

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, February 23, 2015

6:00 Workshop

7:00 P.M. Call to Order

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

I. CALL TO ORDER

II. APPROVAL OF MINUTES

February 9, 2015

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

15 – 019 To hear a report from Police Sargent, Angelo Mazzone re: Cumberland County Dispatch services.

15 – 020 To consider and act on authorizing contractors to work within 25 feet of Methodist Cemetery during the Blackstrap Road reconstruction project.

15 – 021 To authorize the Town Manager to execute a 3-year contract with Medical Reimbursement Services for EMS billing services.

15 – 022 To hear an update from Fire Chief, Dan Small re: Community Paramedicine Program.

VI. NEW BUSINESS

- **March 9th meeting:**

- Sprinklers & Commercial Buildings – send to the Planning Board for recommendation.
- To hear a report from the Town Manager re: Portland Water District, Falmouth Mill Creek Pump Station.
- Finance Committee Budget Workshop at 6:00 p.m.

- **March 23rd meeting:**

- Assessor's Report re: Town wide values.

VII. ADJOURNMENT

MOTIONS

MOTIONS

15 – 019 No action.

15 – 020 I move to authorize contractors to work within 25 feet of Methodist Cemetery during the Blackstrap Road reconstruction project.

15 – 021 I move to authorize the Town Manager to execute a 3-year contract with Medical Reimbursement Services for EMS billing services.

15 – 022 No action.

MINUTES

02/09/15

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, February 9, 2015

5:30 Workshops

7:00 P.M. Call to Order

5:30 P.M. Workshop with the Chebeague and Cumberland Land Trust re: funding for Knight's Pond area property.

6:30 P.M. Workshop to hear a report from the Aging in Place Committee.

7:00 P.M. Call to Order

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

Excused: Councilor Copp

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Edes, to accept the January 26, 2015 meeting minutes as presented.

VOTE: 6-0 UNANIMOUS

II. MANAGER'S REPORT

Due to the number of presentations, Town Manager Shane said he would hold his report until the New Business portion of the meeting.

III. PUBLIC DISCUSSION

Steve Moriarty, Representative to the Maine Municipal Association Legislative Policy Committee (LPC) gave the following update:

The LPC discusses any new bills before the Legislature that has any impact on schools, cities or towns. A big topic of discussion this year is the potential loss of State Revenue Sharing. Revenue Sharing began in 1972, and is a system in which the state is to return to towns and cities a sum equivalent to 5% of the state's total receipt of property and income taxes. This year that amount would be a return of \$158,000,000 by statute. In fiscal year 2016, Cumberland should receive approximately \$1,050,000. Under the current proposal, the Governor plans to distribute \$62,500,000 (a 60% reduction). This means a loss to Cumberland of \$635,000 of what we would usually receive. Worse yet, in the FY17 budget, Revenue Sharing would be eliminated altogether. The Governor's budget includes a provision which would give communities the option to tax non-profits of \$500,000 of value or more as a possible offset to the loss of Revenue Sharing. It will be another month or so before the Governor's budget gets its first hearing before the Appropriations Committee and a lot can and will happen between now and then.

Other highlights include the proposed cutting of income tax from 7.95% to 5.75% and an increase in sales tax from 5.75% to 6.5%.

IV. LEGISLATION AND POLICY

15 – 013 To hear a presentation from Gorrill Palmer Engineers re: the Blackstrap Road project (Gorrill Palmer will meet with neighborhood in East Conference Room after presentation).

Al Palmer of Gorrill Palmer Consulting Engineers presented the following:

Cumberland, Maine Blackstrap Road Improvements Project Town Council Presentation

February 9, 2015



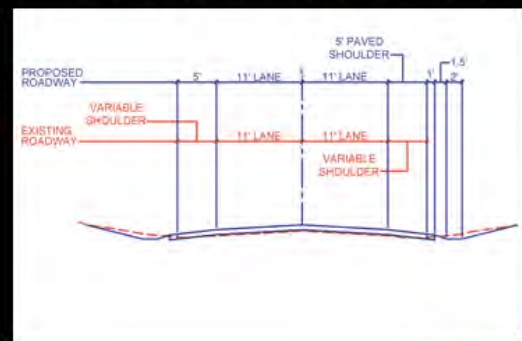
Existing Conditions



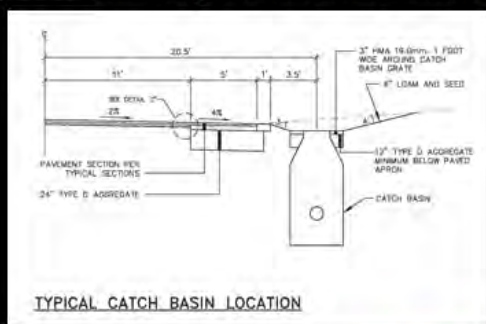
Proposed Improvements



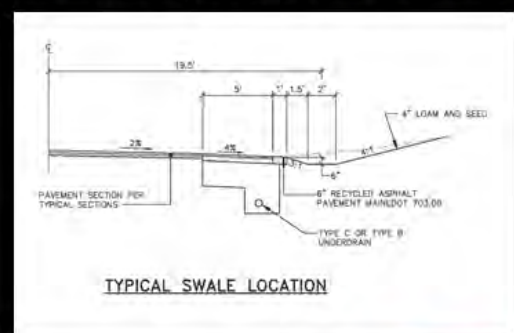
Proposed Typical Roadway Section



Proposed Roadway Section with Catch Basin



Proposed Roadway Section with Shallow Swale



Project Schedule

95% Plans to Town 2/20/15
Out to Bid Week of 3/2/15
Bids Due 3/19/15

Contractor to Complete Improvements by Fall of 2015
Anticipated 120 Day Work Window

Complete Surface Pavement Spring 2016



Project Budget

2015 Improvements with 10% Contingency and GP Contract

\$988,500

2016 Surface Pavement Completion with 10% Contingency

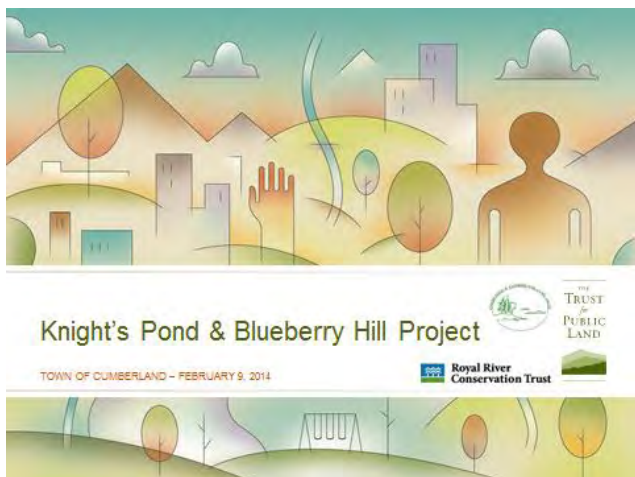
\$243,000

Total
\$1,231,500




15 – 014 To hear a report from the Chebeague and Cumberland Land Trust and to consider and act on authorizing purchase of Knight's Pond area property.

Chebeague and Cumberland Land Trust President, Penny Asherman, presented the following:



Physical Description



- 215 acres
- Upland forests
- 46 acre pond
- Critical bird habitat
- Streams supporting wild Brook Trout in Rines Forest
- Views of Casco Bay
- Oak-Hickory forest
- Spotted Wintergreen
- Close to town centers & schools

THE TRUST IN PUBLIC LAND
LAND TRUSTS FOR THE FUTURE

Public Benefits



- Recreational Opportunities
 - Hiking, running, biking, skiing, snowshoeing, skating, snowmobiling
 - Hunting, fishing, trapping
 - Canoeing, kayaking
 - Nature observation, picnicking
- Stormwater Management
- Water Quality Protection
- Wildlife habitat
- Educational opportunities
 - Schools, Land Trusts, Recreation Department

THE TRUST IN PUBLIC LAND
LAND TRUSTS FOR THE FUTURE

Knight's Pond & Blueberry Hill Trail Map



- Existing trails network
 - Excellent condition
 - Trails actively used
 - Connectivity to:
 - FAA property
 - Farwell Forest
 - Utility corridor
 - North Yarmouth

THE TRUST IN PUBLIC LAND
LAND TRUSTS FOR THE FUTURE

Regional Connectivity



- Part of 1,600 acre forest block
- Long term goal: build regional greenway
 - FAA Property
 - Farwell Forest
 - Rines Forest
 - Godsoe Addition
 - Idlewood
 - Merrill Forest
 - Hadlock Forest in Falmouth
- Recreation & habitat corridor

THE TRUST IN PUBLIC LAND

Community Support



- 17 letters of support
- 250 attendees for skating party
- 80 + attendees for hike with naturalists
- Neighborhood house parties
- Dozens of volunteers
- 160 + donors

Upcoming Events:

- Valentine's Day snowshoe

THE TRUST IN PUBLIC LAND

Knight's Pond Project Overview



- Public/private partnership
- TPL holds option to purchase at appraised FMV
- During option period:
 - Raise acquisition funds
 - Complete due diligence
 - Develop ownership structure
 - Stewardship and management plans
 - Improvements to dam

THE TRUST IN PUBLIC LAND

Outcomes



- Municipal Ownership
- Conservation Easements held by CCLT, RRCT
 - Stewardship
 - Monitoring
 - Education
- Management structure and maintenance costs
- Guaranteed public access
- Off street parking

THE TRUST IN PUBLIC LAND

Budget

Expenses:

Land Acquisition	\$ 900,000
Project Costs*	\$ 200,000
Stewardship	\$ 30,000
Total Project Costs	\$ 1,130,000

Revenue:

Land for Maine's Future	\$ 225,000
Cumberland	\$ 300,000
N. Yarmouth	\$ 100,000
Private**	\$ 440,627
Total Raised	\$ 1,065,627
Gap	\$ 64,373
Total Goal	\$ 1,130,000

*includes due diligence, staff time, campaign costs and dam improvements

**Over 160 individuals have contributed to the campaign

Funding Mix



THE TRUST IN PUBLIC LAND

Project Timeline



- Contract Deadlines:
 - Option Period expires May 30th
 - Closing by June 30th
- Key Dates
 - Joint Standing Committee February 4th
 - Cumberland Town Council meeting February 9th
 - North Yarmouth Town Meeting April 11th
 - Dam improvements complete by April 15th
 - LMF Board Meeting May 19th

THE TRUST IN PUBLIC LAND



Cumberland Action Steps



- Execute a P&S agreement with TPL
- Hold title to land in Cumberland subject to CE held by CCLT
- Allocate \$300,000 for purchase
- Work with CCLT to draft easement language
- Execute a Project Agreement with LMF

THE TRUST IN PUBLIC LAND



Thank You!

Jen McAdoo of Valley Road said that she has lived on Valley Road for 25 years and having access to property like Blueberry Hill and Knight's Pond is one of the reasons that she lives in Cumberland. She uses the property frequently, year round. She met Mr. Knight years ago while picking blueberries and it was clear to her how much he enjoyed the property and that he wanted others to enjoy it too. Aside from the resource conservation aspect, another unique aspect of this project is the public/private partnership that has come together to raise the money to purchase this land. Most of the money has come from private individuals. She urged the Council to vote to allocate the requested funds in support of this project.

Sam York of Fox Run Road said that he also frequents the property and has created some of the trails. This property is a gem and he feels it is the best property in the entire town. There are trails for every level of hiking, as well as fishing, skiing and skating. He encouraged the Council to support this project.

Steve Moriarty of 34 Blanchard Road said that we in this town should be so very grateful for the generosity of landowners who have made their property available to us for recreational use. There were no better exemplars of that spirit of generosity than Richard and Helen Knight and their daughter, who for decades made their property available to the public. He has thought for many years that it would be wonderful if the property could be held in public ownership, and now thought the efforts of dozens of people, it can come true. He urged the Council to support this project.

Sally Stockwell of Range Road said for many years she has been cross-country skiing from Falmouth to North Yarmouth through this property. She is so excited about this opportunity for the residents of our town. The Department of Inland Fisheries and Wildlife has designated this as a high value inland wading bird and water fowl habitat. Biologists who have looked at the area have said that it is the best small wetland for small wading birds and water fowl in all of Southern Maine. Cumberland's contribution to this is so important and she urged the Council to protect this property for the future.

Rob Vogel of Philip Street (and the Land Trust Board member) thanked the Council for their serious consideration of this project.

Councilor Bingham said that the public should be aware that there is a reserve account for land acquisition and the money for this project is in that account. This will not come out of the general fund. We have had 3 Comprehensive Plans since the 1980 and Knight's Pond and Blueberry Hill have always been part of those plans.

Councilor Storey-King said that she has also recreated there for many years. As a child, she was a horse 4-H member and rode by horseback up there and tented out all night. The Land Trust has done an amazing amount of work in a short period of time.

Councilor Edes agreed that this is part of Mr. Knight's vision for the Town and he supports it.

Councilor Turner made the following motion, Councilor Stiles seconded:

WHEREAS, the Trust for Public Land intends to acquire a 212 acre parcel of land from Rebecca Leland Swiggett, including Knight's Pond on Greeley Road Extension and Range Road in Cumberland for 1.2 million dollars, funded by private donations and a grant from the Land for Maine's Future bond; and

WHEREAS, the Town desires to purchase the portion of said land that is located within the Town of Cumberland from the Trust for Public Land in order to preserve open space and permit public access and recreational uses on this land; and

WHEREAS, the Chebeague and Cumberland Land Trust desires to promote such public access and recreation, manage and conserve the property by prohibiting certain development through a permanent conservation restriction to be granted and conveyed by the Town upon its purchase of the property; and

WHEREAS, the Trust for Public Land is willing to convey that portion of the property located in Cumberland to the Town for a substantially reduced price based on the grant of said conservation easement to the Chebeague and Cumberland Land Trust.

NOW THEREFORE, the Cumberland Town Council hereby authorizes the Town Manager, William Shane, to execute a Purchase and Sale Agreement in the amount of \$300,000 for the acquisition of that portion of the property located within the Town of Cumberland and further authorizes a simultaneous conservation easement to be granted to the Chebeague and Cumberland Land Trust.

VOTE: 6-0 UNANIMOUS

15 – 015 To hear a report from the Ordinance Committee re: Fireworks Ordinance update and Ad Hoc Committee consolidation.

Councilor Turner said that the Ordinance Committee met to review the Fireworks Ordinance and decided that they would not recommend any changes based on the fact that there have been very few complaints to date.

Councilor Storey-King said that she sits on the Twin Brook Advisory and the Recreation Committees and it is sometimes hard to get a quorum at meetings or there is little to discuss and they meet simply for the sake of meeting. She thought, in a way to make meetings more efficient and increase participation, establish one Parks and Community Programs Committee. This committee will encompass the current Recreation & Community Education Committee, the Twin Brook Advisory Committee and the Rines Forest Committee. When work on policy and planning is complete, adding the Knight's Pond and Ocean Access Committees into one substantial, important, decision making committee. She urged the Councilors to take the idea to the committees that they sit on and see what the committee's think of this plan. She wants to do this slowly and thoughtfully.

Councilor Turner agreed. He said that there are some committees who really struggle for items to talk about.

15 – 016 To hold a Public Hearing to consider and act on amendments to the Property Tax Assistance Ordinance as recommended by the Senior Circuit Breaker Committee.

Town Manager Shane explained that State Law changed a little over a year ago that impacted all the communities that has a Senior Circuit Breaker program. When the State practically eliminated the State Circuit

Breaker program, they inadvertently eliminated the local programs as well. We were able to act quickly and get our residents one last refund, but we are now required to follow the new law which has a much smaller refund. Previously, our senior citizens received over \$175,000 in property tax relief in the old program. This year we will be lucky to hit \$10,000 in refunds. Staff will assist residents to fill out the State application and the Town will match the State refund up to \$900.00. We will work with our State Legislators to see if we can get the program back to a more equitable level.

Councilor Stiles said that we have worked very hard with the State to get the program back to par. He testified in Augusta about how important this program is to our senior citizens.

Chairman Gruber opened the Public Hearing.

Public discussion: none

Chairman Gruber closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Storey-King, to amend to the Property Tax Assistance Ordinance as recommended by the Senior Circuit Breaker Committee.

VOTE: 6-0 UNANIMOUS

15 – 017 To reappoint Anita Anderson as Public Health Officer for a 3-year term (January 23, 2015 – 2018).

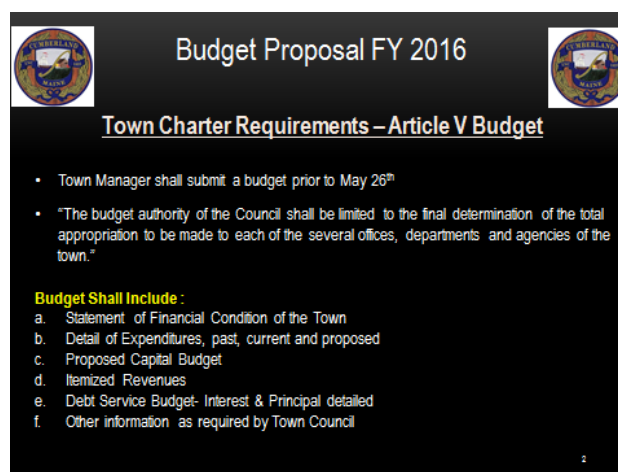
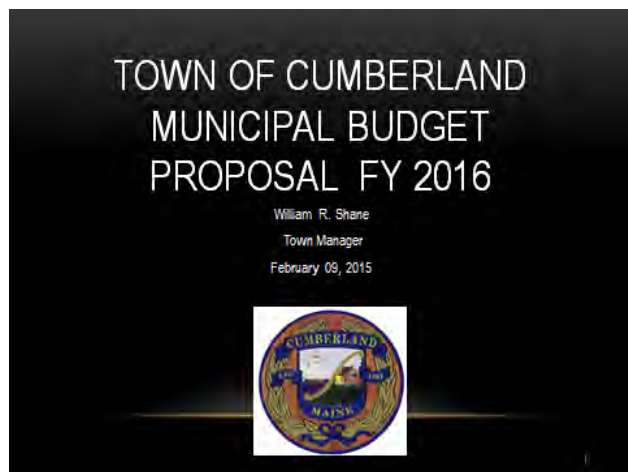
Town Manager Shane explained that this is required by law and staff is recommending reappointment of Anita Anderson.

Motion by Councilor Stiles, seconded by Councilor Edes, to reappoint Anita Anderson as Public Health Officer for a 3-year term (January 23, 2015 – 2018).

VOTE: 6-0 UNANIMOUS

15 – 018 To hear a presentation from the Town Manager re: FY2016 budget.

Town Manager Shane presented the following:





Budget Proposal FY 2016



A. Financial Condition Overview

- The Town is in a very good Financial Position
- Close FY 2014 with \$1.7 M Fund balance with \$1.2 M of unassigned
- Bond Ratings Held at A 3 for Moody's and AA+ Standard & Poore's
- Tax Payments were at a near all-time high collection of 99% and Foreclosed properties less than \$10,000 uncollected

3



Budget Proposal FY 2016



B. Detail of Expenditures

- Successfully bonded the \$3M Payson property purchase at 2.5% vs 4%
- Re-financed 3 Sets of Bonds for savings over \$250,000
- Proposing a New Debt Reserve to flatten future Capital Spending Impacts
- Budget to be posted on line Tuesday

4



Budget Proposal FY 2016



C. Capital Improvements Overview

- Payson Property development on-hold
- Town Garage relocation delayed to FY 2018
- Closing of the Stump Dump Summer of 2017
- Over \$1M in paving proposed this Summer
- Turnpike Interchange Application submitted

5



Budget Proposal FY 2016



B. Debt Service – Town Garage

Phase One – 58 New Homes - \$350,000 to \$600,000 – 30 Homes built/underway

Phase Three – Full – 38 Affordable Senior Housing Units

Phase Two – On Deck – 20-30 Town Houses & 10,000 SF of retail plus new Mini Park consisting of an outdoor Ice Pond, Outdoor Basketball Courts and Bathroom facilities – Estimated Value = \$ 20 - \$30 Million

Annual Tax Base = \$352,000 + Personal Property Tax + annual appreciation

Very Prelim. \$\$ to Move Town Garage at \$4 M = \$320,000 – 20 year debt service

6



Budget Proposal FY 2016



E. Debt Service – Town Garage

NEXT STEPS - FOR TOWN GARAGE RELOCATION FY 2018

- Evaluate Land Options- preference toward Sewer & Water
- Determine if North Yarmouth would be interested in a common facility with MSAD 51
- Hold Public Meetings on Land Options and Preliminary Costs
- Develop Budget and Advise for Design Build of new facility
- Select Development Team
- Return to Town Council with Final Costs
- Hold Public Hearing for Bonding and authorization for PB Review
- Begin Construction Spring 2017
- Move into New Facility Summer 2018
- Begin Phase Two of Village Green – Late Summer 2018

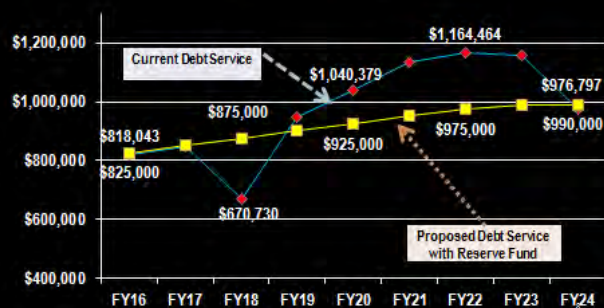
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Budget Proposal FY 2016



E. Debt Service







Budget Proposal FY 2016

Knowns



- Val Halla & Adult Education Moved to the General Fund
- Rise in Expenses \$950,000
- Increase in Revenues \$ 772,000 Non-property taxes
- Increase in New Property Taxes \$532,500
- Paving Plan fully funded
- Commitment Date – July 13, 2015

Budget Proposal FY 2016

Unknowns

- MSAD 51 Budget
- Health Insurance- 15% - 30% Increase
- Governor's Budget Impacts on Schools & Town's
- \$ 375,000 Revenue Sharing lost
- Impact of Homestead Exemptions – Under 65 will see a \$175 increase in taxes without any changes to current budget
- Town Council may need to restart Budget process after State Legislature adjourn based on Municipal Impacts





Budget Proposal FY 2016

Preliminary Tax Rate Impact

Municipal	
\$950,652 Expenses - \$772,147 Rev Incr	\$178,495
Val Halla + Adult Ed (Exp.) – VH +AE (Rev)	
County Tax Increase	\$ 51,358
Tax Base Growth FY 16 vs FY 15	\$ 532,500
	\$302,647

If the MSAD 51 Assessment increase less than \$716,000 or 5%
 Mil Rate for FY 2016 = \$ 17.75 or less 2% increase over FY 2015




Budget Proposal FY 2016

Next Steps

- Budget Workshop - 2/23/14 – prior to Council Meeting – 6 PM
- Budget Workshop - 3/09/14 – prior to Council Meeting – 6 PM
- Budget Workshop - Saturday, March 14, 2015
8 AM until Completed
- March 23, 2015 Public Hearing FY 2016 Budget – 7 PM



V. NEW BUSINESS

Councilor Edes – None

Councilor Storey-King – It has been on the news that Anthem has had a security breach. The MSAD employees have health insurance through Anthem. They have learned that Anthem has reported that they will not call or e-mail any of their policy holders asking for their private information. If anyone is contacted this way, they should not give any information. Anyone can file a fraud report on their credit report by going to the following website: <https://www.experian.com/fraud/center.html>.

She noticed that the Police Department posted an accident on their Facebook page that occurred on Middle and Tuttle Roads. There were a lot of comments posted on how to improve that intersection, including “put a stoplight there”. There is a light there flashing yellow one way and flashing red the other way. She did notice that the streetlight on the north side of that intersection was not working.

Congratulations to all of the winter sports teams and good luck on their upcoming tournaments.

Ashley Storey recently scored her 1,000th point at a Greely basketball recently. Ashley is the first girl in Greely’s history to do this, and only the 3rd athlete to do it in Greely’s history.

Councilor Bingham – Thank you to the Public Works crew for keeping our roads clear. They do an amazing job.

With the cold weather and snow, be sure to look out for your neighbor, especially the elderly ones.

Chairman Gruber – The Council heard an update from the Aging in Place Committee in a workshop earlier this evening. The Committee has a website that can be located from the homepage of the Town website.

The Food Pantry had its annual meeting last week. We have had a very good year in regard to the number of people we served. A middle school student recently donated \$100 recently. Thank you very much to that young man.

Councilor Stiles – He has noticed that people tend to put their trash out the evening before their scheduled pick up. This is not good practice if the snow plows are going to be out plowing overnight. He asked people to please get up a few minutes early on their trash day and put it out in the morning to avoid having the plows hit it and spread it all over the place.

Councilor Turner – He recently hooked up to natural gas, as many residents have. He reminded everyone to be sure the vents are cleared of snow to avoid having carbon monoxide going back inside the house.

Town Manager Shane – Over the past two weeks, the Public Works employees have worked over 60 hours of overtime per employee. They have done an amazing job and we are all grateful to them.

With the amount of snow that we have received, there will be some mailboxes that get damaged because they get buried and the plow driver cannot see them. If this happens, please contact the Public Works department (829-2220) and it will be replaced with a temporary mailbox, then a permanent replacement in the spring.

As of last week, the Town owns the bypass at Harris Road and Route 9 and will begin maintaining it.

VI. ADJOURNMENT

Motion by Councilor Bingham, seconded by Councilor Stiles, to adjourn.

VOTE: 6-0 UNANIMOUS

TIME: 9:29 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

ITEM

15-019

To hear a report from Police Sargent, Angelo Mazzone re:
Cumberland County Dispatch services

No materials for this item

ITEM

15-020

To consider and act on authorizing contractors to work within 25 feet of Methodist Cemetery during the Blackstrap Road reconstruction project



18'
to Property

12'
to fence

BLACKSTRAP RD

Maine Revised Statutes
Title 13: CORPORATIONS
Chapter 83: CEMETERY CORPORATIONS

§1371-A. LIMITATIONS ON CONSTRUCTION AND EXCAVATION NEAR BURIAL SITES

1. Known burial sites. Construction or excavation near a known burial site or within the boundaries of an established cemetery must comply with any applicable land use ordinance concerning burial sites or established cemeteries, whether or not the burial site or established cemetery is properly recorded in the deed to the property. In the absence of local ordinances, construction or excavation may not be conducted within 25 feet of a known burial site or within 25 feet of the boundaries of an established cemetery, whichever is the greater, whether or not the burial site or established cemetery is properly recorded in the deed to the property, except:

A. When the construction or excavation is performed pursuant to a lawful order or permit allowing the relocation of bodies; or [2009, c. 2, §27 (COR).]

B. When necessary for the construction of a public improvement, as approved by the governing body of a municipality or, in the case of a state highway, by the Commissioner of Transportation. [2009, c. 2, §28 (COR).]

C. [2009, c. 310, §1 (NEW); T. 13, §1371-A, sub-§1, ¶C (RP).]

A municipality may enforce this subsection or any local ordinance concerning burial sites or established cemeteries pursuant to Title 30-A, section 4452, including the assessment of civil penalties.

In the event of any violation of this subsection, the Attorney General may seek to enjoin a further violation, in addition to any other remedy.

[2009, c. 2, §§27, 28 (COR).]

2. Undocumented burial site. The following procedures apply to construction or excavation that threatens an undocumented or unmarked burial site.

A. Whenever any person has knowledge that excavation or other construction activity may disturb or is disturbing a burial site, that person shall notify the local code enforcement officer by providing an affidavit and any other evidence of the location of the burial site. [1991, c. 412, §2 (NEW).]

B. Upon receipt of proper notification, the code enforcement officer shall issue a stop-work order to the person or entity responsible for the activity that threatens to disturb the burial site. [1991, c. 412, §2 (NEW).]

C. Before the construction activity may continue, the excavator or person who owns the land shall notify the Director of the Maine Historic Preservation Commission and the president of any local historical society of the probable location of the burial site. The excavator or the person who owns the land shall also arrange, at that person's own expense, for appropriate investigation to determine the existence and location of graves. [1991, c. 412, §2 (NEW).]

D. When the investigation is complete, if no human remains are discovered, the person responsible for the investigation shall notify the code enforcement officer of the results and the code enforcement officer shall revoke the stop-work order if satisfied that the investigation is complete and accurate. [1991, c. 412, §2 (NEW).]

E. If a burial site is discovered, excavation or construction may not continue except in accordance with subsection 1 and other applicable provisions of state law. [1991, c. 412, §2 (NEW).]

[1991, c. 412, §2 (NEW) .]

3. Application. This section applies only to burial sites and established cemeteries containing the bodies of humans.

[2007, c. 112, §3 (AMD) .]

SECTION HISTORY

1991, c. 412, §2 (NEW). 2007, c. 112, §§2, 3 (AMD). RR 2009, c. 2, §§27, 28 (COR). 2009, c. 310, §1 (AMD). MRSA T. 13, §1371A, sub1, ¶C (AMD).

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ITEM 15-021

To authorize the Town Manager to execute a 3-year contract with
Medical Reimbursement Services for EMS billing services

Medical Reimbursement Services
P.O. Box 1810, Windham, ME 04062
Phone (207) 892-0020 ~ Fax (207) 893-0583

Medical Reimbursement Services Inc. hereinafter referred to as MRS, of Windham, Maine is the supplier.

Town of Cumberland, hereinafter referred to as client, is a consumer of services provided by MRS.

MRS will process all bills for the clients (patients). This includes billing both patients and/or third party insurers. MRS will use standard bill format for self-pay clients and standard HCFA 1500 forms used by all major insurance carriers. MRS submits claims electronically to Medicare, MaineCare, Rail Road Medicare, and Anthem BlueCross.

MRS will provide to client, by email, within 5 days of months closing, a monthly statement which will include the following:

- Accounts Receivable
- Summary Report
 1. A breakdown of billed charges
 2. A breakdown of payments received
 3. A breakdown of your write off
- Upon request, and within reason, other reports will be provided as desired.

MRS will resolve all telephone calls or written correspondence from patients either by letter or a personal telephone call. MRS will bill and collect for all services without offending any clients, keeping in mind we will be courteous at all times. A local and toll-free telephone line will be available for the patient's use. A post office box will be provided in Windham, Maine for quick and easy access to any payments.

MRS will review all charges at least once yearly. Recommendations for increases or decreases will be forwarded to client for review and implementation.

MRS will make bank deposit once a week with frequency increasing as payments' receipts warrant. Once bank deposits are made, MRS will fax (or scan) copies of your bank slips to the appropriate department. Town of Cumberland will have sole custody of the bank account used for deposits. All checks for reimbursement will be made out to Town of Cumberland, and will be deposited into their bank account. MRS will have no negotiating rights to this bank account; MRS will be making deposits only.

MRS will provide all services as listed at the rate of 6% of moneys collected by MRS. An initial (one time) set of fee of \$200.00 would include, but is not limited to the following:

- Old accounts (less than 12 months);
- The initial set-up into our computer;
- The gathering of all provider number (i.e. Medicare, MaineCare, and Anthem ect.);
- Yearly review of fee schedule and consultations as needed;
- Fair hearing and reviews of denied insurance claims;
- MRS will make all records available to client's accountants if needed.

Medical Reimbursement Services
P.O. Box 1810, Windham, ME 04062
Phone (207) 892-0020 ~ Fax (207) 893-0583

In order for our office to bill and collect efficiently, the client or their agent, will provide all billing information such as, but not limited to:

- Name, address, and date of birth of patient;
- Guarantor name and address;
- Signature of the patient or Medicare approved individual;
- The service performed, such as the ambulance report; and
- Client will assist MRS in researching any information necessary to finalize payments on any accounts.

Medical Reimbursement Services shall carry out its obligations under this agreement in compliance with the privacy regulations pursuant to Public Law 104-191 of the August 21, 1996, known as the *Health Insurance Portability and Accountability Act of 1996*, Subtitle F-Administrative Simplification, Sections 261, *et seq.*, as amended ("HIPAA"), to protect the privacy of any personally identifiable protected health information ("PHI") that is collected, processed or learned as a result of our billing services provided hereunder. In conformity therewith, Medical Reimbursement Services and our staff agrees that it will:

1. Not use or further disclose PHI except as permitted under this agreement or required by law;
2. Use appropriate safeguards to prevent use of disclosure of PHI except as permitted by this agreement;
3. To mitigate, to the extent practicable, any harmful effect that is known to Medical Reimbursement Services of a use or disclosure of PHI by Medical Reimbursement Services it is in violation of this agreement.
4. Report to Town of Cumberland any use or disclosure of PHI not provided by this agreement of which Medical Reimbursement Services becomes aware;
5. Ensure that any agents of subcontractors to whom Medical Reimbursement Services provides PHI, or who have access to PHI, agree to the same restrictions and conditions that apply to Medical Reimbursement Services with respect to such PHI;
6. Make PHI available to Town of Cumberland and to the individual who has right of access as required under HIPAA within 30 days of the request by Town of Cumberland or the individual;
7. Incorporate any amendments to PHI when notified to do so by Town of Cumberland;
8. Provide an accounting of all uses or disclosures of PHI made by Medical Reimbursement Services as required under the HIPAA privacy rule within 60 days;

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9. Make its internal practices, books and records relating to the use and disclosure of PHI available to the Secretary of the Department of Health and Human Services for purpose of determining Medical Reimbursement Services and Town of Cumberland compliance with HIPAA; and
 10. At the termination of the agreement, return or destroy all PHI received from, created or received by Medical Reimbursement Services on behalf of Town of Cumberland and if return is infeasible, the protections of this agreement will extend to such PHI.
- A. The specific use and disclosures of PHI that may be made by Medical Reimbursement Services on behalf of Town of Cumberland include:
1. The preparation of invoices to patients, carriers, insurers and others responsible for payment or reimbursement of the services provided by Town of Cumberland to its patients.
 2. Preparation of reminder notices and documents pertaining to collections of overdue accounts.
 3. The submission of supporting documentation to carriers, insurers, and other payers to substantiate the health care services provided by Town of Cumberland to its patients, or to appeal denials of payments for the same.
 4. Uses required for the proper management of Medical Reimbursement Services as a business associate.
 5. Other uses or disclosures of PHI as permitted by HIPAA privacy rule.
- B. Notwithstanding any other provisions of the Agreement, the Agreement may be terminated by Town of Cumberland, in its sole discretion, if Town of Cumberland determines that Medical Reimbursement Services has violated a term or provision of this Agreement pertaining to Town of Cumberland obligation under HIPAA privacy rule, or if Medical Reimbursement Services engages in conduct which would result in a violation of the HIPAA privacy rule.

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Town of Cumberland will make payments to **MRS** within **thirty (30) days** of the monthly invoice. This agreement will be in effect for three (3) years and automatically be renewed on an annual basis unless written notice is received from either party. In the event of termination, MRS reserves the right to collect the account receivables for ninety (90) days following the termination date.

MRS and **Town of Cumberland** will address any conflicts on an individual basis, where at least one member of Town of Cumberland and MRS must be present.

The above becomes a legal and binding agreement for both MRS and Town of Cumberland upon signing below.


Shawn McPherson
Medical Reimbursement Services

1/9/15

Date

Town of Cumberland

Date

ITEM

15-022

To hear an update from Fire Chief, Dan Small re: Community
Paramedicine Program

No materials for this item

NEW BUSINESS



MEMORANDUM PORTLAND WATER DISTRICT

TO: Operations Committee / Board of Trustees

FROM: Scott Firmin, Director of Wastewater Services
James Wallace, Director of Water Services

DATE: January 30, 2014

RE: **Operations Committee Meeting – February 9, 2015**

A meeting of the Operations Committee of the Portland Water District Board of Trustees will be held on Monday, February 9, 2015 beginning at 5:30 p.m., in the Emergency Operations Center of the District, 225 Douglass Street, Portland, Maine.

AGENDA

1. **Amendment to the Falmouth Sewerage Service Contract – Mill Creek Pump Station Replacement**

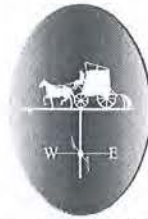
Staff will review a proposed amendment to the Sewerage Service Contract with Falmouth related to the receipt and treatment of wastewater from the Town of Cumberland. The amendment will provide for increased capacity in the pump station and will memorialize the capital cost sharing for the replacement of the Mill Creek Pump Station and force main.

2. **Operational Update of B4 Treatment Facilities –**

Staff will provide a summary discussion of the B4 area treatment facilities and ongoing efforts to effectively manage the three wastewater treatment facilities in that group.

3. **Finalize Operations Committee 2015 Work Plan**

4. **Other**



Portland Water District
From Sebago Lake To Casco Bay

OPERATIONS COMMITTEE / AGENDA ITEM SUMMARY

Agenda Item: 1
Date of Meeting: January 30, 2015
Subject: Amendment to the Falmouth Sewerage Service Contract – Mill Creek Pump Station Replacement
Presented By: Scott Firmin, Director of Wastewater Services

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the General Manager is hereby authorized to execute an Amendment to the Falmouth Sewerage Service Contract in substantial form as attached hereto, and to take such other action necessary to implement the intent of this vote.

BACKGROUND ANALYSIS

The Portland Water District owns, operates, and maintains interceptor sewers and pumping stations in the Town of Cumberland. The collected flow from the Town of Cumberland is conveyed to the treatment plant in Falmouth for treatment pursuant to a Sewerage Service Contract. The original contract between the District and the Town of Falmouth was signed in March of 1981 and has served all communities well since that time.

The Mill Creek Pump Station is located in the Town of Falmouth. This major pump station receives and conveys all of the flow from Cumberland to the Falmouth treatment plant. The Mill Creek Pump Station is approaching the end of its design life. During the preliminary design of the new pump station, the Town of Falmouth's engineering consultant reviewed current and anticipated future flows and recommended an increase in the peak flow capacity of the pump station. After a careful review of the projected flows and the allocation of those flows, Falmouth, Cumberland and the District have agreed with the engineer's recommendation. The proposed Amendment to the Falmouth Sewerage Service Contract memorializes the new pump station and force main capacity, and the future cost sharing by the District (on behalf of Cumberland) and the Town of Falmouth.

The original agreement allocated a peak flow of 1.076 mgd to Cumberland. The resultant share of 35% of the full pump station capacity was used to allocate capital costs to the District, with Falmouth

responsible of the remaining 65%. Operational costs are paid based upon the percentage of actual annual flows from each town. The Amendment will increase the ultimate capacity of the Mill Creek Pump Station and force main, with Cumberland's peak hourly capacity increasing to 1.827 mgd. This increase in capacity will raise the District's share of capital costs (on behalf of Cumberland) to 43.7%. With an estimated project cost of \$5,900,000, the District's share (on behalf of Cumberland) will be approximately \$2,600,000. Operational cost will continue to be allocated based on the percentage of actual annual flows.

The peak design flows to the Mill Creek Pump station include peaking factors associated with wet weather and groundwater influence. In order for both Cumberland and Falmouth to reach the full future projected average daily flows, each town will have to continue efforts to reduce the high flows associated with inflow and infiltration during wet weather. The District has been working closely with the Town of Cumberland to identify possible sources of Infiltration/Inflow in the interceptor and collection system. These ongoing efforts, in addition to efforts by the Town to identify and mitigate other private sources of I/I, will be critical if the Town of Cumberland expects to ultimately reach its allocated daily capacity at the treatment plant.

FISCAL REVIEW / FUNDING

The Town of Falmouth has estimated the total cost to replace the Mill Creek Pump Station and force main at \$5,900,000. The District (on behalf of Cumberland) would be responsible for 43.7% of the project costs, making the District's share of capital costs approximately \$2,600,000. It is expected Falmouth will bond finance the project through the Maine Municipal Bond Bank's State Revolving Loan Fund resulting in an annual debt service payment of \$208,000. The debt service payment will increase the District's assessment to the town of Cumberland by more than 28%.

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

District staff recommends approval of this order.

ATTACHMENTS

None

**AMENDMENT TO SEWERAGE SERVICE CONTRACT
BETWEEN PORTLAND WATER DISTRICT AND
TOWN OF FALMOUTH**

This Amendment to Sewerage Service Contract is made this _____ day of _____, 2015 by and between the Portland Water District and the Town of Falmouth.

Whereas, the parties entered into a Sewerage Service Contract dated March 13, 1981 (the "Contract") establishing rates, prices and rentals for joint-use facilities used by both parties; and

Whereas, the parties anticipate that the Mill Creek Pump Station and Mill Creek force main will be upgraded or replaced to provide 4.18 MGD peak flow capacity; and

Whereas, the anticipated increased capacity of the pump station and force main allows for growth and which capacity increase affords the ability to modify the flow allocations established in the 1981 agreement related to the Mill Creek pump station and Mill Creek force main; and

Whereas, the DISTRICT desires to increase its proportionate share of its peak capacity allocation in the Mill Creek pump station and Mill Creek force main to accommodate the DISTRICT'S stated need for future capacity per the terms of Section 14 of the contract;

Now Therefore, the parties agree as follows:

The March 13, 1981 Contract, as last amended 10 September 2002, is hereby further amended so that Section 8 of the Contract shall read as follows:

8. FALMOUTH agrees to allot the DISTRICT, upon completion of anticipated improvements or replacement to the Mill Creek pump station and Mill Creek force main to provide 4.18 MGD peak flow capacity, 43.7% of the peak capacity (1.827 M.G.D. peak hourly flow value) in the Mill Creek pump station and Mill Creek force main and 30.0% (0.468 M.G.D.) of capacity in FALMOUTH'S existing wastewater treatment facility. The use of "peak hourly flow value" in this section shall have no bearing on the interpretation of peak flow value elsewhere in the Contract.

In return for said allocation the DISTRICT shall pay FALMOUTH 43.7% of the expenditures incurred by FALMOUTH for the referenced upgrades or replacement. The DISTRICT also agrees to reimburse FALMOUTH 43.7 % of any future capital costs to the Mill Creek pump station or the Mill Creek force main or shall reimburse FALMOUTH per the terms of Section 14 of the Contract, whichever is greater.

All remaining sections of the Contract not herein amended remain in full force and effect.

In Witness Whereof, the parties have caused this Amendment to Sewerage Contract to be signed the day and date above written.

Date: _____ **Portland Water District**

By: _____
Title: Ronald Miller, General Manager

Date: _____ **Inhabitants of the Town of Falmouth, Maine**

By: _____
Title: Nathan A. Poore, Town Manager

Cumberland County 4-H Swiners

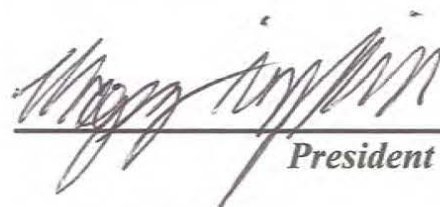


PRESENTED TO

TOWN OF CUMBERLAND

IN APPRECIATION
FOR THEIR CONTRIBUTIONS TO 4-H AND THE
CUMBERLAND COUNTY 4-H SWINERS CLUB 2014

December 3, 2014



President



127th Maine Legislature

Quick Facts

Maine's Gold Star Memorial Highway



Maine Turnpike Authority

2360 Congress Street
Portland, Maine 04102

207.871.7771

www.MaineTurnpike.com



1-888-MTA-PASS

www.ezpassmaineturnpike.com

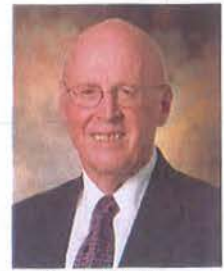


scan the QR code from your smart phone
to go to www.mainturnpike.com

ABOUT THE MTA

The Maine Turnpike Authority (MTA) is a quasi-state agency created by the Maine Legislature in 1941. The MTA operates and maintains a high-quality 109 mile interstate toll highway (I-95) from Kittery to Augusta. The Kittery to Portland portion, which was completed in 1947, was the first "superhighway" in New England and the first such highway in the United States built without state or federal tax dollars. It is overseen by a board of seven members, six of whom are appointed by the Governor and confirmed by the Senate. Members represent each of the counties along the turnpike corridor. Current board members are: Dan Wathen (Chairman), Jim Cloutier (Vice Chairman), Gerald Conley, John Dority, Freeman Goodrich, Robert Stone and Karen Doyle (Member Ex-Officio, MaineDOT).

The MTA staff is led by Peter Mills, Executive Director, and consists of approximately 465 dedicated employees, 325 of which are full time. The MTA maintains a pool of approximately 125 on-call toll collectors and hires an additional 15 snow fighters during winter months.



Dan Wathen
Chairman

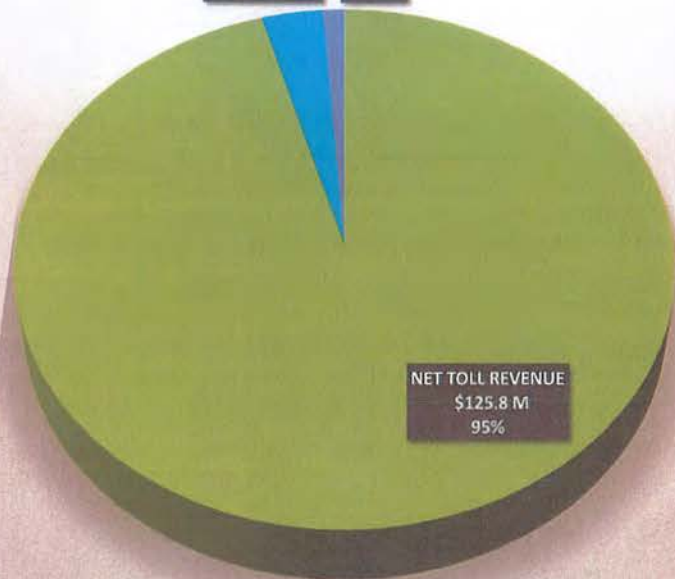


Peter Mills
Executive Director

MTA FUNDING

Revenue - 2016 Projected
\$132 million

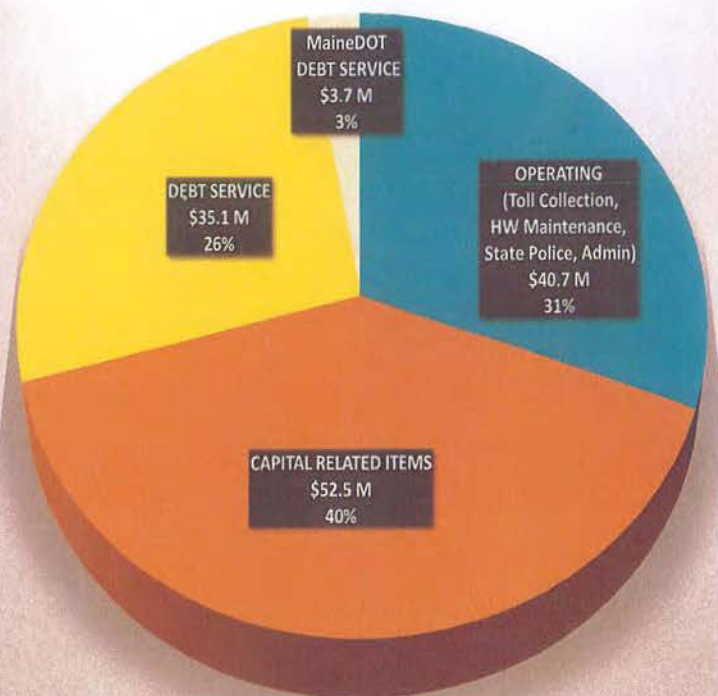
CONCESSIONS	OTHER
\$4.4 M 4%	\$1.8 M 1%



SOURCES

USES

Expenditures - 2016 Budget
\$132 million



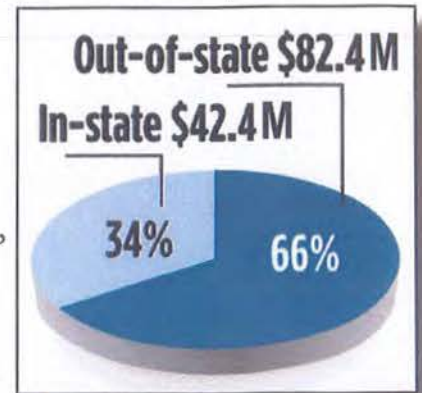
BY THE NUMBERS

\$0

The MTA receives no State or Federal Tax dollars. It is supported 100% by users.

66%

Two-thirds of MTA revenue was paid by out-of-state customers in 2014.



4x

The Turnpike is four times safer than other U.S. Interstates, based on average fatality rates.

6x

The E-ZDiscount Program implemented in 2012 provides discounts to six times more Mainers than the commuter plan it replaced.

55%

The Turnpike is the most important highway to Maine's economy. For example, fifty-five percent of all truck freight traffic crossing state boundaries passes over the Turnpike in Kittery on an average day.

**LOWEST
1/4**

MTA's E-ZPass rate per mile (7.7¢) is in the bottom quarter of rates of North American tolling agencies.

**TOP
4**

MTA's bond rating of AA- (Fitch, 2014) is fourth highest among the 118 North American toll agencies due to its long-term approach to asset and financial management.

360K

Number of toll transactions processed by the MTA on average each day, being as many transactions as the largest Maine banks.

7

The MTA is in the midst of a 7 year, \$125 million initiative to allow highway-speed, Open Road Tolling and to update its aging toll collection systems and equipment.

44

From 2015 through 2018, the MTA plans to improve 44 bridges at an estimated cost \$51.2 million, including all those currently rated as structurally deficient.

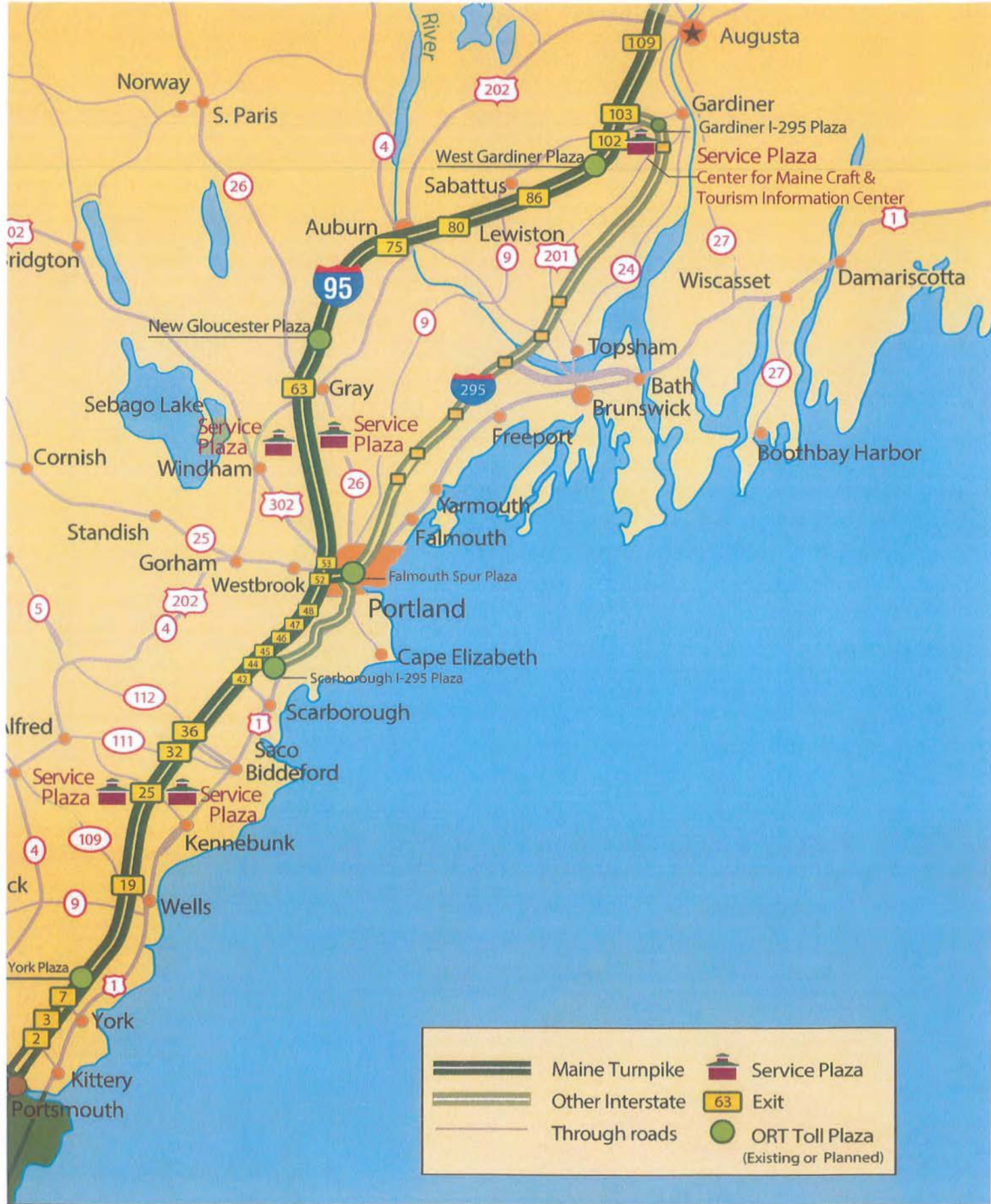
5%

MTA provides five percent of its revenue each year for joint MaineDOT/MTA projects.

**\$30
MILLION**

MTA is contributing \$30 million towards the replacement of the Sarah Mildred Long Bridge in Kittery, the primary backup to the I-95 high-level bridge.





QUESTIONS?

Peter Mills
cell: 858-6400

Bruce Van Note
cell: 577-2054

Erin Courtney
cell: 513-2982

BUDGET WORKSHOP



**Town of Cumberland
Finance Committee Meeting
Monday, February 23, 2015
6:00 PM
Council Chambers**

Please remember your Books

I. FY 2016 Budget Review

1. Public Works
2. Solid Waste
3. Parks
4. West Cumberland Recreation Hall
5. Historical Society
6. Municipal Building

If Time Permits or Carry over to March 9th

7. Police Dept
8. Fire Dept.
9. Administration
10. Recreation
11. Debt Service
12. Capital Budget
13. Misc. Budgets

II. Other Business

- a. Next Meeting – March 9, 2015 – 6 PM
- b. Saturday, March 14, 2015 8 AM

III. Adjournment

FY 2015 Town Council - Finance Committee

Peter Bingham – Finance Chair
pbinghamsr@cumberlandmaine.com

Tom Gruber – Council Chair
tgruber@cumberlandmaine.com

Bill Stiles- Councilor
wstiles@cumberlandmaine.com