.16	-35,000.00
0021 0536 Animal Control Officer Revenue	-1,029.60	-1,135.00	-1,114.00	-890.00	-2,500.00
0021 0546 Court Reimbursements	-388.44	-1,377.58	-569.80	-150.00	-3,500.00
0021 0547 Miscellaneous Police Revenue	-3,127.34	-1,609.44	-2,671.40	-515.00	-500.00



12/22/2015
16:34:28

TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 3
glactrpt

FOR PERIOD 06 OF 2016

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
0021 0620 Federal Grant revenue	.00	-12,500.00	.00	-25,000.00	-25,000.00
TOTAL Police Related Revenues	-27,130.42	-43,520.42	-20,511.65	-49,941.16	-70,700.00
0022 Fire Related Revenues					
0022 0390 Misc. Revenue	-10,518.50	-7,835.00	-780.00	-5.00	-15,000.00
0022 0431 Outside Details	-15,401.00	-19,234.00	-17,621.43	-16,462.80	-15,000.00
0022 0504 Rescue Billing	-35,097.47	-17,915.65	-44,077.17	-62,368.06	-155,000.00
0022 0505 Non Emergency Transports	.00	.00	-26,280.64	-34,518.18	-31,200.00
0022 0507 Paramedic Intercepts	-600.00	-1,500.00	.00	.00	-2,000.00
TOTAL Fire Related Revenues	-61,616.97	-46,484.65	-88,759.24	-113,354.04	-218,200.00
0031 Public Works Related Revenues					
0031 0355 Recycling Income	.00	-20.00	.00	.00	.00
0031 0390 Misc. Revenue	-647.00	-312.00	-31,843.00	-273.00	-500.00
0031 0517 Bags/Universal Waste	-93,888.50	-105,891.50	-97,013.00	-93,417.50	-260,000.00
0031 0539 Brush Passes	-1,336.00	-1,173.00	-1,436.00	-988.00	-7,500.00
TOTAL Public Works Related Rev	-95,871.50	-107,396.50	-130,292.00	-94,678.50	-268,000.00
0037 ValHalla Revenues					
0037 0306 Over/Short	.00	.00	.00	-9.93	.00
0037 0329 Payment in Lieu of Taxes	.00	.00	.00	.00	-8,000.00
0037 0357 Golf Memberships	.00	.00	.00	-110,834.35	-239,283.00
0037 0358 Greens Fees	.00	.00	.00	-79,535.95	-127,148.00
0037 0359 Golf Cart Rentals	.00	.00	.00	-47,478.06	-89,232.00
0037 0378 Soda Sales	.00	.00	.00	-1,705.87	-3,325.00
0037 0416 Practice Range	.00	.00	.00	-6,729.00	-9,465.00
0037 0417 Program Revenues	.00	.00	.00	-12,954.00	-60,132.00
0037 0419 Advertising Sales	.00	.00	.00	.00	-24,000.00
0037 0522 Outing Golf	.00	.00	.00	-69,602.08	-72,315.00
0037 0560 Rental Income	.00	.00	.00	-8,842.04	-21,600.00
0037 0565 Cell Tower Land Lease	.00	.00	.00	.00	-20,000.00
TOTAL ValHalla Revenues	.00	.00	.00	-337,691.28	-674,500.00

12/22/2015
16:34:28

TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 4
glactrpt

FOR PERIOD 06 OF 2016

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
<hr/>					
0041 Recreation Related Revenues					
0041 0370 Recreation Programs	-3,005.00	-8,936.50	-5,448.66	-3,316.00	-32,408.00
0041 0371 Fall Recreation Revenue	-40,867.08	-41,589.48	-33,432.50	-44,717.45	-36,228.00
0041 0372 Winter Recreation Revenue	-68,539.47	-57,690.00	-74,830.26	-50,375.00	-124,846.00
0041 0373 Spring Recreation Revenue	-325.70	-161.00	-4,188.00	.00	-41,239.00
0041 0374 Summer Recreation Revenue	-35,086.46	-37,578.79	-36,024.92	-21,743.50	-223,017.00
0041 0385 After School Programs	-54,481.79	-62,208.05	-89,433.60	-77,131.05	-173,302.00
0041 0386 Special Events/Trips Revenues	.00	.00	.00	-220.00	.00
0041 0387 Adult Enrichment Revenue	.00	.00	801.00	-13,175.40	-32,377.00
0041 0388 Adult Fitness Revenue	.00	.00	886.00	-21,566.68	-41,840.00
0041 0570 Rec Soccer Revenue	-1,755.00	-10,320.00	-7,456.00	-6,815.00	-10,211.00
0041 0606 CPR/First Aid Revenues	.00	.00	.00	1,551.20	.00
TOTAL Recreation Related Reven	-204,060.50	-218,483.82	-249,126.94	-237,508.88	-715,468.00
0043 Park Revenues					
0043 0391 Field Usage Fees	-7,850.17	-13,297.04	-6,882.40	-5,427.16	-15,000.00
0043 0617 Twin Brooks Donations	.00	.00	-82.00	.00	.00
TOTAL Park Revenues	-7,850.17	-13,297.04	-6,964.40	-5,427.16	-15,000.00
0045 Library Related Revenues					
0045 0379 Library Interest Income	-182.84	-79.80	-60.48	-160.64	-200.00
0045 0392 Library Fines	-2,205.39	-2,141.28	-3,150.39	-2,488.68	-3,500.00
0045 0394 Misc. Library Revenue	-1,070.60	-504.00	-778.50	-680.30	.00
TOTAL Library Related Revenues	-3,458.83	-2,725.08	-3,989.37	-3,329.62	-3,700.00
TOTAL General Fund	-1,947,810.01	-1,966,372.35	-2,060,571.70	-2,389,901.88	-4,555,489.00
TOTAL REVENUES	-1,947,810.01	-1,966,372.35	-2,060,571.70	-2,389,901.88	-4,555,489.00
GRAND TOTAL	-1,947,810.01	-1,966,372.35	-2,060,571.70	-2,389,901.88	-4,555,489.00



EXPENSES



Financials, Revenue & Citizen Services and Human Capital Management



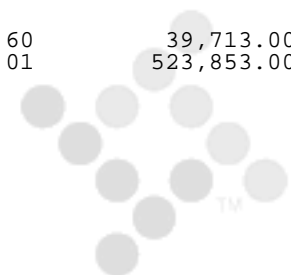
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TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 06 OF 2016

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
<hr/>					
10 General Government					
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130 Administration	285,652.37	274,107.55	298,035.17	299,092.70	548,827.00
140 Assessor	79,097.62	46,946.44	41,899.82	39,104.86	79,486.00
150 Town Clerk	84,300.42	91,190.43	105,339.80	105,620.80	221,002.00
160 Technology	108,940.61	104,878.80	85,388.28	91,322.86	166,546.00
165 Elections	4,108.87	7,034.45	10,051.36	2,784.99	11,953.00
170 Planning	29,151.43	28,427.64	30,855.39	29,858.21	63,775.00
190 Legal	6,644.90	10,989.30	18,328.63	22,205.92	42,500.00
999 Finance/GAAP entries	.00	.00	-63.26	.00	.00
TOTAL General Government	597,896.22	563,574.61	589,835.19	589,990.34	1,134,089.00
20 Public Safety					
<hr/>					
210 Police	566,738.68	539,626.14	627,915.44	625,503.09	1,257,423.00
220 Fire	366,725.43	387,200.77	460,954.07	426,861.45	885,161.00
240 Code Enforcement	33,577.65	34,275.59	48,886.00	48,288.19	94,049.00
260 Animal Control	20,532.48	21,399.86	15,467.14	18,629.59	27,661.00
TOTAL Public Safety	987,574.24	982,502.36	1,153,222.65	1,119,282.32	2,264,294.00
30 Public Services					
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310 Public Works	471,153.67	425,498.04	490,606.63	401,188.08	968,453.00
320 Waste Disposal	297,807.71	232,317.03	225,425.85	193,337.61	520,525.00
430 Parks	81,285.07	102,568.30	143,917.96	144,479.71	221,520.00
440 West Cumberland Rec	2,674.63	1,640.96	1,288.71	229.60	7,775.00
470 Historical Society Building	.00	.00	.00	.00	2,102.00
TOTAL Public Services	852,921.08	762,024.33	861,239.15	739,235.00	1,720,375.00
37 Val Halla Golf Club					
<hr/>					
350 Valhalla-Club	.00	.00	.00	15,632.60	39,713.00
360 Valhalla-Course	.00	.00	.00	311,423.01	523,853.00



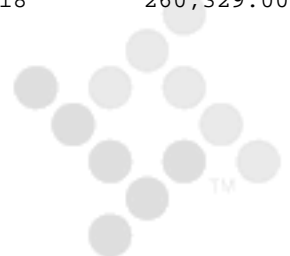
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TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 06 OF 2016

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
370 Valhalla-Pro Shop	.00	.00	.00	156,519.95	195,668.00
TOTAL Val Halla Golf Club	.00	.00	.00	483,575.56	759,234.00
40 Recreation					
410 Recreation	338,147.85	346,514.83	419,287.20	417,495.01	783,686.00
TOTAL Recreation	338,147.85	346,514.83	419,287.20	417,495.01	783,686.00
45 Library					
450 Library	180,818.30	193,710.01	205,325.84	191,121.71	411,267.00
TOTAL Library	180,818.30	193,710.01	205,325.84	191,121.71	411,267.00
50 Health & Welfare					
580 General Assistance	15,581.80	16,592.57	15,614.11	29,849.94	35,000.00
590 Health Services	6,937.65	7,086.70	8,586.70	11,437.65	13,375.00
TOTAL Health & Welfare	22,519.45	23,679.27	24,200.81	41,287.59	48,375.00
90 Other					
620 Cemetery Association	22,600.00	25,700.00	22,500.00	32,500.00	26,700.00
630 Conservation Commission	.00	3,410.00	2,163.56	5,961.36	6,000.00
800 Fire Hydrants	23,807.60	24,137.86	30,235.41	25,930.15	65,000.00
810 Street Lighting	16,734.02	15,432.75	17,575.14	18,251.06	37,000.00
830 Contingent	4,133.62	11,275.08	.00	2,958.70	25,000.00
840 Municipal Building	75,189.73	82,391.49	87,326.98	26,013.08	80,629.00
850 Abatements	19,399.95	13,166.70	42,981.44	20,825.83	20,000.00
TOTAL Other	161,864.92	175,513.88	202,782.53	132,440.18	260,329.00
98 Fixed Expenses					



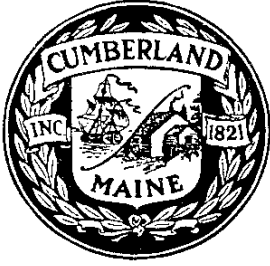
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**TOWN OF CUMBERLAND
 HISTORICAL ACTUALS COMPARISON REPORT**
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FOR PERIOD 06 OF 2016

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
650 Debt Service	572,892.69	573,109.57	594,419.19	571,794.72	825,000.00
750 Insurance	208,101.15	213,660.84	142,270.72	155,463.83	219,499.00
860 MSAD #51	6,588,303.30	6,855,291.43	7,156,653.00	7,778,525.46	15,557,051.00
890 County Tax	623,416.00	665,675.00	696,073.00	747,431.00	747,431.00
910 Capital Imp. Plan	896,137.00	1,133,693.00	1,323,868.00	1,181,500.00	1,181,500.00
TOTAL Fixed Expenses	8,888,850.14	9,441,429.84	9,913,283.91	10,434,715.01	18,530,481.00
TOTAL General Fund	12,030,592.20	12,488,949.13	13,369,177.28	14,149,142.72	25,912,130.00
TOTAL EXPENSES	12,030,592.20	12,488,949.13	13,369,177.28	14,149,142.72	25,912,130.00
GRAND TOTAL	12,030,592.20	12,488,949.13	13,369,177.28	14,149,142.72	25,912,130.00



WORKSHOP



MEMORANDUM

Town of Cumberland, Maine
290 Tuttle Road
Cumberland Center, ME 04021
Telephone (207) 829-2205 • Fax (207) 829-2214

To: Town Council
From: William R. Shane, Town Manager
Date: December 22, 2015
Re: Central Fire Station Addition

The 1968 Central Fire Station has reached its physical capacity to serve our community as its primary Fire Station Headquarters and training facility. The discussion of an addition started in the late 1990's and has continued with the most recent presentation in 2006. As a department, the overflow into the Whitman House next door and the now condemned second floor of the garage in the rear of the property, have made the current situation rise to a much higher level of concern. The need for training and administrative space is essential to continue the high level of service provided by our Fire/EMS Department.

With the new TIF Districts 6 & 7, we have the ability to fund the addition with non-general fund monies. TIF Districts 6 & 7 now generate enough revenue to support a nearly 3 million dollar bond. While I expect the project to require a smaller financial commitment, the financial capacity is important knowing changing building code requirements often require unexpected building amenities.

I would recommend that you consider appointing a Building Committee at your January meeting to collect, discuss and present a building needs analysis to the Town Council by August 2016. The needs analysis will require the assistance of an architect and I expect it will cost up to \$50,000. The building architect monies can also be expended from TIF District 6 & 7 funds.

You may also want to consider a committee of 7 residents, perhaps at least 2 non-fire people (maybe an abutter) and 1 or 2 Town Councilors. I anticipate the project will cost between 2 and 2.5 million dollars as renovation design costs are typically more expensive to implement due to the need to keep existing services operational. I anticipate soft costs for planning, design, construction, inspection, and local and state approvals to approach 15% of actual construction (\$250,000 - \$300,000).

