

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY – FEBRUARY 22, 1999**

I. Call to order at the Cumberland Town Hall at 7:00 p.m.

II. Approval of Minutes
a. February 8, 1999

III. Manager's Report

IV. Public Discussion

V. Legislation and Policy

99-20 To authorize Town Manager to execute loan agreement with SAD 51 for up to \$325,000 to fund repairs to swimming pool.

99-21 To hold a Public Hearing to consider and act on new application for a Special Amusement Permit for the Cumberland Café.

99-22 To consider and act on new application for Victualer's License for Rt. 9 Junction Station House Pizza.

99-23 To adopt 1999 Municipal Budget.

99-24 To consider request for Zoning amendment – to add residential care facilities to office commercial district – Rt. 1.

99-25 To consider and act on application of Cumberland Café for a Liquor License renewal.

VI. Correspondence

VII. New Business

VIII. Adjourn

MEMBERS OF THE TOWN COUNCIL

John Lambert, Jr. (Chair)	781-5282
Peter Bingham	829-5713
Philip Gleason	781-3787
Mark Kuntz	829-6482

Harland Storey	829-3939
James Phipps	846-6274
Stephen Moriarty	829-5095

MEMO

DATE: FEBRUARY 18, 1999
TO: TOWN COUNCIL
FROM: BOB BENSON
RE: AGENDA FOR FEBRUARY 22, 1999 TOWN COUNCIL MEETING

ITEM

- 99-20 This item was tabled at the School Department's request. I wasn't able to contact Scott Poulin this morning to see if there was anymore information available. Hopefully, I can talk to him Monday and see if they want us to act on this.
- 99-21 This item is self-explanatory.
- 99-22 This item is self-explanatory.
- 99-23 This item is self-explanatory.
- 99-24 Please review the letter from Scott Kerr regarding agenda item #24. There is interest in both office commercial districts for facilities of this type. Donna & I agree that this is probably a good use in the office commercial district- both north and south on Route 1 and would recommend that you refer this request to the Planning Board for a recommendation to the Town Council for action at a later date.
- 99-25 This item is self-explanatory.

**TOWN OF CUMBERLAND
MEETING MINUTES OF THE TOWN COUNCIL
MONDAY - FEBRUARY 8, 1999**

Present: John Lambert, Peter Bingham, Mark Kuntz, James Phipps, Stephen Moriarty
Late: Harland Storey
Absent: Philip Gleason (excused)

- I. The meeting was called to order at Cumberland Town Hall by Chairman Lambert at 7:00 p.m.

II. Approval of Minutes
a. January 11, 1999

Councilor Bingham moved to approve the minutes of the meeting of January 11, 1999 as written.

Seconded by Councilor Phipps.

VOTE: UNANIMOUS (5)

b. January 25, 1999

Councilor Kuntz moved to approve the minutes of the meeting of January 25, 1999 as written.

Seconded by Councilor Moriarty.

VOTE: UNANIMOUS (5)

III. Manager's Report

None

IV. Public Discussion

None

V. Legislation and Policy

- 99-13 Informational meeting - Brown Tail Moth, Dick Bradbury, Entomologist.

Assistant Town Manager Carla Nixon displayed the two maps outlining the proposed areas to be sprayed on Chebeague Island and the mainland in 1999. Dick Bradbury of the Maine Forest Service explained the results of his survey and outlined his recommendations for the specific areas to be sprayed this year.

There were no questions from the public.

- 99-14 To review proposed site plan for development of athletic fields on Fowler property - (Twin Brook).

Bob Arsenault presented a comprehensive review, using map displays of the area, and answered numerous questions of the public and the Council on the proposed site plan development for athletic fields on the Fowler property at Twin Brook recreation area.

There was a large public turnout, with many questions, opinions, and suggestions made as to the need vs. the Town's and residents wants for this project to proceed as outlined.

It was determined further study was needed and more meetings be held on this issue.

Councilor Storey arrived at 7:40 p.m.

- 99-15 To set date for 1999 Municipal Budget Hearing.

Councilor Moriarty moved to set the date of February 17, 1999 for the 1999 Municipal Budget Hearing.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (6)

- 99-16 To discuss Pine Ridge sewer extension.

The Town Manager explained this issue.

Councilor Bingham moved to authorize the Town Manager to negotiate with Grover to have the sewer installed on Pine Ridge at the same time as the drainage problem is being repaired.

Seconded by Councilor Phipps.

VOTE: UNANIMOUS (6)

- 99-17 To authorize Town Manager to execute loan agreement with S.A.D. #51 for up to \$325,000 to fund repairs to swimming pool.

Councilor Moriarty moved to table this item until the February 22, 1999 meeting.

Seconded by Councilor Kuntz.

VOTE: IN FAVOR (5)

OPPOSED: (1) Phipps

- 99-18 To set date for Public Hearing to consider and act on new application for a Special Amusement Permit for the Cumberland Cafe.

Councilor Phipps moved to set the date of February 22, 1999 to consider and act on new application for a Special Amusement Permit for the Cumberland Cafe.

Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

VI. Correspondence


- (1) To Scott Seaver, Town of North Yarmouth, RE: Cumberland's assessment to N. Y.
- (2) Terry Brooks, U.S. Postal Services, RE: Cumberland's future postal needs
- (3) Bob Littlefield, Cumberland's January Building permits summary
- (4) RWS 1994 - 1998 Solid Waste report
- (5) M.S.A.D. # 51 1/25 & 2/01/99 agenda's and meeting minutes
- (6) County Commissioner's meeting minutes for 1/11/99
- (7) Dianne Calder RE: request to continue spraying Chebeague for Brown Tail moth.

VII. New Business

The Town Manager informed the Council of the Golf Pro's resignation, that Portland Water District, as of April, will institute a 16% water rate reduction, and that the Highway Department has put out their usual notices posting certain roads this time of year.

VIII. Adjourn - Budget Workshop

The meeting was adjourned at 9:30 p.m. to the Budget Workshop.


Klara M. Norton
Town Clerk

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
WEDNESDAY, FEBRUARY 17, 1999**

**** SPECIAL MEETING ****

I. Call to order at the Cumberland Town Hall at 7:00 p.m.

II. Legislation and Policy

99-19 To hold Public Hearing on the proposed 1999 Budget.

III. Adjourn

MEMBERS OF THE TOWN COUNCIL

John Lambert, Jr. (Chair)	781-5282	Harland Storey	829-3939
Peter Bingham	829-5713	James Phipps	846-6274
Philip Gleason	781-3787	Stephen Moriarty	829-5095
Mark Kuntz	829-6482		

SEE REVERSE FOR SUMMARY OF PROPOSED BUDGET

TOWN OF CUMBERLAND
PROPOSED 1999 BUDGET

The Cumberland Town Council will conduct a Public Hearing of the proposed 1999 Municipal Budget at 7:00 p.m. Wednesday, February 17th at the Cumberland Town Hall. The budget is scheduled to be adopted at the Council meeting to be held on February 22, 1999 at 7:00 p.m. at the Cumberland Town Hall.

DEPARTMENT	1998 BUDGET	REQUESTED 1999
ADMIN/COUNCIL	\$ 260,723.00	\$ 299,586.00
ASSESSOR	91,688.00	104,532.00
TREAS/TX COLL	185,276.00	208,891.00
ENGINEER	35,000.00	30,000.00
LEGAL SERVICES	45,000.00	45,000.00
POLICE DEPT	686,927.00	701,258.00
FIRE DEPT	205,131.00	214,232.00
RESCUE DEPT	94,967.00	147,659.00
PLUMBING INSP	12,942.00	15,145.00
ELECTRICAL INSP	8,636.00	11,289.00
CIV EMERG PREP	825.00	825.00
PUBLIC WORKS	686,520.00	721,231.00
WASTE DISPOSAL	530,812.00	508,811.00
RECREATION	279,539.00	288,423.00
PRINCE MEM LIBRARY	250,177.00	268,402.00
CHEB ISL LIBRARY	34,500.00	34,500.00
UNEMP. COMP. FUND	2,000.00	2,000.00
W CUMB REC BUILDING	10,806.00	10,850.00
GREENBELT COMM	500.00	500.00
SUNSET LANDING COMM	1,000.00	500.00
BD OF REGISTRATION	3,590.00	3,590.00
ELECTIONS	6,060.00	6,060.00
BOARD OF APPEALS	2,550.00	2,550.00
PLANNING BOARD	61,471.00	68,448.00
COMMUNICA. COMM	7,900.00	7,900.00
CONSERVATION COMM	1,000.00	1,000.00
HARBOR/SHELLFISH	24,625.00	25,385.00
GENERAL ASSIST	13,488.00	14,783.00
HEALTH SERVICES	3,853.00	3,853.00
CUMBERLAND LANDS COMMITTEE	5,000.00	1,000.00
DEBT SERVICE	53,949.00	51,856.00
CEMETERY ASSOC	2,000.00	6,000.00
FARMERS MARKET	1,500.00	1,500.00
INSURANCE	80,000.00	74,000.00
INSECT CONTROL/TREE PLANT	5,000.00	25,000.00
LONG RANGE PLANNING	3,000.00	1,000.00
PUBLIC EVENTS	500.00	500.00
TOWN FOREST COMMITTEE	1,000.00	500.00
FIRE HYDRANT CHARGES	47,000.00	47,000.00
STREET LIGHTING	38,000.00	39,000.00
CONTINGENT	35,000.00	35,000.00
ABATEMENTS	10,000.00	10,000.00
COUNTY TAX	397,557.00	378,411.00
CAPITAL IMPROVEMENTS	315,000.00	396,686.00
CANINE CONTROL	8,981.00	11,729.00
GRAND TOTALS	\$ 4,550,993.00	\$ 4,826,385.00

The increase of \$275,392 is met by new revenues – the 1999 Municipal Budget reflects the Town Council's directive that there be no increase in the tax rate due to the municipal budget.

Cumberland. Also discussed were the specific problems faced in the most seriously affected areas of town, the various alternative solutions available to property owners and the town, including the cost, environmental impact, health and safety issues and legal ramifications in combating the problem.

- 98-10 To hold a Public Hearing to accept report of Growth Management Committee.

There was lengthy and in depth discussion by the Town Councilors, Town Planner and numerous Cumberland residents on the many issues and options facing the Town with regard to addressing growth management.

Councilor Phipps moved the Council receive the report of the Growth Management Committee and refer it to the Comprehensive Plan Committee for its evaluation.

Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

- ✱ 98-11 To adopt 1998 Municipal Budget.

Councilor Storey moved to adopt the 1998 Municipal Budget in the amount of \$4,550,000 even, and pick up the \$993 by increasing fees for electrical, plumbing and building permits.

No second.

Councilor Phipps moved to adopt the 1998 Municipal Budget in the amount of \$4,550,993.

Seconded by Councilor Moriarty.

VOTE: UNANIMOUS (6)

VI. Correspondence

- (1) John M. Ash, IV, re: land needed on Chebeague for sailing school, etc.

Councilor Moriarty moved to authorize the Manager to enter into discussions with Mr. Ash and the Chebeague Island Community Sailing School to lease lots 65 and 66 as shown on Tax Map 04 for the purposes set forth by Mr. Ash in his letter.

Seconded by Councilor Phipps.

VOTE: UNANIMOUS (6)

- (2) Governor Angus King's invitation to "A Winter Picnic & Celebration" for the heroes of the 1998 Ice Storm.
- (3) American Legion Aux. Falmouth Memorial Post 164 info & membership drive invitation.
- (4) Southern Maine Agency on Aging: salute to "Older Americans Month".
- (5) Cumberland County Municipal Task Force minutes and articles.
- (6) Karen Herold, re: Maritimes & Northeast pipeline and CMP issues.
- (7) Dianne Calder: thank you for Employee Appreciation night.
- (8) Robert Littlefield: January 1998 Building Permits listing.

THOMAS H. ALLEN
1ST DISTRICT OF MAINE
1630 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6116
234 OXFORD STREET
PORTLAND, ME 04101
(207) 774-5019



Congress of the United States
House of Representatives
Washington, DC 20515-1901

70-5/22
COMMITTEE ON NATIONAL SECURITY
SUBCOMMITTEES:
MILITARY PROCUREMENT
MILITARY RESEARCH AND DEVELOPMENT
COMMITTEE ON GOVERNMENT
REFORM AND OVERSIGHT
SUBCOMMITTEES:
DISTRICT OF COLUMBIA
HUMAN RESOURCES
DEMOCRATIC STEERING AND POLICY
COMMITTEE

February 12, 1999

Robert Benson, Town Manager
290 Tuttle Rd.
Cumberland, Maine 04021

Dear Mr. Benson:

Thank you for taking the time to see me. I enjoyed meeting you and discussing not only issues relating to Cumberland but the college process.

An open line of communication between the congressional offices and the municipalities improves our ability to provide timely and efficient service to our constituents. Thank you for your help in that effort.

Please do not hesitate to stay in touch on issues of importance to you and your community.

Sincerely,

Rosemary Ginn
Staff Assistant to
Tom Allen
Member of Congress



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

packet
2-22-99

9 February 1999

MEMORANDUM FOR Mr. Robert B. Benson, Town Manager

SUBJECT: The following notice has been placed in the Portland Press Herald and the Forecaster as required by our ordinance. The posting will be put up in seven days from the date of public notice. As of Monday, February 16th, 1999, the following list of roads will be posted until removed.

PUBLIC NOTICE

The Town of Cumberland will close the following roads to heavy loads in accordance with its Municipal Ordinance and Title 29 M.R.S.A.:

Blanchard Road Ext., Bruce Hill Road Ext.

Bruce Hill Road, Doughty Road

Goose Pond Road, Greely Road

Greely Road Ext., Harris Road

Hillside Ave, Middle Road

Mill Road, Orchard Road

Pleasant Valley Road, Range Road

Valley Road, Whitney Road

All Roads on Chebeague Island

If you have any questions or require additional information please call me at 829-2220

AG
Adam J. Ogden
Director of Public Works

MAINE SCHOOL ADMINISTRATIVE DISTRICT #51
CUMBERLAND / NORTH YARMOUTH
Cumberland Center, ME 04021

TC
2/22

Board of Directors
Minutes

February 1, 1999

7:00 PM

Mabel I. Wilson School

M.S.A.D. #51 Vision Statement

M.S.A.D. #51 is a community committed to establishing high academic standards of achievement, generating an enthusiasm for knowledge, and encouraging all to reach their personal bests.

We value:

- Trust
- Collaboration
- Personalization
- Diversity
- Quality Work
- Community Involvement

M.S.A.D. #51 Mission Statement

M.S.A.D. #51 is a community committed to high academic standards, achievement, trust and collaboration. We believe in pride, teamwork, and service. Our sense of community includes the quality of our facilities, counseling services, wellness activities, balanced extra curricular programs, and affective education.

M.S.A.D. #51 Goals

1. To identify the knowledge, skills, and attitudes that students will need for the 21st century.
2. To design methods of evaluating and assessing student performance based on student outcomes.
3. To develop effective instructional principles and practices for assuring access to learning for all students.

M.S.A.D. #51 Board Goals for 1998 - 1999

- Assure access to learning for all students to meet or exceed the Benchmarks and Outcomes
- Continue to advocate for Design Team initiatives
- Support the Comprehensive Assessment System
- Develop, select, implement and advocate with stakeholders K - 12 facilities plan
- Support development of Teacher Leader concept.

1. **Call to Order** - by MSAD #51 Board of Directors Vice-Chairman, Karen Herold at 7:10 P.M.

Attendance:

Board of Directors: Ron Bancroft Jeanne Chadbourne, Karen Herold, Reid Hayward, Mary Schendel, Kim True, Gail Witherill

Absent: Tom Hyndman

Administrators: Robert Hasson, Scott Poulin, Brenda Breton, Judy True, Klaus-Peter Voss, Shannon Welsh

Absent: Wayne Fordham, Don Foster, Suzanne Godin, Jack Hardy, Susie Robbins, Scott Smith

2. Approval of Minutes - of the Board of Directors meeting held on January 25, 1999, as presented.

Motion by: Gail Witherill 2nd by Reid Hayward.

Voted: To approve the minutes of the Board of Directors meeting held on January 25, 1999 as amended. (Vote 7-0)

3. Superintendent / Administrator Reports:

- a) Long Range Planning Committee Presents Findings and Recommendation

4. Items for Action

- a) Finance Committee: Vote to Elect Mary Schendel and Ron Bancroft to Committee

Motion by Gail Witherill 2nd by: Kim True

Voted: Vote to Elect Mary Schendel and Ron Bancroft to the Finance Committee. (Vote 5-0-1, Abstain Mary Schendel)

- b) Vote to Approve State Application for Renovation Funds

Motion by: Gail Witherill 2nd by: Kim True

Voted: Vote to Approve State Application for Renovation Funds for Pool Roof (Vote 6-0)

- b) Vote to Approve State Application for Renovation Funds

Motion by: Gail Witherill 2nd by: Reid Hayward

Voted: Vote to Approve State Application for Renovation Funds for Asbestos (6-0)

5. Communications:

- a) "Principals' Perspectives on Challenging Behaviors in Maine Schools" by Jim Artesani, Ed.D, et.al

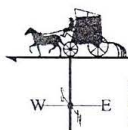
**Upcoming Meetings /
Events**

- 2/4/99 - Multiage Visitation with Kennebunkport Consolidated School at MIW
- 2/4/99 - GJHS Report Cards Sent Home with Students
- 2/9/99 - PTO Board Meeting at 7:30 PM
- 2/9/99 - Kindergarten Registration, 1999/2000 school year, 4:00 PM -8:00 PM, MIW
- 2/10/99 - Kindergarten Registration, 1999/2000 school year, 8:00 AM -4:00 PM, MIW
- 2/15 through 2/19/99 - Mid-winter vacation
- 2/26/99 - Mid Quarter Ends

6. Adjourn Meeting at 9:16 PM

Respectfully Submitted,

Robert G. Hasson, Jr., Ed.D.
Superintendent and Recording Secretary



Portland Water District

225 Douglass Street * P.O. Box 3553 * Portland, ME 04104-3553

(207) 774-5961

FAX (207) 761-8329

www.pwd.org

February 1, 1999

Dear Valued Customer,

NOTICE OF WATER RATE REDUCTION **(DOES NOT APPLY TO SEWER FEES)**

The Portland Water District is pleased to announce that it is filing a water rate reduction with the Public Utilities Commission. This notice is given pursuant to Chapter 110, Section 712(C) of the Commissions' Rules of Practice and Procedure. The proposed rate REDUCTION is being filed pursuant to Section 307 of Title 35-A of the Maine Revised Statutes.

Do to successful efforts towards containing and reducing costs, the Portland Water District is able to offer a water rate reduction to all customers. An overall 8 percent decrease in water rates has been proposed to the Public Utilities Commission, saving ratepayers \$1.5 million annually. If approved, the reduction would go into effect in April, 1999. The proposed decrease by customer classification, based on most recent consumption data, is as follows:

Customer Classification	Member Cities		Member Towns		Non-Members	
	Dollars	Percent	Dollars	Percent	Dollars	Percent
Residential	(205,941)	- 4.3%	(443,957)	- 16.6%	(3,262)	- 4.1%
Commercial	(79,860)	- 4.4%	(79,606)	- 16.7%	(1,519)	- 4.2%
Industrial	(69,879)	- 4.3%	(4,564)	- 16.8%	(5,464)	- 3.8%
Government	(14,562)	- 4.5%	(21,830)	- 16.7%	(106)	- 4.2%
Public Fire	(47,096)	- 8.0%	(38,249)	- 8.0%	1,364	5.8%
Private Fire	(8,949)	- 1.9%	(21,581)	- 14.7%	(163)	- 3.0%

** Member cities include Portland, South Portland, and Westbrook; member towns include Cumberland, Falmouth, Windham, Gorham, Cape Elizabeth, and Scarborough; and non-members include Standish and communities that purchase resale water.*

A complete schedule of rates for all meter sizes, seasonal customers, fire protection, damaged meters, and various other charges is available at the District's office at 225 Douglass Street in Portland, Maine, on our web site at www.pwd.org or by calling our customer service department at (207) 761-8310.

Customers have the right to intervene in the rate reduction proceedings and request a hearing. Your petition must be made in writing and must state the name and docket number (Docket 98-924) of this proceeding, and the manner in which you are affected by the proceeding. Your petition must also include a short and plain statement of the nature and extent of the participation you seek and the evidence or argument you intend to submit. Petitions for intervention must be received by the administrative director at the Public Utilities Commission, 242 State Street, State House Station # 18, Augusta, Maine 04333-0018 by March 1, 1999. In addition, the Portland Water District must receive a copy of your petition.

Should a hearing be granted, notice will be published in the Portland Press Herald and thereafter will be distributed by mail only to those ratepayers who have petitioned for intervention, have requested inclusion as an interested nonparty or have requested a hearing.

If you have any further questions or concerns, feel free to call the Portland Water District at 761-8310 or the Public Utilities Commission's administrative director at 287-3831.

Sincerely,

Ronald Miller
General Manager

MAINE SCHOOL ADMINISTRATIVE DISTRICT #51
CUMBERLAND / NORTH YARMOUTH
Cumberland Center, ME 04021
Board of Directors
Agenda

2/22

February 22, 1999

7:00 PM

Mabel I. Wilson School

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2. To design methods of evaluating and assessing student performance based on student outcomes.
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M.S.A.D. #51 Board Goals for 1998 - 1999

- Assure access to learning for all students to meet or exceed the Benchmarks and Outcomes
- Continue to advocate for Design Team initiatives
- Support the Comprehensive Assessment System
- Develop, select, implement and advocate with stakeholders K - 12 facilities plan
- Support development of Teacher Leader concept.

1. **Call to Order** - by MSAD #51 Board of Directors Chairman, Thomas Hyndman

2. **Approval of Minutes**

3. **Superintendent / Administrator Reports**

- a) Long Range Planning Committee
- b) Grade 4 MEA Update

4. **Items for Action**

- a) Approval of two mentor appointments and one Support Team member appointment
- b) Adopt Resolution for Assessment Advance for Pool Roof Project
- c) Executive Session (Discuss Teacher Negotiations)

5. Communications

a) Revised Subcommittee List

6. Adjourn Meeting

Upcoming Meetings / Events

- 2/4/99 - Multiage Visitation with Kennebunkport Consolidated School at MIW
- 2/4/99 - GJHS Report Cards Sent Home with Students
- 2/9/99 - PTO Board Meeting at 7:30 PM
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- 2/10/99 - Kindergarten Registration, 1999/2000 school year, 8:00 AM - 4:00 PM, MIW
- 2/15 through 2/19/99 - Mid-winter vacation
- 2/26/99 - Mid Quarter Ends
- 3/4/99 - Wilson Forum Meeting, 6:30 - 8:00 PM, MIW
- 3/4/99 - GJHS Mid-quarter reports to students
- 3/4/99 - GHS Spring Play, 7:30 PM, GHS
- 3/5/99 - GHS Spring Play, 7:30 PM, GHS
- 3/5/99 - MIW Grandparents and Special Friends to School Day
- 3/5/99 - GJHS Mid-quarter reports to students

Next Board Meeting: Monday, March 1, 1999 - 7:00 PM, MIW