

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY – MARCH 13, 2000**

- I. Call to order at the Cumberland Town Hall at 7:00 p.m.
- II. Approval of Minutes
 - a. February 28, 2000
- III. Manager's Report
- IV. Public Discussion
- V. Legislation and Policy
 - 00-12 To consider and act on application for Victualer's license for Rt. 9 Junction Station House Pizza.
 - 00-13 To set date for bulky waste pickup, Mainland & Island.
 - 00-14 To authorize Sewer Extension US Rt. 1.
 - 00-15 To authorize Town Manager to execute contract with Maine National Guard.
- VI. Correspondence
- VII. New Business
- VIII. EXECUTIVE SESSION – Union Negotiations
- IX. Adjourn

MEMBERS OF THE TOWN COUNCIL

Peter Bingham (Chair)	829-5713	James Phipps	846-6274
Stephen Moriarty	829-5095	Harland Storey	829-3939
John Lambert, Jr.	781-5282	Mark Kuntz	829-6482
Jeffrey Porter	829-4129		

Town of Cumberland web site: www.cumberlandmaine.com

M E M O

TO: Town Council
FROM: Robert Benson
RE: Town Council Agenda for Monday, March 13, 2000
DATE: March 8, 2000

Under Manager's Report, we will be receiving a report from the Val Halla Board of Trustees on the 99 season and I hope to have Susan McGinty, a representative to RWS present to discuss the latest issues regarding RWS.

ITEM

- 00-12 This item is self-explanatory.
- 00-13 This item is self-explanatory.
- 00-14 In your packet is a motion that was passed by the Falmouth Town Council and on Monday night I will have an estimate on the various costs associated with this extension and will brief you at that time. Currently, I think it may be \$4000.00 per unit to enter the US Route 1 extension.
- 00-15 I brief the Council on the need to be able to act promptly in contacts with the Maine National Guard. Adam advised me that the contracts should be ready to sign in early April. It is certainly to our benefit to move quickly on this.

Union Negotiations:

The Council Director says to do a pay study for the Union employees, Public Works and Val Halla. That has been completed and will be presented to the Council in Executive Session.

Val Halla Highlights of 1999

- Good Year Financially: Actual income was above the forecasted budget by approximately \$30,000.
- General Manager Eric Moynihan is doing an excellent job managing the site, staff, and the day to day business of the clubhouse and function room. Utilization of the site for non-golf activities continues to increase.
- Jim Hodge and his staff continue to maintain Val Halla as one of the best public courses in the area.
- The addition of Golf Pro Jim Nickerson in 1999 proved to be successful and he has been contracted through in FY2001. Jim is the 1999 New England Maine Chapter Pro of the Year.
- Attendance of non-golfers to the restaurant was lower than expected. Changes in the food service in 2000 have been made by Eric to address this.
- The Board is in the initial planning stages of some site improvement projects for FY 2000 and FY 2001. Bob Benson will keep the council informed as the plans take form.
- Council appointed Trustee members continue to bring strong capability and dedication to the board.

Val Halla Highlights of 1999

- Good Year Financially: Actual income was above the forecasted budget, 30000
~~expenses were at budget.~~
- General Manager Eric Moynihan is doing an excellent job managing the site, staff, and the day to day business. *of new club house and function center increasing continue to increase*
- Jim Hodge and his staff continue to maintain Val Halla as one of the best public courses in the area.
- The addition of Golf Pro Jim Nickerson in 1999 proved to be successful and he ~~will be~~ *has been* contracted again in FY2000. +2001
- Attendance of non-golfers to the restaurant was lower than expected. Changes in the food service in 2000 have been made by Eric to address this.
- *Board* In the initial planning stages of some site improvement projects for FY 2000 and FY 2001. Bob Benson will keep the council informed as the plans take form.
- Council appointed Trustee members continue to bring strong capability and dedication to the board.

**TOWN OF CUMBERLAND
MEETING MINUTES OF THE TOWN COUNCIL
MONDAY – FEBRUARY 28, 2000**

***** 6:00 P.M. WORKSHOP – OPEN SPACE COMMITTEE/PLANNING
BOARD/CONSERVATION COMMITTEE – OPEN SPACE PLAN *****

Present: Peter Bingham, Stephen Moriarty, John Lambert, Jeff Porter, James Phipps, Harland Storey, Mark Kuntz

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

II. Approval of Minutes
a. January 24, 2000

Councilor Moriarty moved to approve the minutes of January 24, 2000 as written.

Seconded by Councilor Lambert.

VOTE: UNANIMOUS (7)

III. Manager's Report
None.

IV. Public Discussion
None.

V. Legislation and Policy

00-06 To receive report of Open Space Committee.

Phil Gleason, Chairman of the Open Space Committee presented the report of the Open Space Committee to the Town Council. This report followed a workshop in which the Open Space Committee, Planning Board, and Conservation Committee discussed the open space plan. Chairman Gleason explained Cumberland's open space plan was drafted in Jan. 2000. This plan represents the work for the open space committee in the past 12 - 18 months.

Councilor Lambert moved to accept the report of the Open Space Committee.

Seconded by Councilor Moriarty.

VOTE: UNANIMOUS (7)

Councilor Phipps expressed Council appreciation to the Open Space Committee for their time and effort.

00-07 To hear presentation – Habitat for Humanity.

Jamie Schwartz, Chairman of the Habitat For Humanity committee explained to the Town Council that their organization is considering a project on a parcel of land currently

owned by Gene and Reba Stratton. Habitat for Humanity/Greater Portland, Inc. is the local affiliate of the national volunteer home-building organization. The local affiliate has, since its founding in 1985, built 26 affordable homes for people whose income levels would likely never permit home ownership. Construction of Habitat homes is performed by a volunteer labor force, which includes the Habitat homeowner. Mr. Schwartz explained the Habitat history and presented an overview of the organization to the Council and their potential plans for the future.

- 00-08 To hear request for contract zoning – Sweetser's Apple Barrel – Blanchard Road.

Town Planner, Donna Larson reviewed a request for contract zoning from Sweetser's Apple Barrel on Blanchard Road.

Councilor Moriarty moved that the Council refer the request for contract zoning to the Planning Board for expeditious action and recommendation.

Seconded by Councilor Lambert.

VOTE: UNANIMOUS (7)

- 00-09 To set the hours required for the Voter Registrar to be open prior to an election, Title 21-A, Section 122.8.

Councilor Lambert moved to set the hours required for the Voter Registrar to be open prior to an election, Title 21-A, Section 122.8 as follows:

In the year 2000, The Town Clerk/Voter Registrar's office shall be open on the Thursday evening before each Election Day, from 6:00 p.m. to 8:00 p.m. for the purpose of registering voters.

Seconded by Councilor Phipps.

VOTE: UNANIMOUS (7)

- 00-10 Nominating Committee Appointments.

Councilor Moriarty moved to re-appoint the following incumbent Board and Committee members to an additional three-year term effective January 1, 2000:

1. Planning Board: Phil Hunt and Jeff Daigle
2. Board of Adjustment and Appeals: George Turner and Ron Copp
3. Board of Assessment Review: Ken Charest
4. Val Halla Board of Trustees: William Hanson and Lloyd Doughty
5. Conservation Commission: Ellen Hoffman
6. Town Forest Board: Sally Stockwell and Jennifer West
7. Shellfish Conservation Commission: Tom Calder
8. Coastal Waters Commission: Ken Hamilton and Hartley Brewer
9. Cumberland Housing Authority: Joyce Frost and Sandy Doughty
10. Personnel Appeal Board: Chuck Piacentini and Matthew Ward.

Seconded by Councilor Storey.

VOTE: UNANIMOUS (7)

TOWN COUNCIL
FEBRUARY 28, 2000

Councilor Moriarty moved to appoint the following individuals to the Board or Committees specified for the term indicated:

1. Val Halla Board of Trustees: Frederick Bonville, for a three-year term beginning 1/1/00.
2. Board of Adjustment and Appeals: Michael Martin for the balance of the term of James Fortin, ending on 12/31/00.
3. Cumberland Conservation Commission: Paul Gianas and Roger Monthley, for three-year terms commencing on 1/1/00.

Seconded by Councilor Storey.

VOTE: UNANIMOUS (7)

00-11 To authorize Town Manager to issue quit-claim deed.

The Town Manager declared "no action" on item 00-11.

VI. Correspondence

1. Jensen Baird Gardner & Henry: Donna Larson, Terry Bragg, Inc. Public Trail Easement
2. Stephen Moriarty: Cumberland Town Council, Memo re: Boards/Committees
3. County of Cumberland: Richard J. Feeney appointment
4. County of Cumberland Commissioners' Meeting January 24, 2000
5. Directors Cumberland Farmers Club: Cumberland Fair
6. Falmouth/Cumberland Chamber of Commerce: invitation
7. United States Postal Service: Postal Facility – Chebeague Island, ME
8. United States Postal Service: Postal Facility - Chebeague
9. United States Postal Service: New Post Office – Cumberland, ME/ advertisement
10. Tim Gooch: Post Office
11. Petrini Goepfert: Harris Road Speed Limit
12. Town Forest Board Minutes February 3, 2000
13. MSAD #51 Board of Directors Agenda: February 28, 2000
14. MSAD #51 Board of Directors Minutes February 7, 2000
15. Department of Environmental Protection: Shoreland Zoning News
16. Town of Cumberland: Town Council correspondence February 2000.
17. GPCOG: Education Forum, 3/10/00
18. Cumberland Fire Department: Cumberland Fire Departments Annual Banquet

VII. New Business

- The Council will defer for 1 year the bid for the Town Attorney.
- The Town Manager updated the Council regarding the status of the Cumberland Post Office.
- The Town Manager met with Jim Moulton, Chairman of the Board of Selectman for North Yarmouth regarding the upcoming town meeting and the North Yarmouth

TOWN COUNCIL
FEBRUARY 28, 2000

assessments. Mr. Moulton has requested a letter from Cumberland. The Town Council's position this year is the same as last year.

- The Town is close to a final agreement with the National Guard for work to be done on the Fowler and Dillenback properties.
- At the Falmouth meeting tonight, there will be a vote regarding the Rt. 1 sewer extension.
- The Town Manager met with Scott Poulin – superintendent for SAD#51 regarding the upcoming budget.
- Councilor Phipps updated the Council on the status of the planning group on Chebeague. The group has been working and meeting every 2 weeks since last summer and substantial work is nearing completion. A report is being drafted. Chairman Bingham suggested a workshop to be scheduled for the second meeting in April.

VIII. EXECUTIVE SESSION – Land Acquisition

Councilor Lambert moved to go into Executive Session at 8:42 p.m. to discuss Land Acquisition.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (7)

Councilor Lambert moved to come out of Executive Session at 9:30 p.m.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (7)

IX. Adjourn

No further business conducted. Motion to adjourn at 9:32 p.m.

Respectfully submitted,

Kathleen Babeu

Kathleen Babeu
Council Secretary

Growth mgmt / Demos

Elizabeth DellaValle
24 Pine Ln
Cumberland Foreside, ME
04110

Beth Howe
Box 634
Chebeague Island, ME
04017

Jeff Daigle
11 Glenview Rd
Cumberland, ME 04021

George Turner
4 Carriage Rd
Cumberland Foreside, ME
04110

Phil Hunt
250 Main St
Cumberland, ME 04021

Robert Arsenault
234 Main St
Cumberland, ME 04021

Field Griffith
15 Fairwind Ln
Yarmouth, ME 04096

Charles Googins
95 Bruce Hill Rd
Cumberland, ME 04021

Peter Maher
236R Main St
Cumberland, ME 04021

Elizabeth DellaValle
24 Pine Ln
Cumberland Foreside, ME
04110

Phillip Gleason
10 Stony Ridge Rd
Cumberland Foreside, ME
04110

«name»
«street1»
«city/town», «state» «post
code»

RB call P. Binsbury
P6 & RB go to 3/27
D.C. So we need a committee mtg
to review timeline report
P6. Thanks, yes -
So send report - wk to get back -
If people want to meet have mtg



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

January 13, 2000

Karen and Frank Pote
Rt 9 Junction Station House Pizza
137 Main Street
Cumberland, ME 04021

Dear Karen and Frank:

This is your official notification that at the January 10, 2000 Town Council meeting, the Council agreed to extend your current temporary Victualer's license until March 26, 2000, to correspond with the State's issuance of a 90-day license that will expire March 26, 2000. In addition, the Council is requiring Rt. 9 Junction Station House Pizza to submit another Victualer's license application in time for the March 13, 2000 Town Council Meeting. At that time, the Town Council may grant a conditional license based upon meeting the state's requirements of March 26, 2000. If the requirements are met prior to March 13, 2000, the license may be issued for the balance of the year.

If you should have any questions, please feel free to contact me at 829-5559.

Sincerely,

Klara M. Norton

Klara M. Norton
Town Clerk

Mr. Frank Pote
8 December 1999
Page 2.

On December 20, 1999 your conditional restaurant license will expire, at that time the State will not be able to re-issue the license. As you know, the reason for the hold on your license is due to inadequate setback between the septic system and water supply. To come into compliance with the above State Law you must take immediate action on one of the following options.

1. Drill a new water supply well with adequate setbacks.
2. Interconnect with another water supply that has adequate setbacks.
3. Interconnect with the Portland Water District Supply Line.
4. Complete a Hydrogeologic Evaluation of the site, to be completed and stamped by a geologist certified by the State of Maine, which demonstrates the septic system will not likely impact your well.
5. Restructure the facility back into a Take-Out/Pizza Shop which will limit water usage to meet the attached policy on "Take-out" water systems..

Please remember that after December 20, 1999 you will be in violation of both State and Federal Laws, I look forward to helping you resolve these matters before any further actions need be taken. Please feel free to call me at 287-6542 if you have any questions or concerns.

Sincerely,



Haig F. Brochu
Environmental Specialist II
Maine Drinking Water Program

cc: file

Andy Tolman, DWP
Dave Braley, DWP
Dave Breau, DWP
Paul Kempf, DWP
Bob Peterson, E&L
Linda Robinson, P&W

**TOWN OF CUMBERLAND
MEETING MINUTES OF THE TOWN COUNCIL
MONDAY – JANUARY 10, 2000**

***** 6:00 P.M. WORKSHOP - BOARDS/COMMITTEES *****

Present: Stephen Moriarty, Mark Kuntz, Jeffrey Porter, Harland Storey, John Lambert, Jim Phipps
Absent: Peter Bingham (excused)

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

- II. Approval of Minutes
a. December 13, 1999

Councilor Phipps moved to approve the minutes of December 13, 1999 with the correction that the Landing committee be combined with the Islands committee.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (6)

- III. Manager's Report

Town Planner, Donna Larson reviewed issues regarding sub-division growth control. A workshop is scheduled regarding this issue at the January 18, 2000 Planning Board meeting.

- IV. Public Discussion
None.

- V. Legislation and Policy

00-01 To consider and act on Victualer's license for Rt. 9 Junction Station House Pizza.

Councilor Lambert moved to extend the current temporary Victualer's license until March 26, 2000 to correspond with the State's issuance of a 90-day license that will expire March 26, 2000, including a paragraph that explains to Rt. 9 Junction Station House Pizza that the Town expects them to have submitted an application for the Council meeting held March 13th, 2000. At that time, the Town Council may grant a conditional license based upon meeting the state requirements of March 26, 2000. If the requirements are met prior to March 13th, 2000, the license may be issued for the balance of the year.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (6)

00-02 To authorize Town Manager to borrow \$825,000 in Tax Anticipation Notes.

Councilor Storey moved to authorize the Town Manager to borrow \$825,000 In Tax Anticipation Notes, and to award the bid to People's Bank at an interest rate of 4.29% for the 6 month period, also to authorize the following order of the Cumberland Town Council:

TOWN OF FALMOUTH MAINE

March 2, 2000

Mr. Bob Benson
Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland Center, ME 04021-9321

Dear Mr. Benson:

Enclosed is a copy of the order approved by the Falmouth Town Council on February 28, 2000, relative to extending the sewer to Cumberland.

If I can be of any additional assistance, give me a call. Thank you and have a great day.

Sincerely,



Fran Smith
Town Clerk


TOWN OF FALMOUTH

ORDER

**BE IT HEREBY ORDERED THIS 28th DAY OF FEBRUARY, 2000, BY THE
FALMOUTH TOWN COUNCIL, FALMOUTH, MAINE, IN TOWN COUNCIL
ASSEMBLED:**

Order to authorize the Town Manager to execute modification to the Sewerage Service Contract between the Town of Falmouth and the Portland Water District (on behalf of the Town of Cumberland) dated March 13, 1981, to allow the extension of the municipal sewer along Route 1 into Cumberland. Said modifications to grant the Town of Cumberland rights to deliver up to 40,000 gpd of sewerage at a rate of 100 gpm peak flow to the Johnson Road pump station.

Attested:


Town Clerk



STATE OF MAINE
DEPARTMENT OF HUMAN SERVICES
DIVISION OF HEALTH ENGINEERING
10 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0010

ANGUS S. KING, JR.

GOVERNOR

KEVIN W. CONCANNON

COMMISSIONER

December 28, 1999

Frank Pote
Rt. 9 Junction Inc.
137 Main St.
Cumberland ME 04021

Subject: Conditional license for Station House Pizza

Dear Mr. Pote:

We are issuing you a 90 day conditional license for the Station House Pizza. The basis for our decision to issue the conditional license is that you failed to fully meet the requirements of the Department for licensing. You must meet the following conditions in order to be issued a regular license:

1. Within 30 days submit to this office a letter from a well driller indicating that you have entered into a contract with them to install a new well. This letter shall include a timetable indicating when the well will be drilled, water tested and hooked up to restaurant.
2. Within 90 days, have the well drilled, tested and hooked up to the restaurant.
3. Until the new well is hooked up to the restaurant, you must test your water monthly for coliform bacteria and nitrates as required by the Drinking Water Program.

If you fail to comply with these conditions by the end of the 90 day conditional license period, your license to operate this establishment expires. Operation after your license expires is a violation of 22 MRSA section 2492 and is punishable by a fine of up to \$100 per day for each day of operation pursuant to 22 MRSA section 2498(1)(C).

If you believe that the licensing action taken by the Department is incorrect, you may request a hearing to refute the basis of the Department's action. Such a hearing would be held before an impartial hearing officer. You would have the right to be represented at the hearing by an attorney of your choice at your expense. You would have the right to be heard in person, to call witnesses, to present documentary evidence and to cross-examine witnesses. You would be entitled to a written decision based upon evidence presented at the hearing. A request for a hearing must state in detail your reasons for believing that the Department's action to be incorrect.

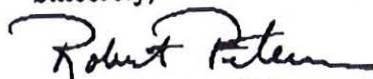
A request for hearing, in accordance with 5 MRSA section 10003, must be mailed to me and must be received within 20 days of the date of this letter.



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If you have any questions concerning the conditions of licensure as noted in this letter, please contact me at 287-5671.

Sincerely,



Robert Peterson, Manager
Eating and Lodging Program
Div. of Health Engineering
10 State House Station

cc: District Sanitarian

HEALTH ENGINEERING

Fax : 207-287-3165

Dec 28 '99 09:49 P.01

State of Maine

DEPARTMENT OF HUMAN SERVICES

EST ID 05060-25310

EATING PLACE

20 SEATS

RT 9 JUNCTION INC.
137 MAIN STREET %KAREN POTE
CUMBERLAND ME 04021

ISSUED
12/27/99
EXPIRES
3/26/00

RT 9 JUNCTION INC.
STATION HOUSE PIZZA
137 MAIN STREET
CUMBERLAND

CONDITIONAL LICENSE ISSUED FOR 90 DAYS



COMMISSIONER

\$105.00

001293

NON-TRANSFERABLE

Post-It* Fax Note	7671	Date	12/28/99	# of pages	1
To	Klara Norton	From	Donna [DHS]		
Co./Dept.	Town of Cumberland	Co.			
Phone #		Phone #	287-5675		
Fax #		Fax #	283-3165		



Angus S. King Jr.
Governor

Kevin W. Concannon
Commissioner

STATE OF MAINE
DEPARTMENT OF HUMAN SERVICES
AUGUSTA, MAINE 04333

DATE: 3/13/00

TIME: 10:00 AM PM

TO:

Clara Norton
Town Clerk
FAX 829-2214

FROM:

Bob Peterson
Div. of Health Engineering
Telephone 287-5693

PAGES INCLUDING THIS COVER SHEET: 2

MESSAGE:

Clara - I spoke with Haig Brochu and he said he has not had any recent contact with Mr. Pote.

Call me if you have further questions.

NOTICE: This fax message is intended for the exclusive use of the individual or entity identified above. It may contain information which is privileged and/or confidential under both state and federal law. If you are not the intended recipient or an agent of the recipient, you are notified that any further dissemination, copy or disclosure of this communication is strictly prohibited. If you have received this transmission in error, please immediately notify 287-5671 and return the original transmission to us by mail at Div. of Health Engineering, 10 State House Station, Augusta ME 04333 without making a copy. Your cooperation in protecting confidential information is greatly appreciated.



STATE OF MAINE
DEPARTMENT OF HUMAN SERVICES
DIVISION OF HEALTH ENGINEERING
10 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0010

ANGUS S. KING, JR.
GOVERNOR

KEVIN W. CONCANNON
COMMISSIONER

February 15, 2000

Frank Pote
Rt. 9 Junction Inc.
137 Main St.
Cumberland ME 04021

Subject: Conditional license for Station House Pizza

Dear Mr. Pote:

I am writing to follow-up on my December 28, 1999 letter to you which listed the conditions you needed to meet in order to obtain a regular license when the conditional license expires. I have enclosed a copy for your reference.

We have not yet received a letter from a well driller indicating that you have entered into a contract with them to install a new well. This was supposed to have been done within 30 days and the well drilled within 90 days.

Please send us the required letter as soon as possible. The 90 day conditional license expires on March 26, 2000.

Sincerely,

Robert Peterson, Manager
Eating & Lodging Program

cc: District Sanitarian
Wastewater & Plumbing Control Program
Haig Brochu, Drinking Water Program



PRINTED ON RECYCLED PAPER

March 6, 2000:

I have not heard anything from the Pote's as to their Victualer's license application for the March 13th Town Council meeting. I called Bob Peterson at DHS. He told me he has not heard from them either. He said he would check with Haug Brochu to see if they had been in touch with him and call me Monday.

March 13, 2000:

A.M.: I called Bob Peterson. I had him fax me a follow up letter that he had sent Mr. Pote in February after he had failed to meet the conditions of the 1st 30 days of his conditional license. He and Mr. Brochu have heard nothing from Mr. Pote.

9:00 A.M.: Doug Britton, Esq with Drummond, etal. called Donna regarding the Pote's. Donna gave me the message and I called Mr. Britton. He asked the status of the Pote's business. I told him that the Pote's Victuale's license application would be heard by the Town Council tonight. I told him the Town had not heard from Mr. Pote and that his license was in jeopardy. I also told him Mr. Pote had not met the State of ME. license conditons through DHS. I faxed him the letter from Mr. Peterson from the state and my letter to Mr. Pote requiring him to reapply for his Victualer's license for the March 13th Council meeting, providing proof of having met the state's conditions. He said he represented Pioneer Capital Corp., a lender who was lending the Pote's money to help finance their business.

NOON: Karen Pote came in requesting a Victualer's license application. She took it and left.

01:20 P.M.: Frank Pote came into my office with his Victualer's application, check and a letter to me explaining their present course of action. He said the reason he had not been in touch with anyone was because they had been trying to get financing to pay for drilling the well, and were not successful until last week, with the closing today. He said that originally he applied to get money to drill the well, but today has changed his mind. He called Mr. Peterson and Haig Brochu at DHS and asked them if he would meet state guidelines if he moved and enlarged the leach field to his septic system instead of drilling a new well, and they said that would be okay. Frank said he got permission from Dr. Harwood to extend his leach field onto the doctor's property. Dr. Harwood said he would grant him a legal easement to do this. I asked Frank to come to the Council meeting tonight to explain his plans to the Council, he was not happy to do so, but said he would.

3:00 P.M.: Bob Peterson, DHS, Div. of Health Engineering called me and said he had spoken to Doug Britton(atty), Haig Brochu and Linda Robinson about Frank's plans. His understanding was that Frank Pote was getting financing today for specifically drilling a new well. Doug stated that there would be several conditions specified on the loan to the Pote's on the well drilling loan. Bob said the loan signing was at 2:00 p.m. and he wondered how this change from drilling the well to extending the septic system leach field would go over with the loan officials. He pointed out that the state's conditional license expires March 26th, and that by that time, Frank would have to provide some concrete documentation of his plans: (1) a legal (deed) easement drawn up, and (2) a site evaluation plan, by a plumber, for the new leach field/bed. If these conditions were not met by March 26th, the Pote's would have to reapply for a state license as their conditional licenses had run out.

later

I recommend the Council take up this item again at the March 27th meeting and see where we are on the state license at that time.

March 13, 2000
Station House Pizza
137 Main Street
Cumberland, Me. 04021

Cumberland Town Hall
Cumberland, Me. 04021
Attn.: Ms. Clara Norton

Dear Clara;

This will update you on our progress at the Station House Pizza.

1. The monthly water tests have been sent and all tests are within state standards.
2. We have just secured funding for this tremendous task of satisfying the state standards for the distance between our well and our leach field.

We will receive our funding on 3/13/00. This process took two months to put together which included refinancing the restaurant, which again is no easy task when you have only been in operations for nine months!

This funding will allow us to move forward on this project. We could not secure a statement from a contractor on his willingness to do the work if we were still not clear if we could secure financing!

3. The attorneys for the bank and myself will be in contact as of 3/13/00 with Bob Peterson, Haig Brochu and Linda Robinson to update them on our progress and to give them the name of a contractor who will be performing the work. Bob Peterson will also be in touch with the town.

We are now going to move the leach field instead of drilling a well. This is thought to be an excellent idea by the state and will satisfy all concerns including future expansion. We have received permission from the Harwoods to move the leach field onto there property.

4. Our license from the state is up on 3/26/00. We feel confident that we can now move at a good pace to comply and finally put this to rest.

5. We have thought long and hard about continuing this project. A project that we turned around a town eye sore and improved the property with our own sweat and creativity. True entrepreneurial spirit at work! We risked our time, money and energy and we are at the brink of collapsing under the now tremendous financial pressure that this has brought on us. Thanks to all who have supported us.

Sincerely,
Frank w. Pote

TOWN OF CUMBERLAND, MAINE

APPLICATION for VICTUALER'S (Food Service Establishment) LICENSE

Business or Trade Name: STATION HOUSE PIZZA

Business Address: 137 MAIN STREET

Name of Manager: KAREN POTE Business Phone: 829-2171

Date of event or new license: 3/26/00

Signature of authorized person: _____ Date: 3/13/00

CHECK THE PROPER CATEGORY OF REQUESTED LICENSE:

- | | | |
|---|----------|-------------------------------------|
| (a) Restaurant or Victualer not serving malt beverages on the premises. | \$50.00 | _____ |
| (b) Restaurant or Victualer serving malt beverages on the premises. | \$50.00 | _____ |
| (c) Class A Restaurant, as defined by the Revised Statutes of Maine, serving both malt liquor and spirituous and vinous liquor. | \$50.00 | <input checked="" type="checkbox"/> |
| (d) A business establishment such as, but not limited to, retail grocery stores, food storage warehouses, bakeries, delicatessen stores, and dairy product stores where food is stored or is kept for sale and where the total area of the establishment is less than 10,000 square feet. | \$25.00 | _____ |
| (e) Same as (d) but total area of the establishment is more than 10,000 square feet. | \$25.00 | _____ |
| (f) Eating and Lodging places. Any place where eating and sleeping accommodations are furnished to the public such as hotels, motels, and bed and breakfasts. | \$100.00 | _____ |
| (g) Establishment operated by Non-Profit organization. | NO FEE | _____ |
| (h) Vending Machine. | \$10.00 | _____ |
| (i) Temporary Vending Unit operating at a fair. (per unit): | \$10.00 | _____ |

Name & type of vending unit(s): _____

Enclose CHECK payable to: "Town of Cumberland"

SEND TO: TOWN CLERK, 290 Tuttle Road, Cumberland, ME 04021

Application received: 3-13-2000 Date of issuance: _____



Sewer Costs

Eng.	<u>50000</u>	Relate to sub	Includes Rti Inspection
Build	<u>480-205</u>		
FAL	<u>55000</u>		
FAL pump station	<u>25000</u>		
Down shaft	<u> </u>	Adm - Dune - AB -	
Traffic study	<u>\$5050</u>	SD	

Bids - due 3/15

Council Mtg

Ext Est 900 = 2300'
Ext Curb 1400

Brass True Spring

Pump skt	Rt SF	336000 (including pump skt)
Pump st	M4 2t	160000
Dike	\$56,000	

113 Single Family Units

say use 100 - \$4000

Motion: IT Authorize Rt 1 Sewer Extension and

TOWN OF CUMBERLAND

VICTUALER'S LICENSES, and VENDING VICTUALER'S LICENSE ORDINANCE

THE TOWN OF CUMBERLAND HEREBY ORDAINS THAT the Revised and Codified Ordinances of the Town of Cumberland, Maine be amended by adding a new Chapter XVI VICTUALER'S, AND VENDING VICTUALER'S LICENSES.

SECTION 1. DEFINITIONS:

The following definitions shall apply to the interpretation and enforcement of this Ordinance:

VICTUALER Shall mean any person who serves food or drink prepared for consumption by the public and operates any "Eating Establishment", "Eating and Lodging Places", Temporary Vending Units, and Vending Machines as herein defined within the Town of Cumberland, but specifically shall not include the operation of a farm stand selling home grown produce or sale of food or drink from a temporary sidewalk stand operated by minors immediately adjacent to their residence.

EATING ESTABLISHMENT Shall mean any place where food or drink is prepared and served, or served to the public consumption on or off the premises, which includes, but is not limited to restaurant, coffee shop, cafeteria, short order cafe, luncheonette, sandwich stand, soda fountain, caterers preparing food in Cumberland and all other eating or drinking establishments. However, this shall not include Temporary Vending Units or Vending Machines, nor premises operated by the town's School Department, hospital, or charitable and civic organizations.

EATING AND LODGING PLACES shall mean every building or structure or any part thereof kept, used as, maintained as, advertised as or held out to the public to be, a place where eating and sleeping accommodations or sleeping accommodations are furnished to the public, including but not limited to, business such as hotels, motels, guest homes, cottages, and bed and breakfasts.

TEMPORARY VENDING UNIT Shall mean any vending unit which is used for the sale therefrom at retail of any prepared food, sandwiches, drinks, ice cream or similar dairy products, including vending units which offer samples, and shall include a restaurant operating for a temporary period in connection with a fair, carnival, circus, public exhibition or other similar gathering. Temporary shall mean for use 8 days or fewer consecutive days.

EMPLOYEE Shall mean any person who handles food or drink during its preparation or serving, or who comes in contact with any eating or cooking

utensils, or who is employed in a room in which food or drink is prepared or served.

UTENSILS Shall include any kitchenware, tableware, glassware, cutlery, utensils, containers or other equipment with which food or drink comes in contact during storage, preparation, transporting or serving.

HEALTH OFFICER Shall mean the Health Officer of the Town of Cumberland or his/her authorized representatives.

PERSON Shall mean any individual, firm, corporation or association, or other legal entity.

POTENTIALLY HAZARDOUS FOODS - means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or their ingredients, in form capable of supporting rapid and progressive growth of infectious or toxigenic micro-organisms. The term does not include foods which have a pH level of 4.6 or below or a water activity value of .85 or less.

VENDING MACHINE - shall mean any self-service device offering potentially hazardous foods for public use which, upon insertion of a coin, coins or token or by other similar means, dispenses unit servings of food without the necessity of replenishing the device between vending operations.

VENDING UNIT - Shall mean any food service establishment that prepares or dispenses food for off premises consumption by the public that operates at a fixed location for a period of time in conjunction with a single event or celebration.

SECTION 2. LICENSE REQUIRED:

It shall be unlawful for any person who does not possess a Victualer's License granted by the Municipal Officers and issued by the Town Clerk to operate any Eating Establishment", "Eating and Lodging Places in the Town of Cumberland. It shall also be unlawful for any person to own or operate a Temporary Vending Unit, or Vending Machine in the Town of Cumberland who does not possess a Victualer's Vending License granted by the Town Clerk. Such license shall be posted in a conspicuous place. Only persons who comply with the requirements of this Ordinance shall be entitled to receive and retain such a license. Applications for such license shall be procured from the Town Clerk, completed and signed by the applicant and filed with the Town Clerk for submission to the Municipal Officers, or Town Clerk as appropriate, and shall bear the recommendation of the Fire Chief, Building Inspector if requested, and the Health Officer as to the approval or disapproval of the granting of the license. The Town Council may also request a recommendation from the Police Chief, if deemed necessary.

SECTION 3. LICENSE FEES:

The fees for such licenses and re-inspection fees shall be set by order of the Town Council to reflect a portion of the administrative cost of the processing of the license application.

No victualer's license shall be issued to any applicant until the required fee is paid in full and all such licenses shall expire on the last day of June.

SECTION 4. SAFETY & SANITARY REQUIREMENTS:

All Eating Establishments, and Eating and Lodging Places and, where applicable, all Temporary Mobile Vending Units, and Vending Machines, must comply with all the Town and State Ordinances, laws and regulations as to the Building, Exit and Plumbing Codes and Regulations, 101 Life Safety Code, and the State of Maine Rules relating to eating and Lodging Places and all licensees must fully comply with the following items as to safety and sanitation.

1. All rooms in which food and drink are prepared or in which utensils are washed shall be well lighted and ventilated.
2. All walls, floors and ceilings shall be kept clean and in good repair.
3. When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.
4. There shall be at least one toilet and sink with hand soap, and with a self closing door, on the premises of all restaurants which provide facilities to consume food or alcoholic beverages on the premises or when 8 or more persons are employed at anyone time there shall be provided at least one toilet and sink for each sex. All toilet rooms shall be kept in clean condition, in good repair, well lighted and ventilated.
5. All equipment and utensils, including display cases, windows, counters, shelves, tables, refrigerators, stoves, hoods and sinks shall be clean and free from dust, dirt, insects and other contaminating material.
6. All multi-use utensils used in the preparation or serving of food or drink shall be thoroughly cleaned and subjected to an approved bactericidal process after each usage and shall be stored in a clean, dry place protected from flies, dust and other contamination as far as practicable.
7. All garbage and trash shall be kept in suitable covered receptacles until properly disposed of.

8. All food and drink shall be clean, free from spoilage and so prepared as to be safe for human consumption and shall be stored as to be protected from dust, flies, vermin, rodents and other contamination, and at a temperature appropriate to good food handling practices.
9. Adequate and convenient hand washing facilities shall be provided, including hot and cold water, soap and clean towels where any food is prepared. No employee shall resume work after using the toilet room without first washing his/her hands.
10. All employees shall wear clean garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils or equipment.
11. The premises shall be kept clean and free from litter and rubbish.
12. No person who is infected with any disease in a communicable form or is a carrier of such disease shall work in any licensed premises or be employed by any licensee, If the licensee or manager suspects that any employee is infected with any such disease or is a carrier thereof, he/she shall immediately notify the Health Officer.
13. When the Health Officer has cause to believe that the possibility of transmission of infection from any such employee exists, the Health Officer is authorized to require any or all of the following.
 - (a) The immediate exclusion of the employee from all restaurants.
 - (b) The immediate closing of the premises concerned until no further danger of disease outbreak exists.
 - (c) Adequate medical examinations of the employee and his/her associates with such laboratory examinations as may be required by the Health Officer after consultation.
14. The temperature of all vending machines offering hot potentially hazardous foods shall be kept at 140° F or above.
15. The temperature of all vending machines offering cold potentially hazardous foods shall be kept at 45° F or below.

SECTION 5 INSPECTION:

At least once every twelve (12) months the Health Officer, Building Inspector, and Fire Chief, or other authorized representatives, shall inspect every Eating Establishment, Eating and Lodging Place, Temporary

Vending Unit and Vending Machine located within the Town of Cumberland. In case they discover the violation of any item of safety or sanitation, they shall notify the licensee in writing of same and shall make a second inspection after the lapse of such time as they deem necessary for the defect to be remedied. If after the second inspection, the violation is not remedied, a re-inspection fee shall be charged. Any violation of the same item of this Ordinance on such second inspection shall call for an immediate suspension of the license. The person operating the Eating Establishment, Eating and Lodging Place, Temporary Vending Unit, and Vending Machine shall upon the request of the Health Officer or the Fire Chief, or their authorized representatives, permit access to all parts of premises for such inspections and shall permit copying any and all records of food purchased. If the Health Officer, Fire Chief, or the Building Inspector or other authorized representative deems it necessary an inspection can be conducted at any time, during regular business hours.

SECTION 6 SUSPENSION & REVOCATION:

The Municipal Officers may suspend or revoke a license under this Ordinance for serious or repeated violations of the terms of the Ordinance if the Municipal Officers determine that the licensee is unfit to hold a license. Such suspension or revocation may occur only after an investigation and hearing by the Municipal Officers, notice of such hearing being served upon such licensee or left at the licensee's premises at least three (3) days before the time set for said hearing.

SECTION 7 REINSTATEMENT OF LICENSE:

The licensee may at any time after said suspension make application in writing for reinstatement of said license to the Municipal Officer who has suspended said license representing that the condition for which the suspension was imposed has been corrected. The Health Officer, Building Inspector or Fire Chief shall within three (3) working days after the receipt of said application make a reinspection of said premises. If the Municipal Officers find, based upon the report of re-inspection, that said licensee is again complying with the terms of this Ordinance, reinstatement of the License will be placed on the agenda of the next available meeting for consideration.

Should the Health Officer, Building Inspector or Fire Chief fail to find the condition corrected to his/her satisfaction, the officer may make reinspections at such future times as he/she may deem reasonable. In the event said licensee does not satisfactorily comply with the requirements of the officer after such suspension or if said officer does not reinspect as stated above, either party may apply to the Municipal Officers for a hearing in the manner provided above and the Municipal Officers shall conduct said hearing and thereafter revoke, indefinitely suspend or reinstate said license. An expedited hearing may be held at the written request of the licensee if the Council, in its sole discretion, so decides. Repeated incidents of such suspensions shall be considered a valid reasons for revocation of said license.

SECTION 8 PENALTY:

Any person who violates any provision of the Ordinance shall be subject to a fine established by order of the Town Council for each day of violation and each and every violation of the provisions of this Ordinance shall constitute a separate offense.

SECTION 9 PRIOR ORDINANCE, RULES & REGULATIONS, REPEALED

All prior Ordinances, rules and regulations pertaining to victualer's licenses are hereby repealed; however, all outstanding victualer's licenses shall remain valid until their expiration date, but subject to the suspension and revocation provisions of this Ordinance for failure to comply with the health and safety provision and also subject to the penalty provisions herein set forth.

EFFECTIVE DATE: MAY 15, 1997

A TRUE COPY:

ATTEST:

Klara M. Norton
TOWN CLERK

JENSEN BAIRD GARDNER & HENRY

ATTORNEYS AT LAW

TEN FREE STREET
P.O. BOX 4510
PORTLAND, MAINE 04112
(207) 775-7271

TELECOPIER (207) 775-7935

WALTER E. WEBBER
KENNETH M. COLE III
NICHOLAS S. NADZO
FRANK H. FRYE
DAVID J. JONES
MICHAEL A. NELSON
RICHARD H. SPENCER, JR.
RONALD A. EPSTEIN
WILLIAM H. DALE
JOSEPH H. GROFF IIIF. BRUCE SLEEPER
DEBORAH M. MANN
LESLIE E. LOWRY III
PATRICIA McDONOUGH DUNN
MICHAEL J. QUINLAN
R. LEE IVY
NATALIE L. BURNS
SALLY J. DAGGETT
BRENDAN P. RUELLE
SUZANNE R. SCOTTRAYMOND E. JENSEN
M. DONALD GARDNER
MERTON G. HENRY
JOHN D. BRADFORD
JAMES E. KAPLAN
OF COUNSELKENNETH BAIRD
(1914-1997)YORK COUNTY
OFFICE11 MAIN STREET, SUITE 4
KENNEBUNK, MAINE 04043
(207) 775-4676
TELECOPIER (207) 965-4932TELECOPIER TRANSMITTAL
INFORMATION

TO: Robert Benson
TELECOPIER NO.: 829-2224
FROM: Ken Cole DATE: March 13, 2000

This transmission consists of 2 pages, including this cover sheet.

Please deliver this telecopy immediately upon receipt. If there has been an uncorrected error in transmission, please call our office at the number listed above.

Return telecopy phone number, direct line is: (207) 775-7935.

Thank you.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW.

If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U. S. Postal Service.
Thank you.

1. Pursuant to Article VII, Section 3 of the Sewer Use Ordinance of the Town of Cumberland, and having found that a sewer extension would be in the best interest of the health and welfare of abutting property owners, the Cumberland Town Council hereby orders an extension of the public sewer along Route 1 in said Cumberland as described in engineering drawings by Harding Lawson Associates and further authorizes and directs the Town Manager to evaluate the bids submitted for said extension and to award the same to the lowest qualified responsive bidder.

2. The Cumberland Town Council hereby orders and ordains a sewer access charge of \$4,000 per residential user unit payable by the property owner benefited at the time of entry into such sewer which said charge reasonably reimburses the Town for the cost of said Route 1 sewer extension.

Peoples Heritage Bank

One Portland Square
P.O. Box 9540
Portland, ME 04112-9540

Tel: 1-800-462-3686

Internet: www.peoplesheritage.com

Sham FYG-4971

Public Finance



March 13, 2000

VIA FAX: 829-2224

Mr. Robert Benson, Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Dear Mr. Benson:

As requested, we have reviewed the materials submitted to us regarding possible home equity lending to those properties in Small's Brook Crossing.

We are pleased to be able to offer a financing program that would "share" a second position with the Town of Cumberland's "silent second mortgage".

Any lending under this program would be subject to our normal underwriting criteria to determine eligibility. We look forward to working with the Town on this venture.

If you have any questions, please call me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ranaghan".

Richard J. Ranaghan, Jr.
Vice President
Public Finance Division

Joseph B. Taylor
14 Lawn Avenue
Cumberland Center, Maine 04021
Phone/Fax: 829-5751
E mail Joemtayl@aol.com

March 2, 2000

MEMORANDUM

TO: Robert Benson, Cumberland Town Manager

FROM: Joe Taylor

JB T

RE: Cumberland-York Aggregation Coalition (CYAC)

On Thursday, February 24, 2000 I attended a meeting of the CYAC at the Scarborough Town Hall. There were about 18 representatives of communities and organizations present out of a possible 55.

Rich Silkman, a consultant to the group, presented his findings to date. Briefly, there is little activity on the supply side at this time. The PUC has settled on a price for the Standard Offer, which should result in a cost saving of approximately 10%. It is hard to pin down exactly because part of the saving results from the elimination of the "inclining block rates." The uniform rate will impact each user according to the amount of electricity they use.

Silkman proposed three options:

1. Keep the CYAC together. We are small but may be effective. Do not send out an RFP but negotiate between two possible suppliers.
2. Join in with Maine Power Options. They are presently negotiating a price to compete with the Standard Offer.
3. Sit on the Standard Offer and wait.

Steve Gauthier of Maine Power Options (MPO) made a presentation of their progress in obtaining prices to compete with the Standard Offer. They presently have signed up nearly 500 institutions (list enclosed). They are finding the RFP process very complex and time consuming. Maine Power Options will be open for new organizations until the end of March.

After much discussion those present at the meeting voted to align CYAC with MPO pending receipt of their proposals for power. It was pointed out by Gauthier and confirmed by Silkman that once the offer is ready it will need to be accepted on fairly short notice. The Town Council should consider authorizing the Manager to proceed if the offer is materially better than the Standard Offer.

MPO has an advisory board made up of members of the aggregation. Steve Gauthier has suggested that the CYAC appoint two members to serve on the board.

MPO is still considering it fees for participation in their aggregation. They are looking at a nominal flat fee based on the power load of each member. They don't expect to cover all their costs from the fees. The Bond Bank subsidizes part of their budget. They are looking to expand their offerings to members in the future.

One final matter. The State of Maine was not included in the legislation setting up MPO, thinking that they would go it alone. Consideration is now being given to amending the legislation to include the State.

MPO was going to send us a summary of their presentation at this meeting but have received nothing yet. I called Peter Creighton this morning and will forward anything from MPO when I get it.

If there are any questions I'll be glad to respond.

2/24/00
JBT

STANDARD OFFER AND T&D RATES

<u>TRANSMISSION AND DISTRIBUTION CO./ CUSTOMER CLASS</u>	<u>T & D AVG. ¢/kWh</u> includes customer charge, demand (where applicable) and kWh charge.	<u>STANDARD OFFER RATE (GENERATION)</u>	
<u>CENTRAL MAINE POWER CO.</u>			
Residential	7.74 ¢ per kWh residential	4.089¢ per kWh	
Small Commercial (Small General Service) (less than 20 kW)	7.97¢ per kWh small commercial		
Medium Commercial/ Industrial (20-400 kW)	4.36¢ per kWh secondary	6.81¢ per kWh June, July, August	5.52¢ per kWh non- summer
	4.12¢ per kWh primary		
Intermediate Commercial/ Industrial (400 kW to 1000 kW)	4.61¢ per kWh secondary	11¢ per kWh summer peak	5.9¢ per kWh winter peak
	3.83¢ per kWh primary		
		3.88¢ per kWh summer off peak	3.38¢ per kWh winter off peak

8 BT
2/24/00

Maine PowerOptions Program Members Partial List

HEALTHCARE	EDUCATION	EDUCATION
Aroostook Mental Health Services	Bangor Theological	Maine College of Art
Cary Medical Center	Bates College	Maine Maritime Academy
Catholic Charities of Maine	Bowdoin College	MDI Regional High School
Central Maine Medical Center	Bridgton Academy	MDI Elementary School
Community Health & Couns Serv	Central Maine Technical College	Northern Maine Technical College
Community Living Association	Cheverus High School	Pemetic Elementary School
Community Partners	Colby College	S.A.D #59
Danforth Habilitation	Connors Emerson School	School Union #29
Eastport Health Care	Cranberry Isle School	School Union #42/CDS #10
Goodwill Industries	Eastern Maine Technical College	School Union #52
Harrington Family Health	Gorham School Department	School Union #74
Inland Hospital	Gould Academy	School Union #122
Island Nursing Home	Husson College	Southern Maine Technical College
Jackson Laboratory	Kennebec Valley Technical College	St. Joseph's College
Kennebec Valley Mental Hlth. Ctr.	Kents Hill School	Thomas College
Lakewood Manor	M.S.A.D # 3	Tremont Consolidated School
Leap, Inc.	M.S.A.D # 7	United Tech Center MVR#4
Maine Center for the Blind	M.S.A.D # 11	Unity College
Maine General Health System	M.S.A.D # 16	University of New England
Maine Medical Center	M.S.A.D # 17	University of Maine System
Mid Coast Hospital	M.S.A.D # 41	York County Technical College
Mount St. Joseph	M.S.A.D # 43	Washington County Technical
Northern Cumberland Hospital	M.S.A.D # 47	
Parkview Memorial Hospital	M.S.A.D # 48	
Penobscot Valley Hospital	M.S.A.D # 49	
Phillips-Strickland House	M.S.A.D # 54	
Rangeley Region Health Center, Inc.		
Regional Medical Center at Lubec		
Rumford Community Hospital		
Sebastcook Valley Hospital		
Southern Maine Medical Center		
Sweetser Children's Services		
The Spurwink School		
The Warren Center for Learning		
Tri County Mental Health		
Waldo County General Hospital		
Wardwell Home for the Aging		
York Hospital		
Total Healthcare members = 38	Total Education members = 48	

CULTURAL	CULTURAL / Cont'd
Auburn Public Library	The Norlands
Blue Hill Public Library	North Bridgton Library
Carver Memorial Library Assoc	Old Town Public Library
Casco Public Library	Paris Public Library
Cornish Library Assoc.	Parsons Memorial Library
Denmark Public Library	Patten Free Library
Dorcas Library Assoc	Penobscot Marine Museum
Dyer Library Assoc.	Phillips Public Library
Eastport Public Library Assoc.	Portland Museum of Art
Falmouth Memorial Library	Portland Public Library
Farnsworth Art Museum	Richville Public Library
Goodall Memorial Library	Rutherford Library Assoc.
Guilford Memorial Library	Scarborough Public Library
Henry D. Moore Parish House & Library	Skowhegan Public Library
Jackson Memorial Library	Southwest Harbor Public Lib
Jay-Niles Memorial Library	Springvale Public Library
Jesup Memorial Library	Stewart Public Library
Livermore Public Library	Waldoboro Public Library
Louis T. Graves Memorial Library	Walker Memorial Library
Maine Historical Society	Waterville Public Library
Maine Public Broadcasting	Waterville Regional Art & Comm Ctr
Millinocket Memorial Library	Wayne Library Association
Naples Public Library	York Public Library
Total Cultural members = 46	

Member Total = 468

Maine PowerOptions Program Members Partial List

NON-PROFIT	NON-PROFIT / Cont'd
American Red Cross - N.	Ingraham, Inc.
Aroostook Area Agency on Aging	Job Corps
Auburn Housing Authority	Kennebec Girl Scout Council
Bangor Area Homless Shelter	Kennebec Valley Council of Govts
Bangor YMCA	Kennebunkport Historical Society
Bigelow Lab for Ocean Sciences	Kids Peace Natl Center for Kids in Crisis
Bridgton Historical Society	Maine Association of Non-Profits
Bridgton Ice Arena	Maine Children's Home for Little Wand
Bucksport Area Child Care Center	Maine Civil Liberties Union
Camp Sunshine at Sebago Lake	Maine Coast Heritage Trust
Caribou Congregate Housing Dev	Maine Humanities Council
Catherine Morrill Day Nursery	Maine Mental Health Conn., Inc.
Chebeague Rec Center, Inc.	Maine Municipal Bond Bank
Child & Family Opportunities, Inc.	McLaughlin Foundation
Coastal Community Action Program	New England Elec Railway Historical Soc
Coastal Workshop, The	Next Step Domestic Violence Project
Common Ties Mental Health	Northeast Occupational Exchg. Inc.
Creative Health Foundations, Inc.	O.H.I
Credit Counseling Centers Inc.	Ocean Park Assoc.
Crossroads for Women	Old York Historical Society
Davis Family Foundation	Peregrin Corp
Delta Amulance	Pine Tree Society for Handicapped
Drug Rehabilitation, Inc.	Pottle Hill, Inc.
Eastern Agency on Aging	Quoddy Regional Land Trust
Easton Housing Corporation	Rumford Group Homes, Inc.
Family Crisis Services, Inc.	Seniors Plus
Ferry Beach Park Assoc	Sexual Assault Victims Emergency Serv
Good Will Home Assoc	Shalom House
Greater Portland Landmarks, Inc.	South Portland Housing Authority
Greater Portland Transit District	Southern Maine Agency on Aging
Green Valley Assoc., Inc.	Susan Curtis Foundation
Group Home Foundation	United Society of Shakers
Harbor House Comm Service Ctr	Uplift, Inc.
H.O.P.E.	Wells Auto Museum
Hospice of Hancock County	Woodfords Congregational Church
Hospice of Midcoast Maine	York Cumberland Housing Corp

Total Non-Profit members = 72

Maine PowerOptions Program Members Partial List

MUNICIPALITIES	MUNICIPALITIES CONT'D	MUNICIPALITIES CONT'D
Andover, Town of	Jay, Town of	St. Agatha, Town of
Anson, Town of	Jefferson, Town of	St. Albans, Town of
Appleton, Town of	Kennebunk, Town of	Searsmont, Town of
Auburn, City of	Kennebunkport, Town of	Shapleigh, Town of
Augusta, City of	Kingfield, Town of	Sherman, Town of
Baileyville, Town of	Lamoine, Town of	Sidney, Town of
Bar Harbor, Town of	Leeds, Town of	Smithfield, Town of
Bath, City of	Levant, Town of	Solon, Town of
Belfast, City of	Lewiston, City of	Somerset, County of
Belmont, Town of	Limerick, Town of	South Berwick, Town of
Benton, Town of	Lincoln, County of	Southport, Town of
Bingham, Town of	Lincoln, Town of	Southwest Harbor, Town of
Boothbay, Town of	Lincolnton, Town of	Standish, Town of
Bowdoinham, Town of	Lisbon, Town of	Stetson, Town of
Bradley, Town of	Litchfield, Town of	Stonington, Town of
Brewer, City of	Littleton, Town of	Stow, Town of
Bridgewater, Town of	Livermore Falls, Town of	Strong, Town of
Brownville, Town of	Lovell, Town of	Sullivan, Town of
Bucksport, Town of	Lubec, Town of	Sumner, Town of
Calais, City of	Machias, Town of	Surry, Town of
Camden, Town of	Madison, Town of	Swanville, Town of
Caribou, City of	Mariahville, Town of	Thomaston, Town of
Carmel, Town of	Manchester, Town of	Tremont, Town of
Carrabassett Valley, Town of	Mars Hill, Town of	Turner, Town of
Castine, Town of	Mattawamkeag, Town of	Union, Town of
Chelsea, Town of	Mechanic Falls, Town of	Unity, Town of
China, Town of	Medway, Town of	Van Buren, Town of
Clinton, Town of	Milbridge, Town of	Vassalboro, Town of
Cornish, Town of	Milford, Town of	Vienna, Town of
Cushing, Town of	Millinocket, Town of	Waldoboro, Town of
Damariscotta, Town of	Monmouth School Department	Warren, Town of
Danforth, Town of	Monroe, Town of	Waterford, Town of
Detroit, Town of	Moscow, Town of	Waterville, City of
Dexter, Town of	Mount Desert, Town of	Wayne, Town Of
Dixfield, Town of	Mount Vernon, Town of	West Bath, Town of
Dover Foxcroft, Town of	Newburgh, Town of	West Gardiner, Town of
Easton, Town of	New Gloucester, Town of	Westport, Town of
Eddington, Town of	Newport, Town of	Winn, Town of
Edgecomb, Town of	New Portland, Town of	Winslow, Town of
Enfield, Town of	Newry, Town of	Winter Harbor, Town of
Etna, Town of	Norridgewock, Town of	Winterport, Town of
Eustis, Town of	Northport Village Corporation	Winthrop, Town of
Exeter, Town of	Norway, Town of	Woodland, Town of
Farmingdale, Town of	Oakland, Town of	Woodstock, Town of
Farmington, Town of	Old Town, City of	Woolwich, Town of
Fayette School Department	Orono, Town of	
Fort Kent, Town of	Orrington, Town of	
Freedom, Town of	Otisfield, Town of	
Frenchville, Town of	Oxford, Town of	
Friendship, Town of	Palmyra, Town of	
Fryeburg, Town of	Paris, Town of	
Frye Island, Town of	Penobscot, Town of	
Gardiner, City of	Peru, Town of	
Garland, Town of	Phillips, Town of	
Georgetown, Town of	Phippsburg, Town of	
Glenburn, Town of	Pittsfield, Town of	
Grand Isle, Town of	Plymouth, Town of	
Greenbush, Town of	Poland, Town of	
Hallowell, City of	Pownal, Town of	
Hampden, Town of	Prospect, Town of	
Harrison, Town of	Randolph, Town of	
Hartland, Town of	Rangeley, Town of	
Hermon, Town of	Raymond, Town of	
Hiram, Town of	Readfield, Town of	
Holden, Town of	Richmond Schools	
Hope, Town of	Richmond, Town of	
Howland, Town of	Rockland, City of	
Island Falls, Town of	Rockport, Town of	
Islesboro, Town of	Roxbury, Town of	
Jackman, Town of	Rumford, Town of	

Total Municipalities= 185

Maine PowerOptions Program Members Partial List

MUNICIPALITIES - WATER & SEWER

Andover Water District
 Anson/Madison Sanitary District
 Aroostook Valley Solid Waste
 Ashland Water & Sewer District
 Auburn-Lewiston Municipal Airport
 Auburn Water District
 Augusta Water District
 Augusta Sanitary District
 Bangor Water District
 Bath Water District
 Berwick Sewer District
 Bingham Water District
 Boothbay Harbor Sewer District
 Boothbay Region Refuse Disposal District
 Bowdoinham Water District
 Bridgton Water District
 Brunswick & Topsham Water District
 Brunswick Sewer District
 Canton Water District
 Caribou Utilities District
 Carrabasset Valley Sanitary District
 Corinna Sewer District
 Cornish Water District
 Dover-Foxcroft Water District
 Eustis Water Department
 Farmington Village Corp. Water Dept.
 Fort Fairfield Utilities District
 Gray Water District
 Guilford-Sangerville Sanitary District
 Hallowell Water District
 Hampden Water District
 Harrison Water District
 Hebron Water Company
 Kennebec Sanitary Treatment District
 Kennebunk Sewer District
 Kingfield Water District
 Kittery Water District
 L/A Water Pollution Control Authority
 Lincoln Water District
 Livermore Falls Water District

MUNICIPALITIES - WATER & SEWER / Cont'd

Mt. Blue Standard Water District
 Madawaska Water District
 Madison Water District
 Mars Hill Utility District
 Mechanic Falls Sanitary District
 Mechanic Falls Water District
 Millinocket WW Treatment
 Milo Water District
 Monmouth Sanitary District
 Moosehead Sanitary District
 Mount Desert Water District
 New Portland Water District
 Newport Water District
 Norridgewock Water District
 Northern Aroostook Rec. Inc. Facility
 Old Town Water District
 Ogunquit Sewer District
 Paris Utility District
 Portland Water District
 Presque Isle Sewer District
 Presque Isle Water District
 Richmond Utilities District
 Rumford-Mexico Sewerage District
 South Berwick Sewer District
 South Berwick Water District
 Southwest Harbor Sewer District
 Southwest Harbor Water District
 St. Agatha Sanitary District
 Van Buren Water District
 Vassalboro Sanitary District
 Veazie Sewer District
 Waldoboro Utility District
 Waterville Sewerage District
 Wells Sanitary District
 Winter Harbor Utility District
 Winthrop Utilities District
 Wiscasset Water District
 York Sewer District
 York Water District

Total Municipal Water & Sewer Members = 79

Gould
m

Joseph B. Taylor
14 Lawn Avenue
Cumberland Center, Maine 04021
Phone/Fax. 829-5751
E mail Joemtayl@aol.com

March 5, 2000

MEMORANDUM

TO: Robert Benson, Cumberland Town Manager

FROM: Joe Taylor *JBT*

RE: Cumberland – York Aggregation Coalition (CYAC)

Since my memo of 3/2/00 on this matter I have finally heard from Peter Creighton in the form of the attached memo. It follows quite closely the points I outlined from the meeting of February 24, 2000 – not the 17th.

Peter was not at the meeting but has obviously worked with Gauthier since and come up with the arrangement whereby CYAC will cover the enrollment charges with the Maine Power Authority (MPO). The availability of these funds probably results from Rich Silkman intimating that he will not bill CYAC for his work since it did not produce any tangible benefit to the group.

I presume that Cumberland has filed its meter data with CYAC and paid the latest assessment – July or August 1999. If so we only need to wait for MPO to finalize its offer.

Please call me if you have questions about this matter.

3/4/00
JBT

(CYAC) CUMBERLAND-YORK AGGREGATION COALITION

TO: CYAC Members

FROM: Esther Clenott, Co-Chair, Cumberland County
Larry Littlefield, Co-Chair, York County

RE: Joining Maine Power Options

DATE: March 2, 2000

Dear CYAC Member:

Actually the 24th → It was not possible for us to contact all of you who did not attend our February 17th meeting in Scarborough before the March 1st deadline. We assume you know that all of us as well as our residents automatically were switched to Standard Offer on March 1st until we would contract with a vendor.

Present at our meeting on the 17th — 24th were Rich Silkman, our consultant, and Steve Gauthier, who represents Maine Power Options program, an aggregation program sponsored by Maine Health & Higher Education Facilities Authority (a division of the Maine Bond Bank).

Only 17 of our 55 members attended. They unanimously agreed on the following:

- 1) Remain in Standard Offer in the immediate. Remember our bills will be broken down into generation, transmission, and distribution.
- 2) We are advising our members to join Maine Power Options. Once MPO receives a rate that they have negotiated with a vendor, CYAC will forward the offer and an analysis of the offer. It is necessary to have one representative with the authority to make the commitment on behalf of your group without further consultation.
- 3) Each member unit must consent individually to the MPO offer and inform Steve Gauthier of that decision. CYAC is not signing a contract. Our individual members will. A unit member that accepts the MPO price will be obligated for the contract term (1-2 years).
- 4) At a follow-up meeting, Steve agreed that CYAC will pay MPO \$5,000 from its remaining funds, and every member unit that has paid its meter fee to CYAC and has sent in the necessary meter information to CYAC prior to this memo, will be able to join MPO without individually

paying an MPO fee. If a member unit has not done so and wishes to join MPO, the member unit will be requested to pay the MPO fee directly. MPO needs the number of meters and total load.

- 5) We will have 2-3 CYAC representatives on the MPO Board.
- 6) We do not need to obtain a license if we join MPO individually and not as a group.
- 7) CYAC will remain together as an entity even as individual members may choose to join MPO.
- 8) If members have questions, they should contact:
Esther Clenott tel: 871-8380 fax: 871-8292
Larry Littlefield tel: 439-6819 fax: 439-5409

Proposed Membership Fee Schedule – Maine Power Options Electricity Program

Annual Electricity Bill Amount	Membership Fee
\$1,000,000 and up	\$500.00
\$750,000 to \$999,999	\$375.00
\$500,000 to \$749,999	\$250.00
\$250,000 to \$499,999	\$175.00
\$100,000 to \$249,999	\$125.00
\$50,000 to \$99,999	\$50.00
\$25,000 to \$49,999	\$25.00
Below \$25,000	Fee Waived

STANDARD OFFER AND T&D RATES

<u>TRANSMISSION AND DISTRIBUTION CO./ CUSTOMER CLASS</u>	<u>T & D AVG. ¢/KWH</u> includes customer charge, demand (where applicable) and kWh charge.	<u>STANDARD OFFER RATE (GENERATION)</u>	
<u>CENTRAL MAINE POWER CO.</u>			
Residential	7.74 ¢ per kWh residential	4.089¢ per kWh	
Small Commercial (Small General Service) (less than 20 kW)	7.97¢ per kWh small commercial		
Medium Commercial/ Industrial (20-400 kW)	4.36¢ per kWh secondary	6.81¢ per kWh June, July, August	5.52¢ per kWh non- summer
	4.12¢ per kWh primary		
Intermediate Commercial/ Industrial (400 kW to 1000 kW)	4.61¢ per kWh secondary	11¢ per kWh summer peak	5.9¢ per kWh winter peak
	3.83¢ per kWh primary		
		3.88¢ per kWh summer off peak	3.38¢ per kWh winter off peak

POWER OPTIONS™
MAINE ENERGY PURCHASERS CONSORTIUM

Stephen M. Gauthier

Program Officer

3 UNIVERSITY DRIVE, P.O. BOX 2268

AUGUSTA, MAINE 04338-2268

207-621-0744 1-877-852-3332 FAX 207-623-5359

smg@mainebondbank.com

www.maineenergyoptions.org

Minutes of the Chebeague Long Range Planning Committee Meeting on
February 5, 2000 at the Parish House

Members Present: Jim Phipps, Sam Ballard, Mabel Doughty, Al
Traina, Donna Damon, Jean Dyer, Martha Hamilton, Beth Howe and
Ernie Burgess

Absent: Sylvia Ross, Nancy Adams, Carol White, Ann Thaxter, Jami
Komlosy, Michael Porter, Phil Jordan, Alnah Robinson, Louise
Doughty

Staff: Mark Eyerman

Beth went over changes in the order and arrangement of the
sections in the outline. There will be four major sections:
introduction, resources and land, preservation of Island
community and transportation. Donna said she thought it would be
more useful to put population in Island community than in the
introduction.

Beth also passed out a letter from John Pagini, planning director
for Nantucket about their experience in dealing with development.
Nantucket is about 48 square miles. Year round population in
1990 was 6012 and in 1998 was 8587, a 43 percent increase. They
have about 240 new houses built each year, about 3 percent of
their housing stock, or 30 percent over a 10 year period. By
comparison, Chebeague is about 3.5 square miles, had a 1990 year
round population of 295 and 2000 population of 335 for a 13.5
percent increase. We have about 3.8 new houses a year, or 1
percent of our housing stock, so the ten-year increase is about
10 percent. Pagini's letter warned us to be aware of the
possible unintended effects of good policies like preserving
historical character and open space. Both have increased growth
pressures for them. He sent their draft comprehensive plan,
their affordable housing strategy and the state law setting up
their land bank.

Al gave the report of the education committee. The
recommendations discussed below are at the end of his and Phil's
report, attached or picked up at the meeting:

He said he could not have said that the school worked four years
ago, but now it does except for children with special needs.
They have teachers for teaching in multi grade/multi age classes.
However there are still problems. When the kids get to the
mainland schools they are stereotyped as less able and less
prepared Island kids. They do not get the same amount of
counselling for college as mainland students.

Jean said there has always been an issue about whether teaching
in the Island school should be multi grade or multi age. The
school district uses the idea of multi age where the same content
is taught to a group of children of different ages. In a multi-

grade classroom, children in different grades are taught material geared to their grade levels.

Reciprocity: There should be more exchange between Chebeague and mainland elementary schools. The tradeoff of having mainland kids come for programs in the Island school is that it reduces the good faculty/student ration. Jim said that we take considerable heat for that faculty/student ratio, so maybe it would be good to bring out students from the mainland. Donna said that in the multi-grade situation, in a large group of students (e.g. 7) there will be kids who fall through the cracks and have problems when they get to mainland schools. If you have 2-3 students in an age group they you can work with them together. Maybe kids from the mainland could come for special programs. Jean asked what length the programs might be. Al thought maybe 2 weeks but it would depend on the content.

Sam said that the heat we take for the faculty/student ratio and the per pupil cost is misguided. We pay in much more per pupil than we get back. Should this analysis go in this section? Donna said it would so that people can see what the case is. Since the data came from the school district itself, it can't be called inaccurate.

Orientation programs: We need to have earlier orientation to the transition to mainland schools.

Parental involvement:

Bus and boat transportation: One of the major problems here is that it is difficult for parents to be involved and for kids to be in the mainstream on the mainland with the transportation so difficult. It is harder to get back and forth flexibly to mainland schools now that the shuttle does not run from Drowne Road. Also the school district and CTC are not used to working together and don't have a clear understanding of what CTC is obligated to do in transporting the kids. CTC is sometimes unwilling to respond to school/parent requests. Donna indicated that the school district is beginning to move on having a committee to work with CTC on the needs of the kids.

Stereotyping: Al suggested having teacher training and more contact among Chebeague and mainland students to overcome stereotypes of Chebeague students as second rate. Donna said that it is important to work with administrators as well.

Chebeague and school district policymaking: Al recommended both a delegation of Islanders to talk with the Superintendent and efforts to elect Chebeaguers to the School Board. We have to be involved in making school policy. But it is difficult to get people to run because the School Board job is more time consuming than things like the Council and Planning Board. Meetings go

late and there are many subcommittee meetings at other times. There is not legal requirement in state law that the Island have a representative on the Board.

Donna said that there is an elementary school committee to deal with the school district. It would be useful to have a K-12 committee that could deal with the issues of schooling on the mainland as well. There was discussion of who in the school administration was important to involve and what support might be expected from the School Board.

School and Rec Center: Rec center had a program last summer open to mainland kids. Had 50 applicants for many fewer slots. Should do this again.

Active community participation in the Schools: Maybe this is partly an issue of people without children in the schools knowing what kind of things the school kids are doing -- special class presentations, sporting events, etc. Beverly puts things on the webpage. Maybe more items from the school district could be listed in the Calendar.

Beth summarized the response to Al's presentation: that we agree with Al's recommendations. He should work out some to be more specific.

Mark said that many of the recommendations are good; the issue for the ones addressed to the Chebeague community is how to organize to act on them. Donna said that since Chebeague is small, people who become actively involved often get burned out. There was a group of Islanders who went to a facilitation workshop given by the district and ended up making a series of proposals to the Board. But then the administration and the principal changed. Mabel suggested going to parents of kids who will be going to the mainland. Donna reiterated the need for a k-12 committee. Al pointed out the importance of prioritizing issues and having as many Islanders involved as possible.

Sam said that his image of the planning committee's process is that it would not end with the presentation to the Council; this committee could go on to deal with issues of implementing the recommendations. Jean said that is what the Casco Bay Estuary project had done.

Transportation seems to be a critical issue at this point and there may be some action on it. This is a matter of dealing with Scott Poulin, with CTC and with teachers, principals and parents. Everyone may need to change their assumptions and expectations to get more coordination.

Donna closed the discussion by saying that Al and Phil have done a great job as uninvolved, neutral evaluators of the school

situation.

Donna then gave her preliminary report on population:

She has worked from original census records in Augusta. There are some gaps in the material -- 1810, 1840, 1890; and 1930-1960. Jami was going to collect information from the 1990s. Here is the pattern of population over the years:

1790	1800	1810	1820	1830	1837	1840	1850	1860	1870
70	--	157		277	295		437	504	528

1880	1890	1900	1910	1920	1930	1940	1950	1960
538	peak?	588	524	379				

1970	1980	1990	2000
		295	335

The social changes behind these numbers were these:

By the 1830s, the first and second generations of Chebeaguers were beginning to die off. However, their children and grandchildren were beginning to produce a baby boom. In 1850 there were 222 people on Chebeague ages 0 to 20. In the 1860's the stone sloops were going strong, but some people left the Island, often just to go to mainland places like Cape Elizabeth where, presumably, they thought there would be more economic opportunity. In this latter part of the 19th century mortality was probably fairly high from epidemics and diseases like tuberculosis and diptheria. Again, in the 1890s there were over 200 children ages 4 to 20. In this case, however, there were more smaller families. Also between 1890 and 1900 between 26 and 29 large year-round houses were built. This was the last generation of year-round residents to build this much. A few -- about 9 -- summer houses had been built. Many of the large year-round houses served as boarding houses in the summer.

By 1900 the 19th century economy was dying. There was still carrying of stone -- the Rockland Breakwater was built during the 1880s. A number of lighthouses were built during the 1890 -- Ram Island, Duck Island and Spring Point. But after 1900 the stone slooping began to decline. By 1892 the salted clam bait business was dying. By 1910 the generation of kids from the 1890s was growing up and leaving. There were a number of businesses like Oakhurst Dairy Bates and Littlefield drygoods that were started by Chebeaguers on the mainland. Year round houses began to be sold to summer people. Also summer people were building summer cottages of their own. By the 1920s the hotels were declining as summer people came to be home-owners, and the automobile allowed people to travel across country.

There was a gap in Donna's in census data from 1930 to 1960, but there is other data that gives some indication of what happened. During the 1930s, some people who had moved off the Island returned to houses they or their families owned. It was easier to be self-supporting from fishing and gardening during the Depression on Chebeague than in many other parts of the country.

After World War II came the postwar outmigration of Island youth. At least 14 girls married soldiers; four stayed on the Island. Of the war honor roll in the Church, 76 percent of the men left. They would have been the young men starting new families, as ex-servicemen did all over the country. There was a little baby boom of 10 children born from September 1949 to September 1950, and another 10 in 1956. But between 1945 and 1956, 75 percent of the children who graduated from the Chebeague high school left the Island. Of the 24 kids in K-4 in 1955-56, a third had left by fourth grade and only a third ended staying on the Island long-term. Between 1960 and 1974, half left and from 1975 to 1980, 65 percent left.

Beth asked whether this pattern was any different than what would be found in any school on the mainland. Donna said probably not, but that this had not been the pattern before on Chebeague.

She said that people left for a variety of reasons. Education on the Island had been marginal in the 1920s. There were no high school graduates between 1928 and 1936. At that point there was some revival, but by the 1950s it was struggling again and was finally closed. Children went to high school in Portland for a while. Then the school boat began to take them to Cousin's Island. In interviews that Donna has done with people who left at this time, some said that they didn't want to put their children through what they had gone through in school.

Most parents of school children were fishermen. Donna said that the Island school population kept dropping, till in the 1980s there was only one teacher.

Donna said that people also left for the better economic opportunities, social life and convenience of living on the mainland. Frequency of ferry service was the same as it had been before the War, but there was only one wharf. Although it was possible to commute to the mainland to work, the school boat and Smitty made it more convenient.

Since 1990 121 people have moved to the Island year-round. The population has gone up, even counting people who have died or moved away. Of these in-migrants 81 had been summer people, 97 were "natives" meaning they had gone to school on the Island, and 86 married in or just came to the Island without any prior connection.

Donna summed up her findings by saying that when people stayed from generation to generation the population of the Island stayed up. But just staying even or any population growth depends on constant in-migration.

Her tabulation of occupations is:

fishermen	41 people
mariners?	9
commuters	48
businesses on Island	80
retired	86

Of ages:

< 5 years	28
k-6	28
0 to college	71
18-65	184
>65	80

There was a difference between her figure for people over 65 and Marjorie Munroe's 101.

The fourth of July 1990 census which tried to count all the people on the Island on that day counted about 1700 people.

Sam asked what is the relationship between population and assessments. Beth said that she thought that even if the population were not going up, new people moving in may increase property values.

Ernie said that what would change the demographics the most would be if the fishermen can't fish. He cited an expansion of the lease for mussel-growing that had been granted earlier. It is proposed to expand into prime lobstering area. He said that it should not be possible to exclude the fishermen who already use those waters. He wants to see if the Town can take some stronger action on this; they are asked by the State to comment on such leases and could be more aggressive. He is concerned that if the people growing mussels are obviously make money on this harvest, that others will come flooding in.



Joseph J. Charron
Chief

CUMBERLAND POLICE DEPARTMENT

290 Tuttle Road
Cumberland, Maine 04021

"To Protect and Serve"

Emergency
829-3120

Business
829-6391

Fax
829-4214
829-2211

March 6, 2000

Mr. Peter Robbins
9 Town Landing Road
Cumberland Foreside, Me. 04110

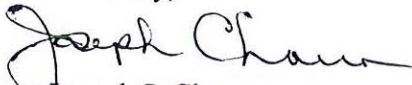
Dear Mr. Robbins,

On behalf on the Cumberland Police Department, Town Manager Robert Benson and the Cumberland Town Council, we are extending our deepest appreciation for your generous contribution to the D.A.R.E. program. Over the years you have been a loyal contributor to the program and because of your generosity we are able to provide alternative activities and events throughout the year for the children of the community to attend.

One of the events officer Dalbec is arranging will be a Bean Pot hockey tournament with area high school hockey teams. The event will take place at the Family Ice Arena in Falmouth. Your generous donation will help with the costs associated with that tournament.

Again, thank you and if I can be of any assistance to you please do not hesitate to call me.

Sincerely,


Joseph J. Charron
Chief of Police

Sincerely,


Mr. Robert Benson
Town Manager

December 27, 1999

Mr. Ronald Copp Sr.
Copp Motors Inc.
187 Gray Rd.
Cumberland, Maine 04021

Dear Ron,

I can't thank you enough for your generous donation to the Cumberland Police Department. We are very fortunate to receive the vehicle. I want to also thank you for the extra effort involved in painting it to match the rest of the department's vehicles.

As you may know we are in the process of hiring another officer under a federal COPS IN SCHOOLS grant. This vehicle will be lettered as a school resource officer vehicle, and used by the school resource officer.

On behalf of the entire department, and myself I again want to thank you very much for your kind, and generous donation. .

Sincerely,

Joseph J. Charron
Chief of Police

Minutes of the Chebeague Long Range Planning Committee Meeting on
February 26, 2000 at the Parish House

Members Present: Jim Phipps, Sam Ballard, Mabel Doughty, Sylvia
Ross, Nancy Adams, Donna Damon, Jean Dyer, Ann Thaxter, Martha
Hamilton, Beth Howe, Alnah Robinson, and Louise Doughty
Absent: Carol White, Al Traina, Jami KomLosy, Michael Porter,
Phil Jordan, and Ernie Burgess
Staff: Mark Eyerman

Sam handed out to everyone copies of the sections that have been
written so far. Beth assigned a member of the committee to edit
each one for clarity, as well as things like grammar and
spelling. They are to send comments and editorial changes to Sam
by email, if possible. Otherwise, he will be on the Island next
weekend and will meet with people to get their comments. In the
best of all possible worlds, everyone will read all the sections.

The assignments are:

Groundwater -- Louise
Land Use -- Al
Island Economy - Donna
Fishing - Mabel
Taxes and Services - Beth
Affordable Housing - Nancy
Health Care - Jean
Education - Martha
Transportation to Mainland - Ernie
Transportation on Island - Sylvia

Sections still being worked on:

Population
Wetlands
Open Space
Recreation
Island Economy

Jim asked about the status of a report on the survey. Beth said
there will be a separate survey report, not in the plan, which is
partly done. In addition, she has written short pieces for each
section that indicate what the survey results showed about that
issue. Donna asked if people had been given printouts of the
survey results so that they could do their own analysis. Beth
said no, but if anyone wanted one and wanted to contribute
analysis or go over the draft, that would be very welcome.

Donna said she thought that the recreation section should be
separate from open space and that history and archaeology should
be separate from land use. It was decided to decide on this when
these sections are discussed.

There was some discussion of the schedule and the topics that still need to be covered. Land use will be continued at the March 4 meeting along with open space and recreation. The Island economy will be discussed on March 18. Beth suggested that the final presentation be pushed out somewhat further. Jim said he would raise this at the next Council meeting, but that we should finish by May. Beth also said that Donna had suggested having a "retreat" when all the draft sections are done. At the retreat the group would discuss the various sections and their relationship to each other. There seemed to be agreement that this was a good idea.

Beth gave her presentation on land use:

Insights from the survey: Islanders are concerned about development. A majority of respondents wanted to limit development to less than three houses per year. However, a quarter want no limits on development. There was little difference between year-round and summer people on this. However, we do need to be aware of the 25 percent who did not want limits on development, since limiting development is often seen as an infringement on private property rights.

The rate of growth has been about 3.5 houses per year over the past 20 years. With 400 developed lots on the Island this is about 1 percent per year. Jim pointed out that this is not a fast growth rate.

Beth continued that much of the new construction is not being done by people from "away". Some future development may be by people not connected with the Island. But on the survey, 4 percent of respondents said they wanted to come to work and live on Chebeague full-time, while 16 percent expect to retire to the Island within the next ten years. These are people who are connected to the Island -- they got questionnaires. They are the ones who will primarily be affected by limits on development.

Since few houses were built on Chebeague from the 1930s to the 1960s, the buildings on the Island have a high proportion of Greek Revival, Victorian and early 20th century houses.

Beth then discussed the Town's Subdivision and Zoning Ordinances. Zoning is intended to regulate undesirable consequences of development like noise and traffic. It sets lot sizes and determines what can be built on lots. On Chebeague there are three zones: Island Residential, Island Business and Shoreland. She went over what kinds of land uses are permitted without Town review in the zones, and what is allowed by "special exception" - permission from the Board of Adjustment and Appeals.

In discussing the zoning regulations, Donna said that we have to remember that changes we make on Chebeague may apply to other

Cumberland islands like Hope, Bates, Ministerial and Sturdivant. We have to take this into account and think about what is needed there.

There was a lot of discussion of the shoreland zoning and whether the development that is going on now in that zone really conforms to the zoning. Donna proposed that instead of allowing houses within 75 feet of the high water mark, that we make them have to be a greater distance back -- 150 feet, for example. There would be a provision that owners could apply for a variance to build closer to the shore, but only if they allowed public access to their shore. This is an issue especially on the Back Shore. There was a lot of interest in this proposal, but a number of significant issues were raised. Sam said that access should not be granted to "the public" but only to Cumberland residents. Ann said the proposal would run the risk of really being a "taking" of property where lots were not very deep -- there might well not be 150 feet available. Also, the proposal is somewhat contradictory, since ideally we would want houses located further back, as well as public access. But here access comes only if houses are closer to the shore.

Mabel said she thought there was a Federal court ruling that gave the public rights to shore access. Jim said that he thought the decision in the Moody Beach case deals only with owners and individual people who come on their land and does not create a publicly enforceable right to shore access. Donna said that access to the shore in Maine is governed by the deeds for each separate piece of property. Mark said that courts are suspicious of having public requirements that private owners grant public access to the shore. They are more willing if there is a process by which owners and jurisdictions can negotiate over such grants.

A general discussion ensued concerning the adequacy of the 75 foot setback required by the shoreland zone. It is measured from the high water mark. Where there are bluffs, a house can often be located close to the edge of the bluff because there is land at the bottom between the foot of the bluff and the high water mark. This is particularly a problem where bluffs are eroding, as they are in several areas of Chebeague.

Donna and several other people proposed the idea of "bluff zoning" -- that the setback requirement take into account the nature of the soils and the topography in the shoreland zone. There were major questions of how this could be done. The FEMA maps of Chebeague that define the flood plains around the coast are not very accurate. Would we need to do all new mapping of the shore to define where there are bluffs and where there is ledge? Jim said that individual owners can have their land mapped and ask the Town to ask the Federal Government to amend the FEMA map. Soils maps exist that would help to determine unstable slopes. We would also need to look at the depth of

shore lots to deal with the takings issue Ann raised.

Mabel and several other people said that part of the problem about construction in the Shoreland Zone is that the Town does not vigorously enforce the existing law. If we had a stricter law on development, it might do little good if it were not enforced. She wants to be sure that Town inspectors come out and look at development sites before development begins.

Mark indicated that there are two issues relative to the shoreland zone. One has to do with the enforcement of the existing ordinances. The other has to do with whether changes in the ordinance are needed. On inspections and code enforcement, it takes more time to do inspections on Chebeague. Also, there may be a perception in the Town government that Chebeague is accepting of land use practices that would not be accepted on the mainland.

Donna said that she thinks that the maps provided as part of the application to build in the shoreland zone don't give Town officials a clear idea of what the conditions are on the ground. If there were "bluff zoning" inspectors should have to come out to look at specific sites to decide whether the setback is enough. Jim and others objected that this would be very subjective and prone to influence by property owners. Louise suggested a Chebeague site review committee, to many objections. Mark said that Bar Harbor has had an additional building inspector in the summer -- a woman engineering student. Jim said that we need to mention separately, maybe at the end of the section, that there may be a need for more spending on code enforcement just because trips to the Island take longer.

Several people voiced the concern that making the process of getting approval for building in the shoreland zone more complex would make it impossible for anyone but wealthy people to do it.

Martha raised the issue of whether the zoning takes into account the size and condition of the road that provides access to a site. Mark and Beth explained that it does, but there has been little Town regulation of private roads on Chebeague. The Town requires that for a lot to be 1.5 acres, it has to have 150 feet of frontage on a public or private road. But back lots, which have to be 3 acres, are described as being required on narrow private roads. Donna Larson says that in reality the Town is willing to create 1.5 acre lots on any road that serves several houses -- roads shown on the 911 map, for example.

There was a discussion of whether it would be useful for Chebeague to have road standards for private roads like the mainland has. This has no effect on existing roads. It would probably make construction of private roads more expensive. This might deter some development, but would be a financial burden

that would make building by less affluent people harder.

Beth suggested a number of additional changes in the zoning. These proposals have not been worked out in detail:

Eliminate private heliports which are presently allowed. Also eliminate mining of groundwater.

Revision of the home occupation regulations and regulations about selling from carts or booths. Mark and Martha said that the economy committee has been thinking about this too, should get together. Donna said that Long Island adopted a provision that allows selling from front porches and that it is used a great deal and may be something of a problem. Have to consider unintended consequences.

Allowing day care in both island zones.

Allowing permanent sawmill(s).

Reducing the front setback from 55 feet to possibly 35 feet. This needs more empirical research by measuring actual front yards and time ran out as it was being discussed.

Jim asked what the committee agrees on, and went through the various proposals that had been made:

Bluff zoning -- changing the setback requirement in shoreland zoning so that the nature of the soil and erosion can be taken into account. There seemed to be considerable agreement on this.

Public access -- increasing the shoreland zoning setback from 75 feet to something greater. Allow owners to get a variance to build closer if they provide public access to the shore. There was interest in this but many disagreements. Proposal should be developed more.

Heliports and water extraction eliminated. Everyone agreed.

Consider revision of home occupation requirements. This will be pursued.

Statement that we need better enforcement of land use laws and that the code enforcement officer would be required to inspect a development site in the shoreland zone prior to construction. This was agreed to.

CHEBEAGUE SCHOOLS
DRAFT REPORT, revised 1/12/00
Phil Jordan and Al Traina

Introduction

This report, based on interviews with school officials and teachers, Chebeague parents and community members, finds that schooling on Chebeague is effective academically, except for children with special needs, when Island School teachers are carefully chosen and parents are active, and that Chebeague children succeed in their studies off the island as well as their mainland counterparts. But many islanders see the social dimensions of schooling and after school activities both on and off Chebeague as deficient, and, on the whole, Chebeague children do not integrate well into mainland schools. Further, mainlanders may view Chebeague children stereotypically, much as suburban communities view their rural hinterlands. In consequence, it is not clear that Chebeague children and their families are as fully engaged in or as well served by high school counseling toward job preparation or post-secondary education as mainlanders are. Our recommendations ^{are listed} to S. A. D. 51, the Town of Cumberland and the Chebeague community seek to sustain the strengths in the present school situation and remedy the deficiencies.

Background: Past Decline and Present Ambitions

In one dimension the history of schools on Chebeague Island is a story of decline and loss. From the late nineteenth century to the present enrollment in Chebeague schools dropped from the largest in the town of Cumberland (larger even than all of the town's mainland schools put together) to the smallest in the town. In the years since World War II, the Island lost its high school, then the junior high, so that now the Island School provides only kindergarten and six grades of multigrade elementary education with two teachers. Since the higher level schools closed, Chebeague children have commuted by boat and bus to mainland schools from seventh grade through high school. And some Chebeague families are sending children across the water to elementary grades on the mainland, or schooling them at home. These facts suggest that the surviving Chebeague Island School may be in jeopardy. Without a strong and effective elementary school, the Island may not be able to attract and keep young families.

Yet the Chebeague Island School, limited and small as it is, vulnerable as it may seem, draws praise from parents, teachers and administrators in School Administrative District 51. The Island School's defenders and

proponents cite the quality of education that a favorable teacher/student ratio (superior to any other school in the district) and effective multiage teaching make possible. The present two teachers speak enthusiastically about teaching on Chebeague. Many parents find the School effective academically when there are good teachers. Principals and the district superintendent declare their high opinion of Chebeague as distinctive within the system for its scale, multiage classrooms and community support. Although tinged with worry about the future, the atmosphere of support for the Island School is strong. Parents, teachers, and school officials all are resolved to have the Chebeague Island School survive and prosper.

Findings about the Current Situation

Inquiries among Chebeague families, past and present teachers at the Island School and administrators in SAD 51 yielded a variety of findings concerning the effectiveness of elementary education on Chebeague and later education on the Cumberland mainland for Chebeague children. We were particularly interested in how well the Island School prepares children for the next stages of their education, how well Chebeague children integrate into the mainland schools, and how well the latter schools

have educated Chebeaguers for jobs, careers and further, postsecondary education.

1. Schooling on Chebeague

The advantages of the Chebeague Island School are also the sources of its limitations. Small enrollment (averaging about two dozen children at present) and intimate conditions for teaching and learning with two teachers (a 1 : 12 ratio) facilitate the child's individual learning and development in the multiage classroom. (The mainland schools, in fact, offer the option of multiage classes in grades K-3.) But smallness may bring educational shortcomings as well. In any given year, particular grades in our K-6 program may have no student or only a single student enrolled or an imbalance of genders.* And in the later years (grades 4-6), when sequential learning of certain subjects (e. g., mathematics) becomes more important, it may be difficult to provide for each student particular courses in the order he or she needs.

Chebeague children with special needs schooled on the Island may also be less well served, in a less timely way, than their counterparts on the

- In 2000-2001 it is anticipated that total enrollment will be 26, but there will be no students in the 4th grade.

mainland. It is simply harder to get the services these children need.

Island teachers and parents must be more aggressive than mainlanders in assessment of students' needs and insistence that special education staff come to the students rather than transporting the children to the service provider. Services for challenged or gifted students are available within SAD 51's excellent system, but delivery of them to Chebeaguers has been problematic.

The success of the Chebeague School depends even more heavily than in other school situations on who is teaching and on persistent involvement by parents in their children's educations. When good veteran teachers, experienced in multiage classes, familiar with the structure, resources and decision-making processes of SAD 51 and positive toward Chebeague's distinctive community and way of life, teach in the Island School, things go well. Inexperience, unfamiliarity with the district, ambivalence toward island living have meant ineffective, discontented teachers. Openness to the Island and to parental concerns is a requirement for Chebeague teachers to succeed in educating our children. Similarly, the Island School is at its best when parents take a sustained interest in the experiences and education of their children and communicate regularly with their teachers. Since the

Island enjoys a population diverse in background, but joined by allegiance to a shared way of life, any problems related to diversity among students within the school may be resolved by communication and cooperation among parents and teachers

If the Chebeague School can do well by Island children with the right teachers and with parental support, why then do some island families choose to send their children early to mainland schools or to school them at home? The reasons for families' decisions not to use the Island School appear to be individual, not generic, and, in the cases of early participation in the mainland elementary program, as much based on social considerations as on academic ones. Imbedded in parents' choices to send their children early to mainland schools is their apparent desire to integrate them into larger groups of peers and broader extracurricular opportunities than the Island by itself has been able to provide. Home schoolers have their own special reasons for their choices.

2. Schooling off Chebeague

Yet whenever Chebeague children commute to mainland schools, they face the challenge of joining a separate and larger community of students. By all reports from Cumberland school officials, academic integration is

not a problem for commuting Chebeaguers. Well prepared, except perhaps for children with special needs, island children move readily into their classes on the mainland, exhibiting the same diversity as their mainland counterparts. But the Chebeaguers encounter an already established social structure, which they find difficult to enter, especially because of transportation schedules. The present arrangements for transport – the CTC's ferryboat *Islander* and school busses – impede Chebeague children's participation in after school and weekend activities unless parents make special efforts to include them in sports and other extracurriculars, efforts that are virtually impossible for working families. Even then, the CTC ferry schedule keeps both students and parents from full participation in weeknight evening events, unless they stay overnight on the mainland. The commuting routine, with normal departure from school by bus to the ferry as soon as the school day ends, prevents Chebeague children from participating in the after school activities and friendships which are all the more important in the years of adolescence.

Distance and transportation are the principal obstacles to the integration of Chebeague children into the Cumberland schools. These factors are also barriers to appreciation of the island way of life by mainland families

and their school children, most of whom know little about Chebeague.

Ignorance fosters in some mainlanders prejudiced toward Chebeague as remote and inaccessible, isolated and backward, with little to offer the more rapidly growing, seemingly more cosmopolitan and increasingly suburban coastal town. Such attitudes mean that Chebeague children may easily be stereotyped as different, out of the mainstream, needing less education, likely to lead insular lives on the island they come from.

3. Preparation for Jobs, Careers and Further Education

In the high school years, the course of study prepares students for post-secondary education, vocational, technical or collegiate. Our inquiries left some doubt as to whether Chebeague students are encouraged to view high school as a stepping stone to further education or training that would enhance their success or enlarge their opportunities in jobs or careers. There is some evidence that Chebeague families are less assertive than more suburban mainlanders in their relationships with teachers or counselors. In some cases, it may be assumed by the school or the family that the student will take up a traditional island occupation for which schooling beyond high school is irrelevant and unnecessary. But it is not clear that students and their families have the opportunity to

understand and consider pursuing the benefits of further education for a prospective fisherman or builder or homemaker or commuter to mainland employment. The resources for assisting all Chebeague families with educational choices for their sons and daughters are available in the Cumberland schools, but the use of these resources is uneven at best.

Recommendations

To S. A. D. 51:

- pay close attention to the appointment and retention of first-rate teachers for the Chebeague Island School, teachers experienced in multi-age classrooms, familiar with the system and services of the district and congenial toward the island way of life ;
- develop reciprocity between the Chebeague School and mainland elementary schools, beginning with recreational programs and, perhaps in the long run including student exchanges, and special programs for mainland students on Chebeague which draw on the special strengths of the island, e. g., maritime or marine studies, island history and ecology, and oral history;
- develop early orientation programs for Chebeague children and their families to acquaint them with and welcome them to the mainland schools before they begin commuting to them;
- foster parental involvement with the schools on Chebeague and the mainland, keeping in mind the problems of distance and transportation when scheduling meetings or consultations with teachers or counselors;

- encourage and support the expansion of bus and boat transportation from and to Chebeague to make possible student and family participation in after school activities and sports;
- celebrate the distinctiveness of the Chebeague Island community that is part of the town of Cumberland and the School Administrative District and combat demeaning ~~stereotypic~~ ^{STereotypic} views of Chebeague children.
- improve communication by developing a Chebeague delegation to the Superintendent of S. A. D. 51 and encouraging candidacies for a Chebeague representative on the Board of Education, perhaps through creation of an *ad hoc* committee to pursue the matter.

To the Town of Cumberland:

- continue and enlarge support to the Chebeague Recreation Center which supplements the educational and recreational resources of the Chebeague Island School and the mainland schools;
- develop more opportunities, through the community recreation program, for mainland children to experience the Island and vice versa;
- help to restructure transportation between Chebeague and the mainland to improve access to after school activities and meetings for Chebeague families;

To the Chebeague community:

- participate actively in support of the Chebeague Island School, its teachers and its children;
- support parental involvement in the schooling of their children;
- support reciprocal relationships between Chebeague and mainland schools and families to improve mutual understanding and reduce the impediments to integrating Chebeague children into the

mainland schools and after school life;

- seek proper communication with school administrators through a delegation to the superintendant and also representation of Chebeague on the Board of Education for SAD 51 to remedy the present condition of taxation without representation so that the special interests of the Island and its value to education within the district may be kept before the board and school administrators.

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SALLY J. DAGGETT
BRENDAN P. RIELLY
SUZANNE R. SCOTT

March 8, 2000

Robert B. Benson, Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Dear Bob:

Enclosed herewith is a Proposed Legal Counsel and Indemnification Policy for the Town pursuant to your request. Please note that the policy does not indemnify or pay legal fees for individuals who it is determined have not acted in good faith and with the reasonable belief that their actions were in the best interest of the Town. As I indicated to you, punitive damage awards probably fall into this category. However, we have found a 7th Circuit case from Illinois, Coleman v. Smith, 814 Fed. 2d 1142 (7th Cir. 1987) which held that "A local public entity is empowered and directed to pay any tort judgment or settlement for which an employee acted within the scope of his employment." The Court went on to hold that whether or not the employee's actions were in the scope of his employment should be measured by some objective criteria. It concluded that "actions having an intimate bearing on the duties normally assigned to the office of employment, even though usurped or misused, must be considered as falling within the meaning of the term 'scope of employment'."

In any respect, without an indemnification policy such coverage would not necessarily be available. We therefore recommend that the Town consider the enclosed especially in light of the recent Federal Court decision against Cumberland County.

If you have any question with regard to the enclosed or wish myself or Pat Dunn to come out and discuss it further with the Council, please let me know.

Very truly yours,


Kenneth M. Cole III

KMC/ab
Enclosure

TOWN OF CUMBERLAND

LEGAL COUNSEL AND INDEMNIFICATION

The Town Council shall in all cases provide competent legal counsel to defend the Town, any of its boards and commissions, and Town councilor, officer, employee or the member of any Town board or commission who is a party or is threatened to be made a party to any threatened, pending or contemplated action, suit or proceeding, whether civil, criminal, administrative or investigative, by reason of the fact that said person is or was a Town councilor, officer, employee or board member of the Town, and shall pay or indemnify such councilor, officer, employee or board member as against all expenses, fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit or proceeding, subject to the following:

- (a) ***Exceptions.*** Nothing herein shall be construed to require the Town to provide or pay for legal counsel or such indemnification for any Town councilor, officer, employee or board member in the following situations:
 - (1) In civil matters, where the councilor, officer, employee or board member is the plaintiff or moving party; or where it shall be finally adjudicated in any action, suit or proceeding that said councilor, officer, employee or board member shall not have acted in good faith and in the reasonable belief that his action was in the best interest of the Town; or
 - (2) In criminal matters, where the councilor, officer, employee or board member is the complaining party, or had reasonable cause to believe that such conduct was unlawful.

Termination of any action, suit or proceeding by judgment, order or conviction adverse to such person, or by settlement, or by plea of nolo contendere or its equivalent, shall not of itself create a presumption that such person did not in act in good faith and in the reasonable belief that his action was in the best interests of the Town nor, with respect to any criminal action or proceeding, that such person had reasonable cause to believe that his conduct was unlawful.

- (b) ***Other legal counsel.*** Nothing herein shall be construed to prohibit any such councilor, officer, employee or board member from seeking additional legal counsel at his own expense. However, nothing herein shall be construed as to require the Town to pay any fees or other expenses incurred as a result of employment of such additional legal counsel.

- (c) ***Other rights.*** The rights provided for in this policy shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any other statute, ordinance, agreement or policy of the Town.
- (d) ***Town counsel responsibilities.*** In circumstances involving litigation or other legal proceedings between two (2) legal bodies or individuals qualifying for the privileges granted herein, the Town counsel may, but shall not be required to, represent or otherwise participate on behalf of either party.

3/13 TC

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

**Monday
March 6, 2000**

7:00 PM

Mabel I. Wilson School

MSAD #51 Mission

The mission of MSAD #51 is to guide all students as they acquire enthusiasm for learning, assume responsibility for their education, achieve academic excellence, and discover and attain their personal bests.

To accomplish this mission, the MSAD #51 community will collaborate to:

- Use effective instructional practices and provide professional development to assure that all students meet or exceed the district's benchmarks and outcomes;
- Ensure a safe and respectful environment where all feel a sense of belonging; and
- Promote parental participation as fundamental to each student's success.

Board Goals for 1999-2000

1. Support the district's work in curriculum, assessment, instruction, and professional development by increasing Board and community understanding of the State of Maine Learning Results and by reviewing the district's progress toward achieving our mission.
2. Implement the facilities planning steps adopted by the Board.
3. Promote sound resource management, improve the Board's involvement in the budget planning process, and better communicate with the public about the district's financial needs.

MSAD #51 Board of Directors

Jeanne Chadbourne	829-5166
Maryellen Fitzpatrick	829-4657
Reid Hayward	829-5942
Karen Herold	829-6146
Thomas Hyndman	781-4644
Mary Schendel	781-3787
Kim True	829-3209
Bob Vail	829-5393

**Workshop: 1. Staffing Model/Per Pupil Cost
2. Design Team**

1. **Call to Order** - by MSAD #51 Board of Directors Chairperson, Mary Schendel

2. **Approval of Minutes**

3. **Adjourn Meeting**_____ P M

Upcoming Meetings /Events

- 3/4/00 - GHS Dinner Theater, 6:30 PM
- 3/7/00 - Alternative Plan Committee, GHS Library, 6:30 PM
- 3/8/00 - Policy Committee, Central Office, 8:15 AM
- 3/8/00 - Design Team, GHS Library, 3:15 PM
- 3/9/00 - MIW Grades 1-3 Program Overview, 6:30 - 8:00 PM
- 3/10/00 - Maine Drama Festival
- 3/11/00 - Maine Drama Festival High School Solo & Ensemble Festival
- 3/13/00 - 3/13 through 3/17/00 Kindergarten screening for 2000-01
- 3/14/00 - PTO Business Meeting, 7:00 PM
- 3/15/00 - Early Release, 7-12 @ 1:12 PM, K-6 @ 12:15 PM
- 3/17/00 - 2nd trimester ends NYMS/DRS/CIS
- 3/20/00 - Board Meeting - Budget Overview to Board & Report to Board from Finance Committee, MIW, 7:00 PM
- 3/22/00, Policy Committee, Central Office, 8:15 AM
- 3/22/00 - Full day of school
- 3/22/00 - French & Spanish Honor Society Induction Ceremony, GHS Library, 7:00 PM
- 3/23/00 - Report Cards go home - NYMS/DRS/CIS
- 3/24/00 - Teacher In-Service Day, No School
- 3/27/00 - Budget Discussion, MIW @ 6-7:30 PM, NYMS/CIS @ 8-9:30 PM
- 3/27/00 - First Practice - High School Spring Athletics
- 3/27/00 - 3/27 through 3/31/00 Celebration of Reading Week
- 3/29/00 - Budget Discussion Meeting at 6:00 PM at GHS: 6-7:30 PM on GHS, 8:00 - 9:30 PM on Special Ed.
- 3/29/00 - Early Release, 7-12 @ 1:12 PM, K-6 @ 12:15 PM
- 3/31/00 - Third Quarter Ends
- 3/31/00 - High School Pops Concert
- 4/3/00 - Board of Directors Public Budget Hearing, MIW, 7:00 PM
- 4/5/00 - Design Team, GHS Library, 3:15 PM
- 4/24/00 - Board of Directors Adopts 2000-01 Budget, MIW, 7:00 PM
- 5/18/200 - Public Vote on Proposed 2000-01 Budget, GHS Auditorium, 7:00 PM

Next Board Meeting:

- March 20, 2000 - Budget overview to BOD

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

Board of Directors
Minutes

Monday,
February 28, 2000

7:00 PM

Mabel I. Wilson School

-
1. **Call to Order** - by MSAD #51 Board of Directors Chairperson, Mary Schendel at 7:05 P.M.

Attendance:

Board of Directors: Jeanne Chadbourne, Maryellen Fitzpatrick, Karen Herold, Tom Hyndman, Mary Schendel
Kim True, Bob Vail

Administrators: Brenda Breton, Wayne Fordham, Suzanne Godin, Jack Hardy, Robert Hasson, Scott Poulin
Susie Robbins, Judy True, Klaus-Peter Voss, Shannon Welsh

2. **Approval of Minutes** - of the Board of Directors meeting held on February 7, 2000.

Motion by Kim True 2nd Karen Herold

Voted: To approve the minutes of the Board of Directors meeting held on February 7, 2000. (Voted: 7-0, R. Hayward absent.)

3. **Superintendent / Administrator Reports**

- a) Committee Updates
 - Finance - Update, Budget Schedule
 - Facilities:
 - Alternative Plan Committee
 - Site Selection Committee
- c) Technology Committee - J. Bickard
- d) Crisis Management - Update

4. **Items for Action**

- a) Vote to approve Senior Privilege

Motion by Kim True 2nd by Tom Hyndman.

Voted: Vote to approve Senior Privilege. (Voted: 7-0)

- b) Approve mentors for 99/00

Motion by Tom Hyndman 2nd by Maryellen Fitzpatrick.

Voted: Vote to approve mentors for the 1999/2000 school year. (Voted: 7-0)

1 year mentor Dixie Hayes for Ann Healy
2 year mentor Sue Hunt for Carol Nale

The County of Cumberland is committed to providing quality services to all citizens equitably, in a responsive and caring manner.

COMMISSIONERS' MEETING

MINUTES

February 14, 2000

The Board of Cumberland County Commissioners, Gary E. Plummer and Esther B. Clenott, convened a meeting in Courtroom 1 on the above date.

Chairperson Plummer called the meeting to order at 7:05 PM and the following business was conducted.

Minutes of the regular meeting of January 24 and the special meeting of February 1, 2000 approved as written.

Peter Crichton, County Manager, reported that he and Commissioner Clenott had recently participated in a joint meeting between officials from Cumberland, Hancock, Knox, and Aroostook Counties and several Town/City Managers who are serving on a MTCMA subcommittee for counties. The purpose of this meeting was to discuss various ideas on how county government could play a more pivotal role in the State. He also noted that the Fourth Annual Employee Recognition Ceremony is scheduled for February 23. The Employee Advisory Committee has been working hard to finalize the details, with the assistance of Bob Devlin. Invitations have been mailed to managers, commissioners, and legislators from around the county and state, and the response so far is promising. He noted that Kay Braaten, past president of National Association of Counties, is the keynote speaker. He also reported that he had attended a meeting on the Workforce Investment Act (WIA) this morning, and was scheduled to attend another on Thursday. He noted that the debate over geographic configuration has been completed, and there will be a new configuration.

Commissioner Clenott concurred with Mr. Crichton's remarks, noting that they will continue to work to resolve the WIA problems, and to also work with MTCMA.

Sheriff Mark Dion gave a brief presentation on two grants he has applied for. The first grant is in conjunction with the City of Portland's Health Department, to assist in the prevention of domestic violence abuse against elderly women. The grant would fund focus groups around the county, and to help provide safer environments for the elderly. The second grant has been offered as a result of the 6-week experimental regional traffic corridor study his department conducted. This grant would enable his department to continue the monitoring of the impact on regional traffic corridors, or main routes, within the county. He reported

shelving being offered. Mr. Crichton concurred with the recommendation to award the bid to Form Systems in the amount of \$17,100. He noted that the funds were to be taken out of the space needs reserves. Commissioner Clenott asked for a report on the activity from this account thus far.

Discussion ensued with Gerard Conley Sr., Register of Probate, on the process of proper moving and storage of old Probate records currently in boxes in the attic and the basement. Additional information was provided on the estimated costs of purchasing files to put the records in, labels, and temporary staff to do the labor. Discussion ensued with John O'Brien, Register of Deeds, on the cost estimates and process for moving old records from the Registry and the basement into the attic. Mr. Crichton suggested a workshop be held to review the additional costs, after a report of the space needs revenues has been prepared.

Motion by Commissioner Clenott to award the bid to Form Systems in the amount of \$17,100. Second by Chairperson Plummer, so voted.

2000-14 Bid Report, Building Access Control System, EMA

Mr. Crichton reviewed the staff report prepared by George Flaherty, EMA Director, on the purchase of a building access control system. He noted that due to needing a secure building for the housing of PSAP, it was important that the County purchase this system. He concurred with Mr. Flaherty's recommendation to award the bid to the lone bidder, Advance Technology Inc., in the amount of \$2,436. He noted that although only \$1,500 was currently encumbered for this project, \$936 would be transferred from the EMA fuel account to enable this purchase.

Motion by Commissioner Clenott to award the bid to Advance Technology Inc. in the amount of \$2,436. Second by Chairperson Plummer, so voted.

2000-15 Bid Report, Radio Equipment, EMA

Mr. Crichton reviewed the staff report prepared by Mr. Flaherty, on the purchase of radio equipment. The report recommended the bid be awarded to the low bidder, Horizon Mobile Communications, in the amount of \$2,488. This would enable the purchase of 4 multi-channel VHF synthesized wide band mobile radios and 4 desktop microphones.

Motion by Commissioner Clenott to award the bid to Horizon Mobile Communications in the amount of \$2,488 as recommended. Second by Chairperson Plummer, so voted.

2000-16 Approval, PIC By-law Amendment

Mr. Crichton presented a request from Elizabeth Levenson, Executive Director of the Training Resource Center, that the

POLICY SOUNDINGS

Your forum for shaping public policy.



MAINE'S TAXES: ARE YOU GETTING WHAT YOU'RE PAYING FOR?

Keynote Speaker: Robert Tannenwald, Economist, Federal Reserve Bank of Boston

Join in a stimulating, provocative discussion about Maine's high tax burden. Hear from the experts on how we stack up, how does our structure impact business, the economy, and your bottom line.

Reactive panelists will share their perspectives—

Local Economy: Charles S. Colgan
Professor of Public Policy, The Muskie School, USM

Business Attraction: Joe Wischerath
Executive VP, Maine & Company

Business: John Keffer
President and Owner Forum Financial Group

Low Income: Kit St. John
Director, Maine Center for Economic Policy

WEDNESDAY, MARCH 22

REGISTRATION FEE: \$12.00 INCLUDES BREAKFAST

7:00-9:00 A.M. • EASTLAND HOTEL • PORTLAND

☆☆

Policy Soundings

Name(s): _____ Phone _____

Title or position _____ Organization _____

Please indicate meal choice (check one) ☐ Fruit plate with bran muffin ☐ Eggs, bacon, homefries and muffin

Registration fee \$12.00 To register by phone, please call **772-1196**, ext. **228**

Please make checks payable to: Greater Portland Chambers of Commerce, 60 Pearl Street, Portland, ME 04101

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INFORMATION

TO: Robert Benson
TELECOPIER NO.: 829-2224
FROM: Ken Cole DATE: March 13, 2000

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Thank you.

1. Pursuant to Article VII, Section 3 of the Sewer Use Ordinance of the Town of Cumberland, and having found that a sewer extension would be in the best interest of the health and welfare of abutting property owners, the Cumberland Town Council hereby orders an extension of the public sewer along Route 1 in said Cumberland as described in engineering drawings by Harding Lawson Associates and further authorizes and directs the Town Manager to evaluate the bids submitted for said extension and to award the same to the lowest qualified responsive bidder.

2. The Cumberland Town Council hereby orders and ordains a sewer access charge of \$4,000 per residential user unit payable by the property owner benefited at the time of entry into such sewer which said charge reasonably reimburses the Town for the cost of said Route 1 sewer extension.