

AGENDA

Cumberland Town Council Meeting
Town Council Chambers
MONDAY, March 23, 2015
5:30 & 6:15 P.M. Workshops
7:00 P.M. Call to Order

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

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

I. CALL TO ORDER

II. APPROVAL OF MINUTES
March 9, 2015

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

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

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

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

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

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

15 – 034 To consider and act on setting the week of May 18th – 22nd as Spring Bulky Item Pick-up Week.

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

VI. NEW BUSINESS

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

VIII. ADJOURNMENT

MOTIONS

MOTIONS

15 – 029 I move to approve the Class III Vinous & Malt Liquor License for Doc's Café, for the period of May 2015 – May 2016.

15 – 030 No action.

15 – 031 *Motion for Map 1 parcels:*

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

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

Motion for Map 2 parcels:

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

Motion for Map 3 & 4 parcels:

I move that the disposition of the remaining parcels be in accordance with the Town Manager's recommendation.

15 – 032 I move to amend Chapter 96, Section 96-14D (Fire Protection Requirements) of the Cumberland Code, regarding sprinkler requirements for commercial properties in excess of 4,000 square feet and single family dwelling units in major subdivisions, as recommended by the Planning Board.

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

15 – 034 I move to set the week of May 18th – 22nd as Spring Bulky Item Pick-up Week.

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

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

MINUTES

03/09/15

MINUTES

Cumberland Town Council Meeting Town Council Chambers **MONDAY, March 9, 2015**

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

7:00 P.M. Call to Order

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

Excused: Councilor Turner



I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Stiles, to accept the February 23, 2015 meeting minutes as presented.

VOTE: 5-0-1 (Councilor Copp abstained, absent from meeting) MOTION PASSES

II. MANAGER'S REPORT

Town Manager Shane presented the following rebuttal to the Forecaster headline "Early Cumberland budget proposes 10.6% hike":



Town of Cumberland
Municipal Budget
Proposal FY 2016
Presentation #2

William R. Shane
Town Manager
March 9, 2015

Early Cumberland budget proposes 10.6% hike

Alex Lear
Tuesday, March 3, 2015 at 8:40 am

CUMBERLAND — A draft of the town's fiscal 2016 general fund budget shows a 10.6 percent increase over current spending.

Can this be True?

Early Cumberland budget would keep tax-rate growth almost flat

Alex Lear
Monday, March 9, 2015 at 4:00 pm

CUMBERLAND — A preliminary version of the next municipal budget would add 2 cents to the tax rate, an increase of less than 1 percent, Town Manager Bill Shane said last week.

Is this More Accurate?

Start-up		Annual Operations	
Park Rangers - 26 weeks	\$19,633	Park Rangers - 26 weeks	\$19,633
Maintenance & Utilities	\$3,860	Maintenance & Utilities	\$3,860
Start-up Costs	\$66,000	Start-up Costs	\$0
Cap Reserves	\$10,000	Cap Reserves	\$10,000
	\$99,493		\$33,493

Avg House Value in Cumberland = \$350,000

Increase in Taxes due to Operations & Capital

Year 1 = \$99,493 = .0800 x \$350k Avg Home = \$28.00
Year 2 = \$33,493 = .0269 x \$350 K Avg Home = \$ 9.42

Total Tax Impacts on a \$350,000 Home

Bond + Start-up = \$29 + \$57

Bond + Annual Operations = \$29 + \$10 = \$39 per year

\$00.11 on Mil Rate - PAYSON

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

Preliminary Tax Rate Impact

Budget Proposal FY 2016

Revenues

Current Billing Distribution		
	RATE	%
School	11.70	67.24
County	0.57	3.28
Municipal	5.13	29.48
Total	17.40	100.00

New Revenues for FY 2016 \$ 522,000 from \$30 M of New properties prior to April 1

\$532,500
 x 67.24% = \$358,053 School
 x 3.28% = \$ 17,466 County
 x 29.48% = \$156,981 Town
\$532,500

Budget Proposal FY 2016

Revenues

Current Billing Distribution		
	RATE	%
School	11.70	67.24
County	0.57	3.28
Municipal	5.13	29.48
Total	17.40	100.00

New Revenues Town & County for FY 2016 \$ 532,500 from \$30 M of New properties

%	Revenue	Expense Increase	To Taxes
3.28%	\$ 17,466	County - \$ 51,358	Increase = \$ 33,892
29.48%	\$156,981	Town - \$178,495	Increase = \$ 21,514

County (\$00.03) or .17% + Town (\$00.02) or .11% = .28%

Budget Proposal FY 2016

Revenues

Current Billing Distribution		
	RATE	%
School	11.70	67.24
County	0.57	3.28
Municipal	5.13	29.48
Total	17.40	100.00

Mil Rate Pre School Assessment:

School \$11.70 + TBD
County \$0.57 + \$ 0.03 = \$0.60
Town \$5.13 + \$ 0.02 = \$5.15

Total \$17.40 + .05 = \$17.45 + School Increase

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

- 15 – 024 To hold a Public Hearing to consider and act on a Class I Liquor License, Special Amusement Permit, and Auxiliary Mobile Golf Cart License, for Rachel's on The Green at Val Halla, for the period of April 2015 – April 2016.**

Town Manager Shane said that the Smith's have done an outstanding job with Rachel's On the Green, filling a big hole that was in our community for many years. They are great members of our community. All the paperwork is in order and staff is recommending approval.

Motion by Councilor Bingham, seconded by Councilor Storey-King, to approve the Class I Liquor License, Special Amusement Permit, and Auxiliary Mobile Golf Cart License, for Rachel's on The Green at Val Halla, for the period of April 2015 – April 2016.

VOTE: 6-0 UNANIMOUS

15 – 025 To hear a report from the Ordinance Committee re: amendments to Chapter 96 (Fire and Fire Protection) of the Cumberland Code with regard to sprinkler systems for commercial buildings, and to consider and act on sending to the Planning Board for a Public Hearing and recommendation.

Councilor Storey-King explained that the Ordinance Committee met to discuss this issue. The Ordinance Committee is recommending that a commercial building, that is not accessible to the public, can have the sprinkler requirement waived or modified (i.e. metal, storage type buildings).

Motion by Councilor Bingham, seconded by Councilor Copp, to send Chapter 96 (Fire and Fire Protection), Article II (Fire Protection), Section 96-14 (Fire Protection Requirements) of the Cumberland Code, to the Planning Board for a Public Hearing and recommendation on amending the requirement for sprinkler systems in new commercial buildings.

VOTE: 6-0 UNANIMOUS

15 – 026 To hear a report from the Town Manager re: Portland Water District, Falmouth Mill Creek Pump Station Replacement.

Town Manager Shane explained that this has been in the works for about 10 years. The Mill Creek Pump Station is located on Route 88 in Falmouth, and all the waste water that is generated in Cumberland goes through that pump station. We have been limited in our capacity and our future capacity by the size of the current station and its need to be increased. The cost of the new station is close to 6 million dollars and we will be responsible for almost half because we push 48% of the waste water through that pump station. The impact to our residents who are on the sewer system will be approximately a 28% increase to our present assessment. We have been planning on this for 3-4 years and have built up our sewer fund to prepare for this. Town Manager Shane said that he anticipates a 5-7% increase over several years instead of a 10-15% increase in year one.

15 – 027 To set a Public Hearing date (March 23rd) to consider and act on a Class III Vinous & Malt Liquor License for Doc's Café, for the period of May 2015 – May 2016.

Motion by Councilor Stiles, seconded by Councilor Bingham, to set a Public Hearing date of March 23rd to consider and act on a Class III Vinous & Malt Liquor License for Doc's Café, for the period of May 2015 – May 2016.

VOTE: 6-0 UNANIMOUS

15 – 028 To authorize the Town Manager to accept an anonymous donation of \$20,000.00 to be used for food and fuel assistance.

Town Manager Shane said that this is an amazing gift and he hopes that someday this family will allow him to thank them publically because they have done so much to help the residents in need in our community. Half the money will go to the Food Pantry and half to the heating assistance fund. Many families have benefited from their gift in the past and will continue to benefit from their great generosity.

Motion by Councilor Copp, seconded by Councilor Stiles, to authorize the Town Manager to accept an anonymous donation of \$20,000.00 to be used for food and fuel assistance.

VOTE: 6-0 UNANIMOUS

V. NEW BUSINESS

Councilor Copp – he apologized for missing the last 2 meetings due to weather.

Condolences to the Butterworth family on the recent passing of Dale Butterworth. Dale was a great man who loved to tell stories. Dale and his wife were married for 72 years and his wife still lives in the community.

Councilor Edes – There was a meeting in Gray with representatives from Maine Municipal Association discussing the Governor's Budget proposal. 6 out of 7 Cumberland Town Councilors were present at that meeting in order to get more information and have their questions answered. He thought it important for the public to be aware that Councilors don't just attend 2 meetings a month. They all do a lot to try to do what is best for the community.

Councilor Storey-King – Thank you to the Finance Committee and the Town Manager for budget transparency.

She also sent condolences to the Butterworth family. They are neighbors of hers and Dale was a longtime educator who taught shop in the Westbrook School system.

There was a parade for the Greely Girls Basketball team who won the State Championship. The turnout was amazing.

She reminded everyone please be careful of deer while driving at night. They seem to be coming out of the woods and hanging out on the roads.

Councilor Bingham – The Comprehensive Plan Update Committee continues to meet and is making some progress. It has been a slow process, but everyone has stuck it out and they will be done eventually.

He called and left a message for the principal at Presque Isle High School because he thought that the student body and towns people that attended the championship basketball game behaved in a very classy manner considering the time that they spend travelling down here for the game. It was also very classy of the Greely fans to give Presque Isle a standing ovation when they received their trophy.

Chairman Gruber – The Aging in Place Committee continues to meet on the second Wednesday of each month. The Community Forum on Aging in Place in Cumberland will take place on April 18th at Greely Middle School from 10:00 a.m. to 1:00 p.m. Invitations will be mailed to every household in Cumberland. This is an important issue and he hopes a lot of residents of every age will attend.

The Ocean Access Committee also meets on the second Wednesday of each month at 6:00 p.m. This is a very engaging committee who is doing great work.

The Food Pantry continues with high demand serving 50 families per week. Thank you to everyone who volunteers at the food pantry and to those who donate.

He asked Isabelle Porter to come to the podium. Isabelle is a shooting forward on the Greely Girls basketball team and he wanted to congratulate her on the State Championship.

Councilor Stiles – he asked Councilor Bingham, as Finance Committee Chair, to report on meeting with the Auditors recently.

Councilor Bingham explained that every year, the Finance Committee is required to meet with the auditors to review the financial statements and all the procedures and controls that are in place. Once again this year, we have come through the audit with flying colors.

Town Manager Shane – Nomination papers are available on March 16th. There are 3 Council positions and 2 School Board positions that are up this year.

The Assessor will be at the March 23rd Council meeting to give an update on sales and the state of assessing in Cumberland.

We will be discussing two new TIF Districts in the coming weeks. The new districts will cover the gas mains going through Town.

The manager said that he would reach out to the Town Manager of Windham to set up a joint meeting with the Windham Town Council to discuss the poor road conditions around Forest Lake that we are subjecting our emergency vehicles to.

VI. ADJOURNMENT

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

VOTE: 6-0

TIME: 7:58 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

ITEM 15-029

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

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 5/28/2015

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☐ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

(RESTAURANT/LOUNGE (Class XI ☐)RESTAURANT (Class I,II,III,IV ☒
 (HOTEL (Class I,II,III,IV ☐)HOTEL-OPTIONAL FOOD (Class I-A ☐
 (CLUB-ON PREMISE CATERING (Class I ☐)CLASS A LOUNGE (Class X ☐
 (GOLF CLUB (Class I,II,III,IV ☐)CLUB (Class V ☐
 :OTHER ☐)TAVERN (Class IV ☐

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Rebecca Williams</u> DOB: <u>5/21/78</u>	2. Business Name (D/B/A) <u>Deli Cafe Marketplace</u>
DOB: _____	<u>371 Tuttle Rd</u>
DOB: _____	Location (Street Address) <u>371 Tuttle Rd</u>
Address <u>6 Humlock Dr</u>	City/Town _____ State _____ Zip Code _____
<u>Cumberland ME 04021</u>	Mailing Address
City/Town _____ State _____ Zip Code _____	City/Town _____ State _____ Zip Code _____
Telephone Number <u>207 347 1298</u> Fax Number _____	Business Telephone Number <u>207 829 4250</u> Fax Number _____
Federal I.D. # <u>45-4820323</u>	Seller Certificate # <u>1155716</u>

3. If premises is a hotel, indicate number of rooms available for transient guests: _____
 4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 357,129.38 LIQUOR \$ 2152

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: _____

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

Requested inspection date: _____ Business hours: _____

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
Rebecca Williams	5/21/78	Peabody, MA

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

North Yarmouth, ME
Cumberland, ME

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: _____

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

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? 300 ft. Which of the above is nearest? church

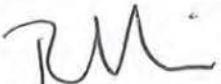
20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

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."

Dated at: Cumberland ME on 2/23/15, 2015
Town/City, State Date



Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

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, 164 State House Station, Augusta ME 04333-0164. 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: Municipal Officers County Commissioners of the
Unincorporated Place of: _____, Maine Plantation Town City

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 with 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 license 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:

Doc's Cafe LLC

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

Doc's Cafe & Marketplace

3. Date of filing with the Secretary of State: Jan 1, 2012

4. State in which you are formed: ME

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

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 %
Rebecca Williams	322 green rd N. Yarmouth Hemelock Dr Cumberland	5/21/78	100

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: _____

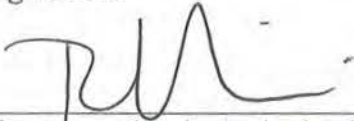
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Duly Authorized Person

Date

2/24/15

Rebecca Williams

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 and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3424
Email Inquiries: MaineLiquor@Maine.gov

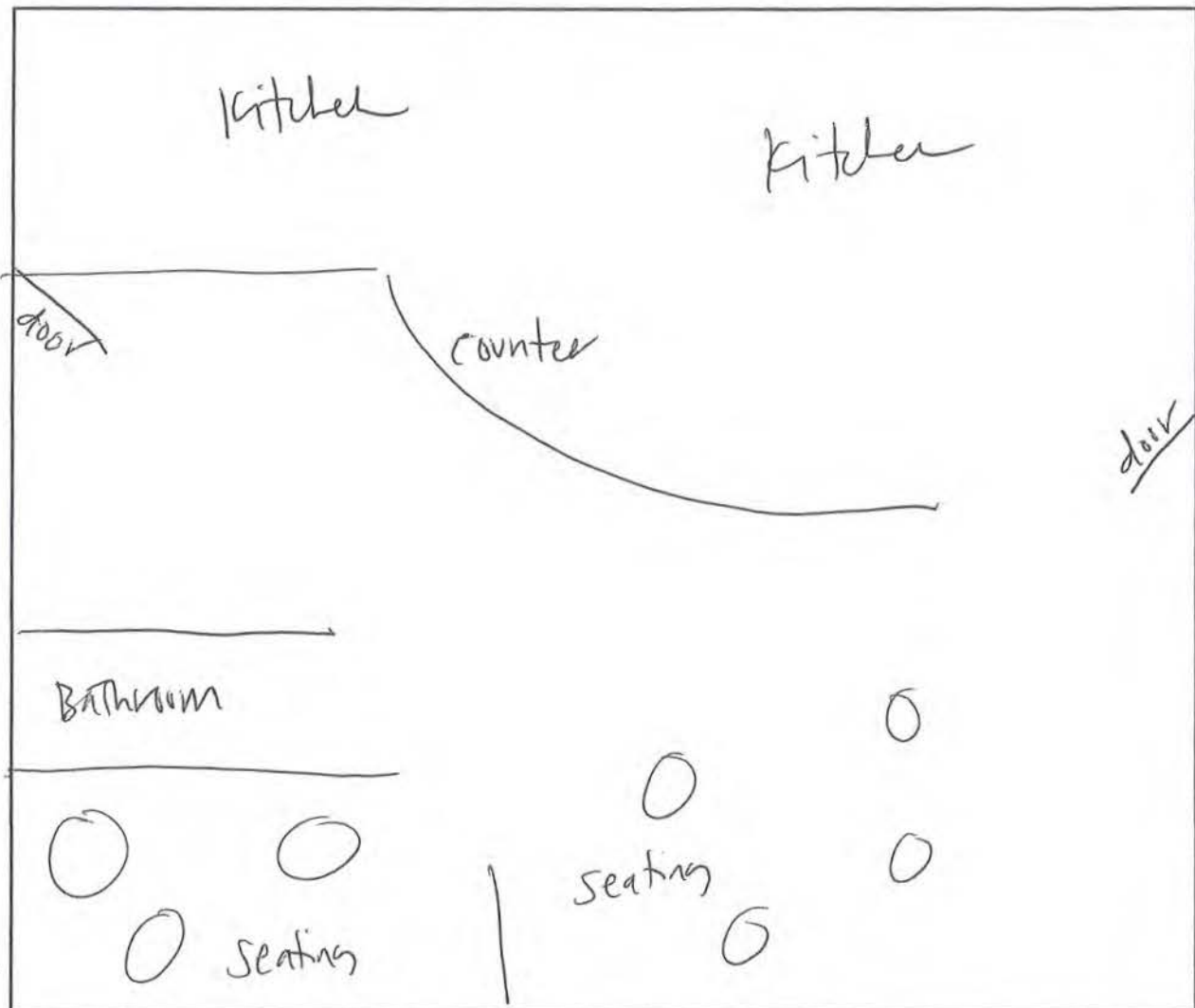


Bureau of Alcoholic Beverages
Division of Liquor Licensing & Enforcement
164 State House Station
Augusta, ME 04330-0164
Tel: (207) 624-7220 Fax: (207) 387-3424

SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



ITEM 15-030

To hear a report from the Assessor re: property values

Town of Cumberland

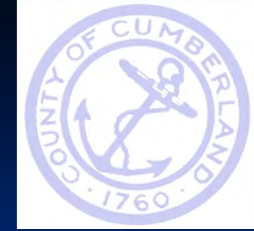
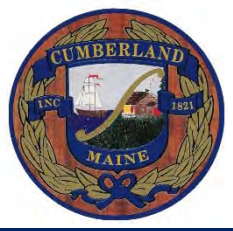


Assessor's Annual Report to the Town Council March 23, 2015

Town of Cumberland Tax Assessor

Gary N. James, CMA , MBA

Director – Cumberland County Regional Assessing



Definitions

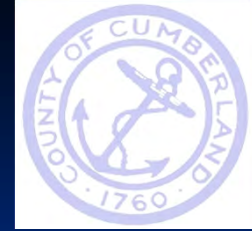
- *Assessment Ratio* =
$$\frac{\text{Current Assessment}}{\text{Sale Price}}$$
- *Average Assessment Ratio* : Average of All Assessment Ratios in a Sales Analysis
- *Deviation*: Percentage Difference of each Sale from the Average Assessment Ratio
- *Quality Rating* =
$$\frac{\text{Average Deviation of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



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



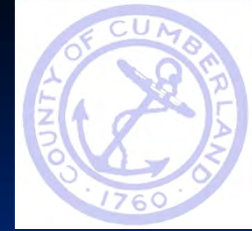
Review of State Assessing Standards



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



State Valuations for Cumberland Since 2008



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



Sales Information:

20008 - 2014

Town Wide



Number of
Sales

644

Assessment
Ratio

100.92%

Quality Rating
(COD)

11.13%

Assessment
Sale Price

Below 20%
Lower the Better



Sales Information: 2008 – 2014 Foreside



Number of
Sales

161

Assessment
Ratio

102.72%

Quality Rating
(COD)

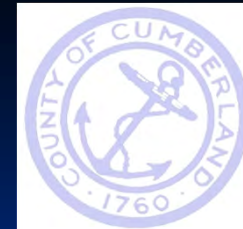
12.47%

Assessment
Sale Price

Below 20%
Lower the Better



Sales Information: 2008 – 2014



Cumberland Center

Number of
Sales

323

Assessment
Ratio

98.49%

Quality Rating
(COD)

9.82%

Assessment
Sale Price

Below 20%
Lower the Better



Sales Information: 2008 – 2014



West Cumberland

Number of
Sales

155

Assessment
Ratio

103.46%

Quality Rating
(COD)

9.22%

Assessment
Sale Price

Below 20%
Lower the Better



Sales Information: 2008 - 2014



Condominiums

Number of
Sales

10

Assessment
Ratio

101.68%

Quality Rating
(COD)

3.44%

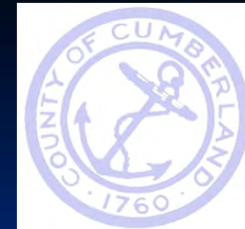
Assessment
Sale Price

Below 20%
Lower the Better



Sales Information:

All Areas: 2014



<u>Location</u>	<u>Assessment Ratio</u>	<u>Quality Rating (COD)</u>
Cumberland Center	100.42%	11.63%
Cumberland Foreside	102.29%	12.40%
West Cumberland	97.82%	10.28%
Condominiums	101.68%	3.44%
Vacant Land	97.76%	20.00%

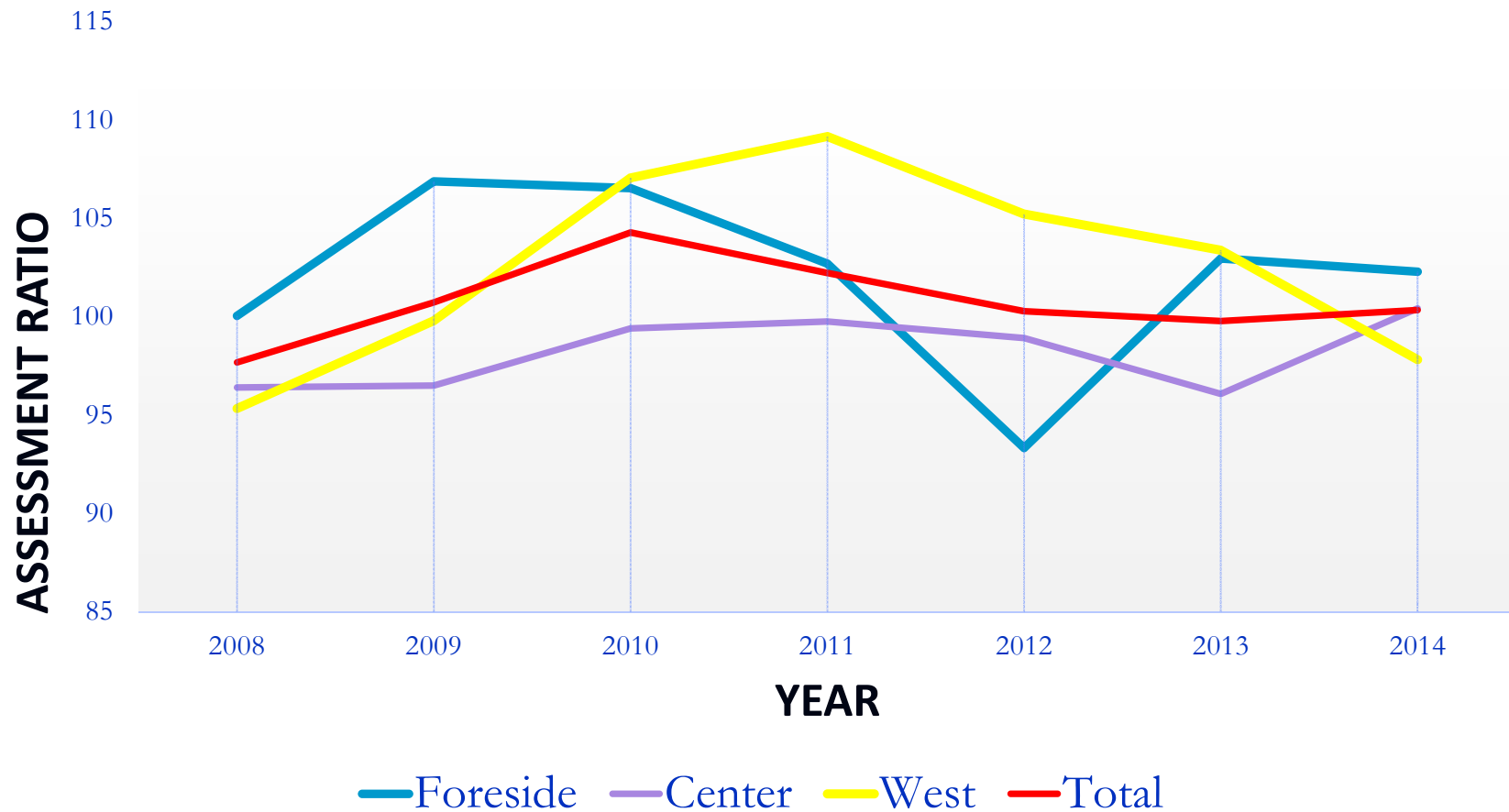


Sales Information:

All Areas: 2008 to 2014



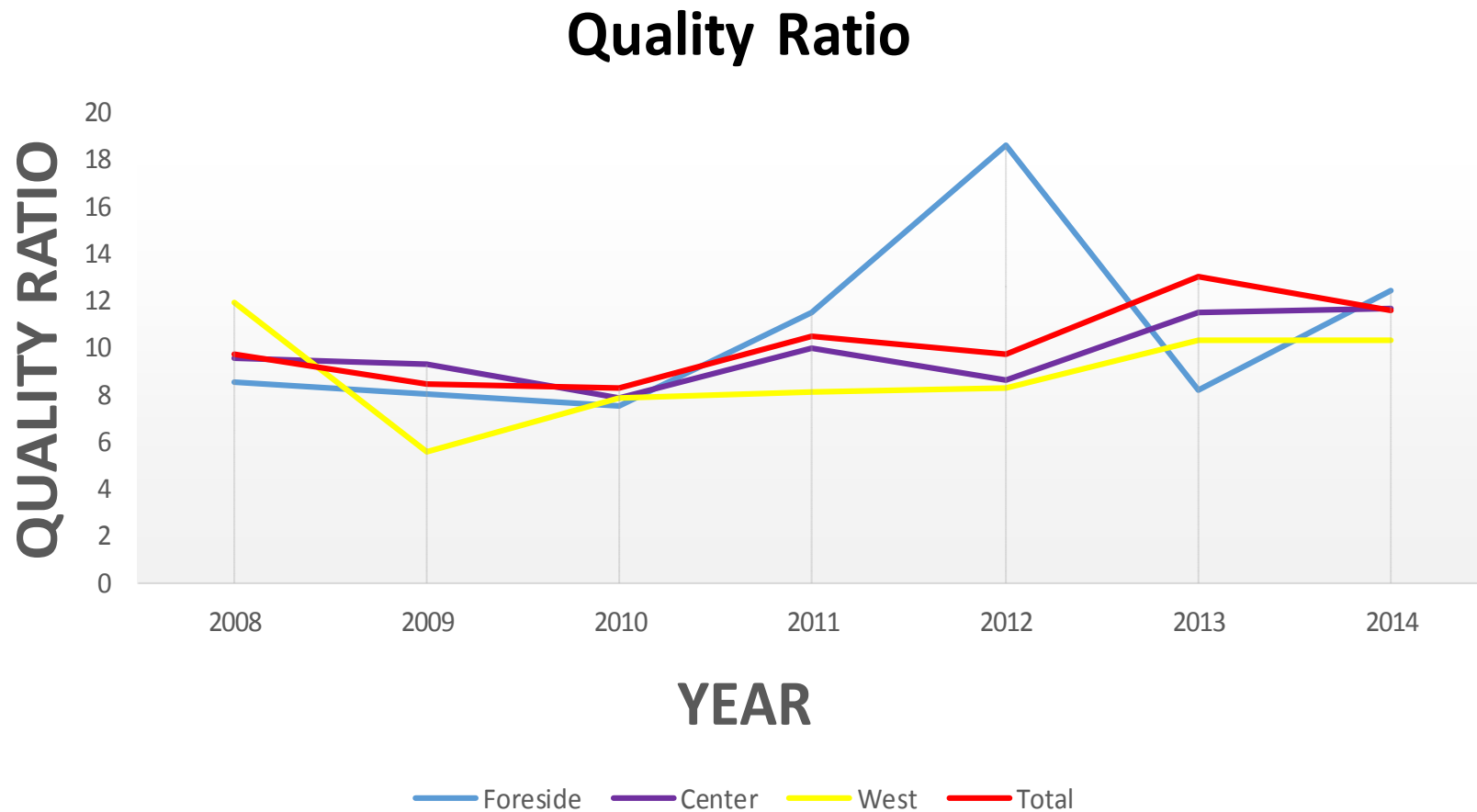
Assessment Ratios





Sales Information:

All Areas: 2008 - 2014





Conclusions/Contact Info



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

Gary James– Town Assessor (207) 699-2475

Email: james@cumberlandcounty.org

ITEM 15-031

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



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

TO: William Shane, Town Manager

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

DATE: March 17, 2015

SUBJECT: Foreclosed Properties

The foreclosure list presented in December of 2014 remains unchanged. There are several properties that I believe we should take action on.

Map 1

- There are two properties that the Town has foreclosed on that should be deemed as uncollectable and abated so the remaining balances can be taken off the books. These properties are Map R03/Lot 25, formerly in the name of Robert Allen-heirs of, in the amount of \$2,095.14. The second property is Map R03/Lot 19-2. This property is a shed located on the cell phone tower parcel. The property has been assessed to the incorrect owner for several years. Assessing has determined who the actual owner is and has properly adjusted this in their records. The amount remaining on the books for the years of incorrect assessment is \$1,730.57.

Map 2

- The next two parcels were formerly owned by Leroy and Anna Stratton. The first parcel is map R07/Lot 55, Stratton Woods Lane. The second parcel is Map U18/Lot 2, 74 Lower Methodist Road. Their daughter is residing at the 74 Lower Methodist Road property. The first parcel is a 20.29 acre parcel with land only. The recommendation would be to auction off this parcel, with the proceeds to pay off the back taxes on both properties, with any amount remaining to be turned over to the daughter.

Map 3

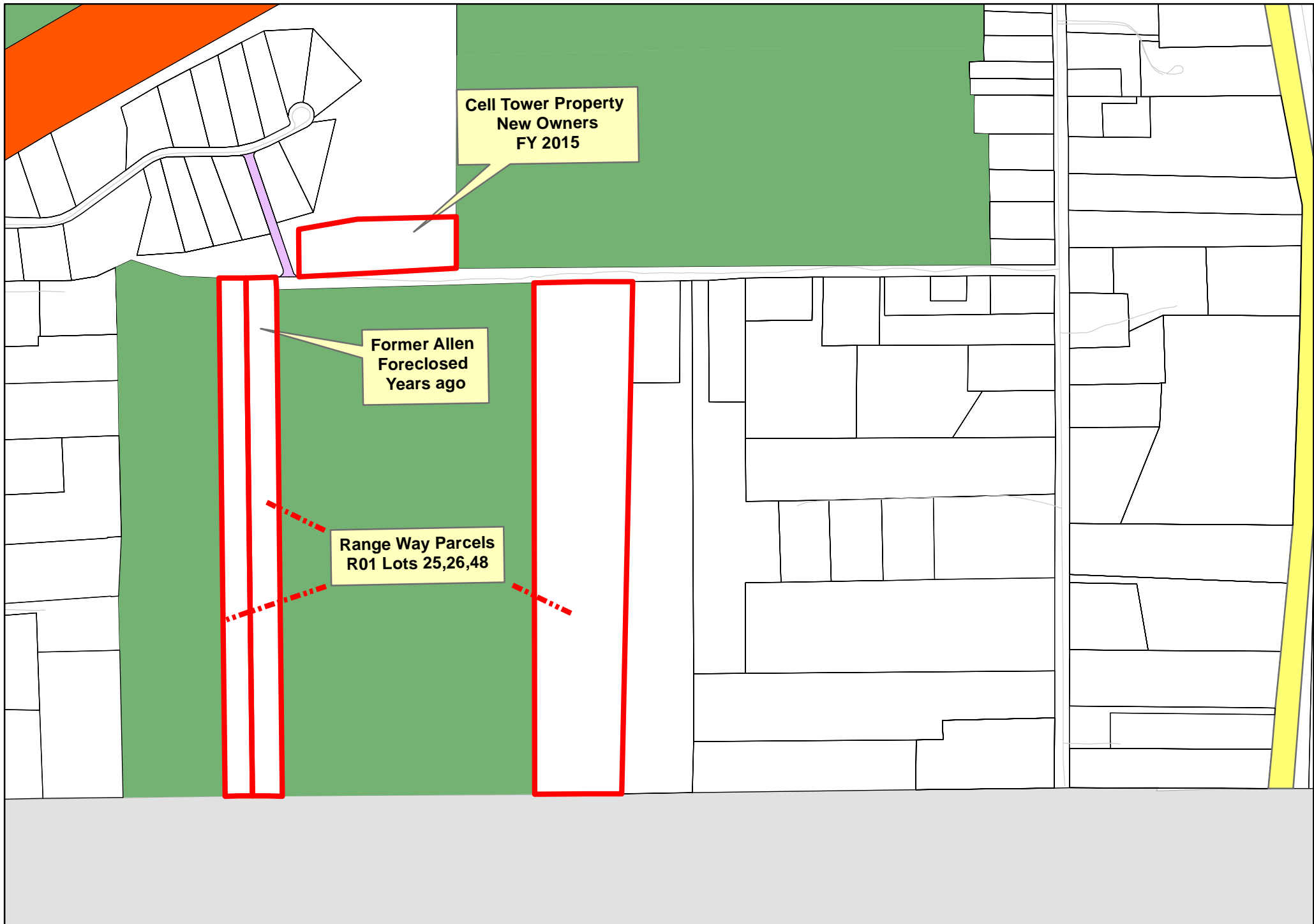
- The remaining two properties that are now in tax foreclosure, are Map R08/Lot 27, Anna Elizabeth Weir-heirs of, 69 Pleasant Valley Road, and Map U 19/Lot 32, 25 Kathy Lane, in the name of Nelson Hayes. The homes are both occupied by their former owner and heirs. Past practice has been to allow the property taxes to accumulate until a future owner/or bank action.

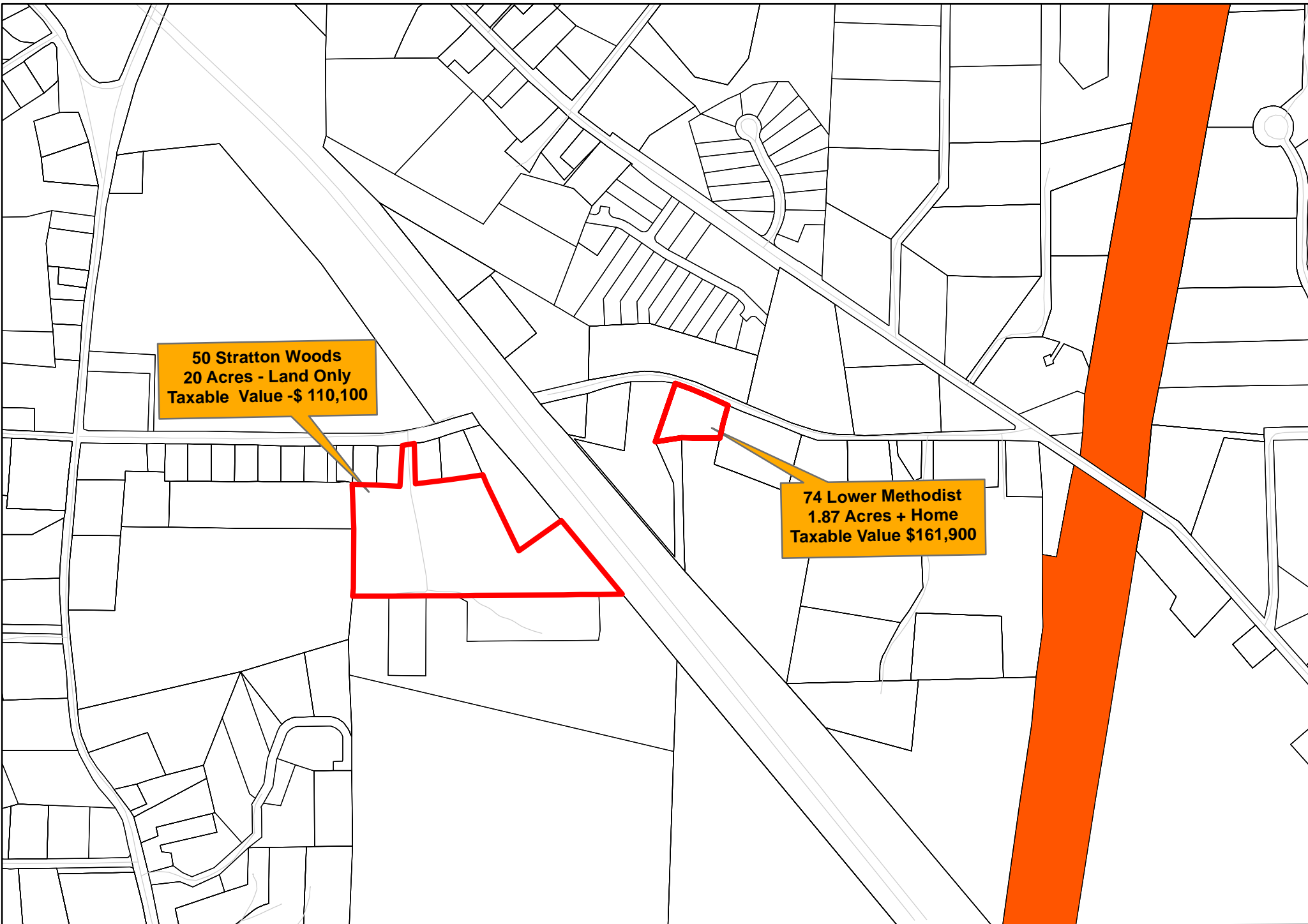
Map 4

- The next two parcels are Map U13A/Lot 18, the Cottage Farm Road parcel and Map R06/Lots 15 and 16, Greely Road Extension. I would suggest that we return to the Town Council on December 14, 2015, with easements and a plan for "Greely Woods".

Map 1

- The last group is Map R01/Lots 25, 26, and 48, Range Way off Middle Road. The recommendation is to continue to work with the abutting land owner and Return to the Town Council with on December 14, 2015 with recommendations.

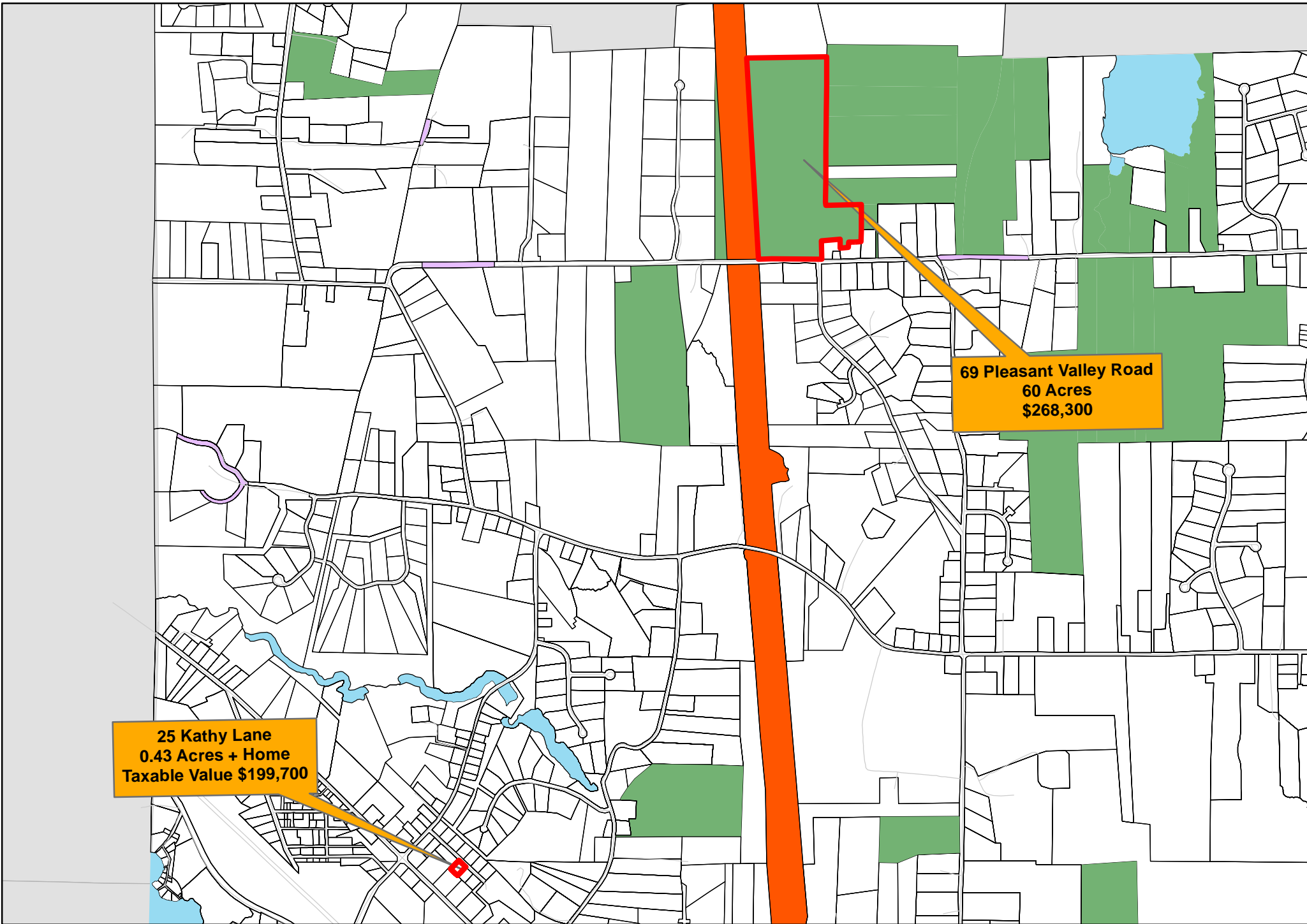




50 Stratton Woods
20 Acres - Land Only
Taxable Value - \$110,100

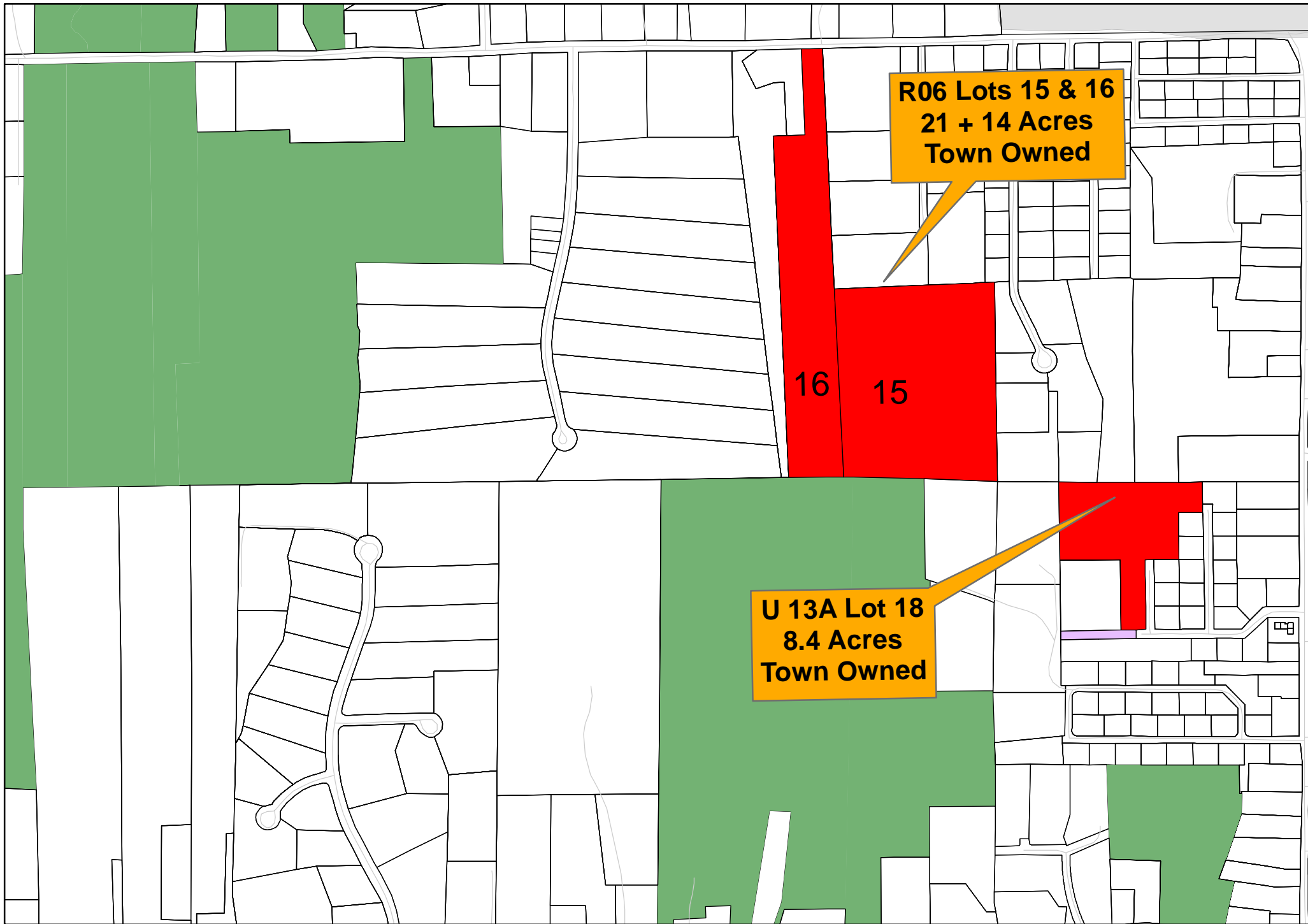
74 Lower Methodist
1.87 Acres + Home
Taxable Value \$161,900





Town of Cumberland - Foreclosed Property March 2015 Map 03





March 9, 2015
Cumberland Lands and Conservation Commission
Cumberland, Maine 04021

To: Members of the Town Council
Cumberland, Maine 04021

Subject: Disposition of certain town lands

The Lands and Conservation Commission (CLCC) has reviewed the three interconnected properties between Greely Road Extension and Cottage Farms Road recorded as R6 lot 16, R6 lot 15 and U13A lot 18 . It is the nearly unanimous decision of the Commission to utilize these properties as an extension of the Cumberland trails system for the enjoyment of the residents and friends, as well as for the conservation of these lands for future generations to enjoy. These lands are unique and varied in their natural state, harboring both flora and fauna that provide educational opportunities within walking distances from the center of Cumberland. This is a “gift on our door steps” that we should seize.

The Commission suggests that we assign the name “Greely Woods” to these properties and the existing pedestrian ROW connecting them, Crystal Lane, and Cottage Farms Road.

Furthermore, the town should work to legally conserve the “Greely Woods” as permanent open space with the mentioned trail connectors. We would not be opposed to selling property Cottage Farms road (U13A lot 18. But we would want to reserve a fifty foot (50’) ROW on that property from Cottage Farms Road to the proposed trail system.

We look forward to working with the Council to bring this to fruition and add it to the other components of the Cumberland trails that provide such a rich mix of outdoor exercise and educational opportunities for our children and our adult residents.

Attachment A is the specific motion wording the Commission moved.

Respectfully,

Sam York
Chairman, The Cumberland Lands and Conservation Commission

ATTACHMENT A

- SUBJECT “Greely Woods” – 3 interconnected properties between Greely Rd Ext and Cottage Farm Rd. (R6 lot 16, R6 lot 15, U13A lot 18).
- The CL&CC passed an amended motion that the Town Council take the following actions:
 - Assign the name “Greely Woods” to these properties and the existing pedestrian ROW connection between them;
 - Work to legally conserve the “Greely Woods” as permanent open space and specific trail connector use as has occurred over the recent few decades with basically no Town Government or Town Committee management or expense.
 - Additionally, if the ‘T’ shaped lot (U13A lot 18) is sold; that there be a 50’ ROW (pedestrian easement) along the Northwesterly border of that lot to easily connect the other lots 15 &16 to Cottage Farms Rd..

Proposal for Town of Cumberland Range Way Properties

CL&CC resolves that the Town Council assign the CL&CC to develop a long range (say 10 year) plan for the two Town lots [ID R03-25 and 26] off the west end of Range Way and parallel to Harris Road.

Property details:

- A) Both of these lots are very narrow and very long abutting wood lots of roughly 9A to 10A each,
- B) The long sides of the lots run {extend} from "an unimproved section of the west end of Range Way" over to the "Falmouth Town boundary".
- C) The lots abut (across Range Way) to a designated open space land and a scenic system trail called "Rock Ridge" which surrounds the housing development of the same name. This space is under the protection of the Chebeague and Cumberland Land Trust.

Proposed plans :

- 1. Formal land survey (likely only expense to Town).
- 2. A walking trail plan from "Rock Ridge" to Falmouth boundary, formalizing the conservation aspect of the property.
- 3. A long range professional forestry management plan that incorporates the
 - a. Proposed trail needs,
 - b. Trail maintenance
 - c. Assessment of potential logging income for the Town.

March 4, 2015

ITEM 15-033

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

ITEM 15-034

To consider and act on setting the week of May 18th – 22nd as
Spring Bulky Item Pick-up Week

Town of Cumberland
Spring 2015
Bulky Item Pickup Week
May 18th through the 22nd

Items will be collected on your regular pickup day.

Items accepted at curbside:

- Bathroom Fixtures
- Mattresses and Box Springs
- Carpets—Rolled
- Couches and Chairs
- Stoves
- Washers and Dryers
- Bicycles
- Tires with NO Rims
- Large Metal Items
- Cabinets

During Bulky Waste Week only,

Paint Cans that are OPEN and DRY will be collected.

Items NOT accepted at curbside:

- No wood products
- No appliances containing Freon
- No propane tanks
- No yard or tree waste
- No liquid waste
- No clothing or textiles
- No TV's
- No computers or monitors
- No plastic bags of assorted trash
- No tires still on rims
- No florescent light bulbs
- No demolition debris, no building debris

These items may be taken to Riverside Recycling, 797-6200 in Portland for disposal. There is a minimal fee for disposal. A link to their website has been provide for additional information:

<http://www.recycling.portlandmaine.gov/prices.asp>

Brush, Leaves and Grass Clippings may be taken to the Public Works Garage Brush Dump. Residents may obtain a Season Pass for \$25 at the Town Offices. Day Passes for \$10 and One Use Passes for \$5 are available at Food Stop or the Town Offices. The Brush Dump is open on Tuesdays from 11am to 3pm and on Saturdays from 9am to 12:30pm. Extended hours are offered in May and November.

Please remember that all other waste must be placed in Cumberland PAYT Bags and all regular weekly recycling must be put out in the same manner as is usual. **Do not place any items in black, white or any other colored plastic bags—they will not be picked up!**

If you have any other question regarding Bulky Item Week, please contact the Cumberland Public Services Department at 829-2220.

Town of Cumberland

ITEM

15-035

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

TOWN OF CUMBERLAND

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

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

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

Name of applicant: BINNIE MEDIA

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

Name of event: MAINE'S ULTIMATE YARD SALE

Facility where the event will be held: CUMBERLAND FAIRGROUNDS

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

Name of promoter (if different from above): _____

Telephone number: _____

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

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

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

Number of tickets available: _____

Expected attendance: 5,000

Description of event: LARGE YARD SALE / FLEA MARKET

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

1. October 2014 - Ultimate Yard Sale @ CUMBERLAND FAIRGROUNDS

2. JUNE 2014 " " "

3. October 2013 " " "

Description of facility:

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

Public Safety:

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

L. Describe communication facilities: _____

M. Number of certified police officers: 23 Town of Cumberland

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

O. Describe fire personnel: CUMBERLAND FIRE

Traffic Plan

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

6 PROFESSIONAL PARICERS & TRAFFIC CONTROL FROM

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

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

Crowd Management

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

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

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

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

Other

W. Name of liability insurance ELLI'S INSURANCE AGENCY

Amount of coverage ATTACHED; amount of property insurance ATTACHED

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

Patricia Collins

 Authorized signature

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



CERTIFICATE OF LIABILITY INSURANCE

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

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

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

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

COVERAGES

CERTIFICATE NUMBER: 195

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CBP8986739	5/17/2015	5/17/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ EXCLUDED GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			BA8985939	5/17/2015	5/17/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			CU8985739	5/17/2015	5/17/2016	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A		XWS56126269	5/17/2015	5/17/2016	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

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

WBIN Media Co. Inc dba Binnie Media

477 Congress Street 3rd Floor Annex

Portland, ME 04101

is part of the named insured.

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

CERTIFICATE HOLDER

Holder's Nature of Interest : Additional Insured

Cumberland Farmers Club
197 Blanchard Rd.
Cumberland, ME 04021**CANCELLATION**

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

AUTHORIZED REPRESENTATIVE

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

P.O. BOX 221

OLD ORCHARD BEACH, ME 04064

PROPOSAL

March 6, 2015

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

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

We hereby submit specifications and estimates for:

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

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

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

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

TERMS AND CONDITIONS

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

Payment to be made as follows:

Due prior to delivery

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

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

Payment will be made as outlined above.

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

Date of Acceptance: 3/6/15

Authorized Signature: Pat Collins

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

Signature: M. Brown

Margi Brown, Office Manager

From: Samuel J Hamblin [mailto:Samuel.Hamblin@casella.com]

Sent: Monday, March 4, 2015 9:24 AM

To: Stan Bennett

Subject: Re: Binnie Media

Hi Stan,

Here is the info you requested,

Size> 30yd

Deliver> 75.00

Haul> 156.00

Disposal> 152.00 (2 tons, \$76 per ton overage)

Rental> 0.00 (7 days free, \$5 per day after 7)

Total> \$383.00

Please let me know if you decide to move forward on this and I can schedule it ASAP for your upcoming dates.

EXECUTIVE SESSION

pursuant to 1 M.R.S.A.

§ 405(6)(C) re: real property



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: March 20, 2015
Re: Range Way – Proposal from Buzz Lamb

I have attached the letter from Buzz's attorney, Ken's response and a graphical representation of what Buzz proposes.

While the proposal is laughable (he gives us 2 acres + 2 wedges to build 3 salable lots in exchange for all our land) it at least signifies the beginning of interest to negotiate.

I will develop a counter proposal for you over the weekend and we can discuss on Monday evening. Think about the land and what your goals may be regarding surplus Town land for this area as well as Town wide for the Future.

Remember a building lot may be worth \$80,000 plus while excess acreage is only valued at \$5,000 to \$6,000 per acre.

KENNETH M. COLE III
DAVID J. JONES
RICHARD H. SPENCER, JR.
LAWRENCE R. CLOUGH
RONALD A. EPSTEIN
WILLIAM H. DALE
F. BRUCE SLEEPER
DEBORAH M. MANN
LESLIE E. LOWRY III
PATRICIA M. DUNN
MICHAEL J. QUINLAN
R. LEE IVY

ROGER P. ASCH
NATALIE L. BURNS
SALLY J. DAGGETT
ROY T. PIERCE
BRENDAN P. RIELLY
NICHOLAS J. MORRILL
KATHLEEN T. KONKOLY
MARK A. BOWER
MARCIA G. CORRADINI
ALYSSA C. TIBBETTS
J. CASEY MCCORMACK
TUDOR N. GOLDSMITH

JENSEN BAIRD GARDNER HENRY

Attorneys at Law

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

COPY

MERTON C. HENRY
NICHOLAS S. NADZO
FRANK H. FRYE
MICHAEL A. NELSON
BRIAN C. BROWNE
OF COUNSEL

RAYMOND E. JENSEN
(1908-2002)
KENNETH BAIRD
(1914-1987)
M. DONALD GARDNER
(1918-2003)

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

March 12, 2015

Christopher J.W. Coggeshall, Esq.
Verrill Dana LLP
One Portland Square
P. O. Box 586
Portland, ME 04112-0586

Re: Norton Lamb, Jr. – Range Way, Cumberland


Dear Chris:

Thank you for your letter of March 6, 2015 in the above matter. I have shared it with Bill Shane and he has had it overlayed by the Town's surveyor on a map of Range Way. At this point, Mr. Shane is prepared to bring your offer to the Council at an Executive Session as a part of their next Council meeting on March 23, 2015.

Although, we certainly dispute your position that the Town's protection of its ownership of public land might have infringed on Mr. Lamb's civil rights, we appreciate his willingness to make an offer to resolve this matter. I will get back to you once the Council has given Mr. Shane some direction.

With best regards.

Very truly yours,



Kenneth M. Cole III

KMC/Its

cc: William R. Shane, Town Manager
(via e-mail & U.S. First-Class Mail)

~ Over 60 Years of Service ~

Verrill Dana_{LLP}

Attorneys at Law

CHRISTOPHER J.W. COGGESHALL
SENIOR COUNSEL
ccoggeshall@verrilldana.com
Direct: 207-253-4502

ONE PORTLAND SQUARE
PORTLAND, MAINE 04112-0586
207-774-4000 • FAX 207-774-7499
www.verrilldana.com

March 6, 2015

RECEIVED

MAR 09 2015

Kenneth M. Cole III, Esq.
Jensen Baird Gardner Henry
Ten Free Street
P.O. Box 4510
Portland, Maine 04112-4510

Jensen Baird Gardner & Henry

Re: Norton Lamb, Jr. – Range Way, Cumberland

Dear Ken,

Thank you for your letter of December 23rd which I have been discussing at length with Buzz Lamb.

Suffice it to say we have the feeling we are engaged with you in a game of “whack-a-mole” in that as soon as we knock down one bizarre theory of title, another one pops up. While I appreciate what you are being required to do, the new basis you set forth for the Town’s claim of title is no more credible than the previous ones.

Subsequent to the tax deed recorded in Book 2743, Page 219, The Town of Cumberland recorded and/or discharged four additional liens against the same parcel (Map R-1, Parcel 46), to wit: (1) Lien recorded in Book 2679, Page 291, discharged on July 27, 1964 in Book 2840, Page 216; (2) Lien recorded in Book 2751, Page 19, discharged on July 27, 1964 in Book 2840, Page 215; (3) Lien recorded in Book 3086, Page 133, discharged on September 21, 1970 in Book 3144, Page 32; and (4) Lien recorded in Book 3127, Page 461, discharged on September 21, 1970 in Book 3144, Page 33. In each of those discharges the Town of Cumberland used words of inheritance in releasing “unto the devisees of Silas B. Adams and their heirs and assigns forever” the premises therein described

(being said Map R-1, Parcel 46) thus evidencing an intent to convey in fee simple. Furthermore, any purported claim of title by the Town is undercut by the fact that for at least the past 50 years the property has never been shown on any tax map as property of the Town of Cumberland, but conversely has been continuously assessed for taxes against the private owners of record, including the Lambs.

We are at a loss to understand why such extraordinary efforts are being put forth by the Town and its officials to discredit Mr. Lamb's title in view of the lack of any credible basis on which to challenge his title. Based on what has occurred, we suspect the efforts of the Town and its officials in this matter are being made at the insistence of certain individuals for the purpose of advancing those individuals' own private agendas. You ought to consider whether such conduct on the part of the Town and its officers constitutes a violation of Mr. Lamb's civil rights.

Nevertheless, solely in an attempt to avoid the time, expense and emotion involved in litigation, and without any prejudice to Mr. Lamb's claims, rights, interests or positions, we offer the following exchange in settlement of this matter:

(A) Mr. Lamb will quitclaim to the Town of Cumberland the following parcels:

(1) A rectangular parcel having three hundred feet of frontage on the Range Way Road, and a depth of three hundred feet (constituting 90,000 square feet of area), with the easterly corner of the lot being located 250 feet northwesterly along the Range Way Road from the northerly corner of the land of the Town of Cumberland described in CCRD Book 1955, Page 125 (I believe this is Map R01, Lot 48 on the Cumberland tax maps);

(2) A rectangular parcel adjoining the southeasterly side of land of the Town of Cumberland described in CCRD Book 27015, Page 283 (Map R03, Lot 25) having 39.12 feet of frontage on the Range Way Road and a depth of 435.6 feet; and

(3) A triangular parcel adjoining the northwesterly side of land of the Town of Cumberland described in CCRD Book 1993, Page 355 (Map R03, Lot 26) having 51.5 feet of frontage on the Range Way Road with its westerly side being a hypotenuse of approximately 233.3 feet in length and intersecting the

northwesterly side of said land of the Town of Cumberland at a point 227.5 feet southwesterly of the southwesterly side of the Range Way Road.

(B) In exchange, the Town of Cumberland will:

(1) release any claim to the remainder of Mr. Lamb's land (being the remainder of the parcel shown as Map R01, Lot 46B);

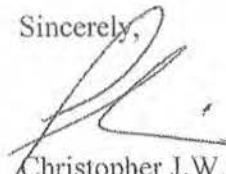
(2) quitclaim to Mr. Lamb the portion of Map R03, Lot 25 that lies more than 435.6 feet from the southwesterly side of the Range Way Road; and

(3) quitclaim to Mr. Lamb the portion of Map R03, Lot 26 that lies more than 550 feet from the southwesterly side of the Range Way Road.

The intention of this exchange is to provide the Town of Cumberland with three (3) saleable house lots on the Range Way Road in exchange for the back portions of Lots 25 and 26, and assumes that all of the parcels will continue to have a public easement over the Range Way Road.

Please call if you would like to discuss.

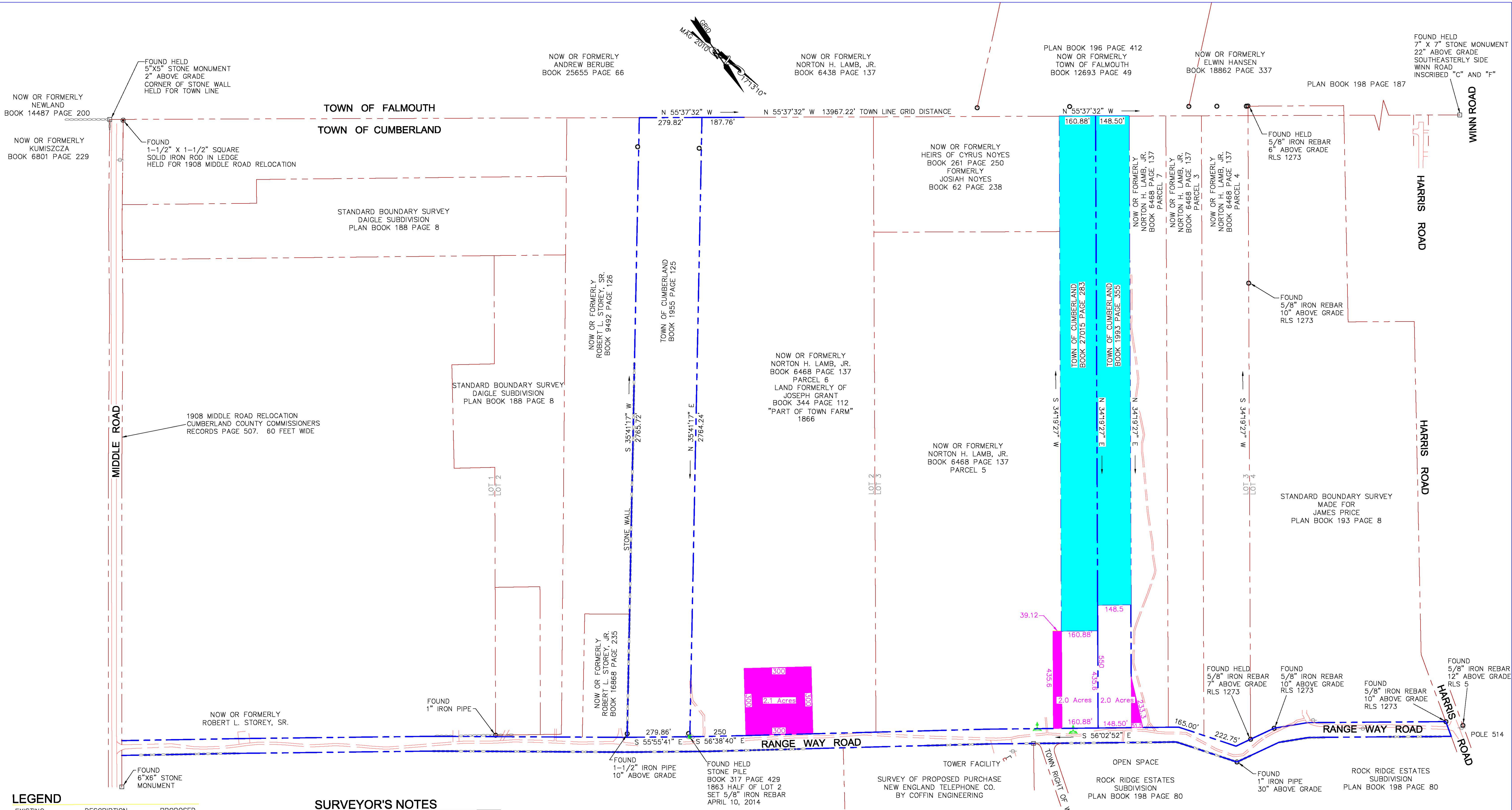
Sincerely,



Christopher J.W. Coggeshall

CJWC/jac

c: Buzz Lamb



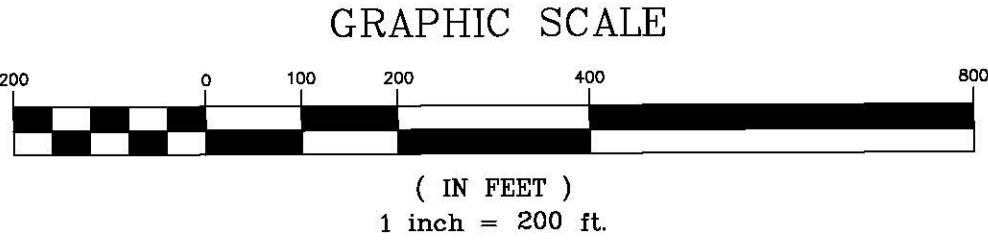
EXISTING	DESCRIPTION	PROPOSED
	PROPERTY/ROW	
	SETBACK	
	EASEMENT	
	MONUMENT	
	IRON PIPE/ROD	
	BUILDING	
	STREAM	
	EDGE PAVEMENT	
	GRAVEL ROAD	
	TREELINE	
	OVERHEAD ELEC & TEL	
	UTILITY POLE	
	STONE WALL	
	DECIDUOUS TREE	
	CONIFEROUS TREE	

LAND TRANSFER:

TO TOWN OF CUMBERLAND	
TO NORTON H. LAMB, JR.	

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 EMBOSSED 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, MADE TO THE NORMAL STANDARD OF CARE, SUBSTANTIALLY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR LAND SURVEYOR STANDARDS.
- 6 NO CERTIFICATION IS MADE TO THE EXISTENCE OR NONEXISTENCE OF HAZARDOUS SUBSTANCES, ENVIRONMENTALLY SENSITIVE AREAS, UNDERGROUND UTILITIES, UNDERGROUND STRUCTURES, ZONING REGULATIONS OR REAL ESTATE TITLE.
- 7 DIG SAFE 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 PLANE GRID WEST ZONE N.A.D. 83 DETERMINED BY DUAL FREQUENCY STATIC GPS OBSERVATIONS.
- 9 THE PROPERTIES SURVEYED ARE DESCRIBED IN THE FOLLOWING DEEDS:
ASSESSOR MAP R01 LOT 48 DEED BOOK 1955 PAGE 125.
ASSESSOR MAP R03 LOT 25 DEED BOOK 27015 PAGE 283.
ASSESSOR MAP R03 LOT 26 DEED BOOK 1993 PAGE 355.
- 10 REFERENCE IS MADE TO THE REDEFINITION OF MIDDLE ROAD FROM 66 FEET TO 60 FEET WIDE APPROVED BY THE CUMBERLAND COUNTY COMMISSIONERS IN JUNE 1909. CUMBERLAND COMMISSIONER'S RECORD BOOK PAGE 507.
- 11 THE TOWN LINE FOR CUMBERLAND AND FALMOUTH WAS DETERMINED BY A STRAIGHT LINE FROM FOUND 5"X5" STONE MONUMENT AT CORNER OF STONE WALL ON MIDDLE ROAD AND FOUND 7" X 7" STONE MONUMENT ON SOUTHEASTERLY SIDE OF WINN ROAD. REFERENCE IS MADE TO N.G.S. "DEVOE" DATA SHEET TIE DISTANCE OF 67.5 FEET FROM TOWN LINE MARKER TO RM#2 IN 1974. THE ORIGINAL TOWN LINE MARKER ALSO CALLED FOR IN 1908 MIDDLE ROAD REDEFINITION.
- 12 TOWN LINE PERAMBULATIONS REVIEWED IN BOTH CUMBERLAND AND FALMOUTH FOR THE YEARS OF 1829, 1849, 1859, 1898, 1908, 1919.
- 13 RANGE WAY ROAD ACCEPTED AS 66 FOOT WIDE TOWN ROAD 5-14-1762. THE PORTION OF RANGE WAY ROAD FROM MIDDLE ROAD TO HARRIS ROAD WAS DISCONTINUED 9-12-1853. REFERENCE IS MADE TO LEGAL OPINION REGARDING ROAD STATUS DATED 9-19-2009 BY THE LAW FIRM OF JENSEN-BAIRD GARDNER HENRY IN PORTLAND MAINE. RANGE WAY ROAD A.K.A. "PRISSEY ROAD", "SANBORN ROAD".
- 14 HARRIS ROAD FINAL ACCEPTANCE 3-2-1869 AS 66 FEET WIDE.
- 15 THIS SURVEY PLAN REVISED ON 11-1-10 DEPICTING THE ADDITIONAL LOCATION OF RANGE WAY ROAD NORTHWESTERLY TO HARRIS ROAD.



THIS PLAN IS PROVIDED EXCLUSIVELY FOR THE CLIENT STATED HEREON. ANY USE OR ALTERATION OF THIS PLAN BY OTHERS SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO BOUNDARY POINTS, LLC.

PROPOSED LAND AGREEMENT
BETWEEN
TOWN OF CUMBERLAND AND NORTON H. LAMB, JR.
MAILING ADDRESS 290 TUTTLE ROAD CUMBERLAND MAINE 04021

OF
RANGE WAY ROAD PROPERTIES
CUMBERLAND MAINE

PROFESSIONAL LAND SURVEYING, LLC
P.O. BOX 175
CUMBERLAND MAINE 04021-175
207-854-1015

Scale: 1" = 200'

Project No: 201503

AutoCad Release: 2011

Drawn By: DB

Date: 3-9-2015

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WORKSHOP WITH ASSESSOR

Refer to item 15-030 for materials