

Manager

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY - JULY 14, 1997**

6:30 p.m. - Council Goal-Setting Workshop

- I. Call to order at the Cumberland Municipal Center at 7:00 p.m.
- II. Approval of Minutes
 - a. June 16, 1997
- III. Manager's Report
- IV. Public Discussion
- V. Legislation and Policy

97-78 To award bid for foundation and steel work for Town Office.

97-79 To authorize Gazebo construction - Cumberland Common.

97-80 To consider and act on willingness to accept pedestrian easement - Idlewood Subdivision.

97-81 Council Appointments.

8/25 97-82 To set date for workshop on policy regarding tax acquired property

97-83 To set date for workshop on BOCA Code.

97-84 To set date for Public Hearing to consider and act on Mass Gathering Permit application to hold annual Downeast Street Rods Association meeting on August 14 through 17, 1997 at the Cumberland Fairgrounds.

97-85 To set date for Public Hearing to consider and act on Mass Gathering Permit application for the Cumberland Farmer's Club to hold the Cumberland Fair on September 21 through 27, 1997 at the Cumberland Fairgrounds.

97-86 To consider and act on applications for Victualer's Licenses.

97-87 To award Bond Anticipation Note bids.

- VI. Correspondence
- VII. New Business
- VIII. Executive Session - Personnel
- IX. Adjourn

MEMBERS OF THE TOWN COUNCIL

John Lambert, Jr. (Chair)	781-5282		
Peter Bingham	829-5713	Harland Storey	829-3939
Philip Gleason	781-3787	James Phipps	846-6274
Mark Kuntz	829-6482	Josiah Drummond	829-5506

M E M O

DATE: July 11, 1997
TO: Town Council
FROM: Bob Benson

RE: AGENDA for July 14, 1997 Town Council Meeting

ITEM #:

- 97-78 The Building Committee will be meeting at 6:00 p.m. to open bids for the foundation and steel work, and will have a recommendation for the Town Council and a review of the progress to date by Mike White of the Pochebit Company. For those who have not been by the Tuttle Road, the site has been cleared, and we expect that the stumps will be ground either Friday or Saturday of this week.
- 97-79 I will have a handout for you regarding the Gazebo design and costs. We've been through the Zoning Board of Appeals and have site plan approval from the Planning Board for the gazebo construction. Hutch and Bill Getz will be present to discuss with you fund raising, and the method of building the gazebo. At this point, the two Industrial Arts teachers and interested students, plus Bob Vail, will be in charge of constructing the gazebo. It's my understanding that the Lion's Club is interested in participating this event, which, combined with Hutch's fund raising, will lessen the cost to the town. I will have a number for you that night, but I suspect that it will be in the area of \$10,000 to \$15,000, and I'm recommending you take that out of Undesignated Surplus.
- 97-80 Please review the submission from Donna Larson regarding the Pedestrian Easement from the Idlewood Subdivision. Donna will be present for discussion on this item.
- 97-81 This is an annual event for Council appointments. Any councilors interested in being appointed to various committee's should express their wishes to the Chairman at the meeting.
- 97-82 This will be a review of the "Murray Policy" on tax acquired property. Chairman Lambert is suggesting that we hold a workshop open to the public on this, and then possibly refer it to a small committee to make a recommendation to the Council on revising and updating the policy.
- 97-83 Bob Littlefield will update the Council on the need to revise and update the BOCA Code, and we feel that we should have a workshop to do that. I would suggest that we meet next Monday night (July 21) for an hour or so to do this.

(continued on back)

97-84 &

97-85 Are self explanatory. I'm recommending that you set the date for both Public Hearings as July 28th.

97-86 This is the annual approval of Victualer's licenses. However, there is one change, the Log Cabin is now under the new ownership of Gail Terison.

97-87 We will have the bids for you as of Monday night.

Just a reminder: The time for this meeting is at 6:30 pm, with the Council Goal-Setting Workshop. You're welcome to call Chairman Lambert or bring your suggestions to the meeting at that time.

TOWN OF CUMBERLAND
MINUTES OF THE MEETING OF THE TOWN COUNCIL
JUNE 16, 1997

** SPECIAL MEETING **

Present: Philip Gleason, Josiah Drummond, Mark Kuntz, Harland Storey, Peter Bingham, John Lambert, James Phipps

Absent: none

I. The meeting was called to order by the Chairman at 7:00 pm at the Cumberland Municipal Center.

II. Swearing-in of newly elected Councilors.

Town Clerk, Klara Norton, performed the swearing-in of newly elected Councilors Mark Kuntz, Harland Storey and John Lambert.

III. Election of Chairman and Vice Chairman

Councilor Phipps moved to nominate Councilor Lambert as Chairman.

Councilor Bingham seconded.

Councilor Storey moved that nominations cease.

Councilor Drummond seconded. Vote: Unanimous (7)

Vote for Councilor Lambert as Chairman: 6 in favor
1 abstention(Lambert)

Councilor Bingham moved to nominate Councilor Phipps as Vice-Chairman.

Councilor Lambert seconded.

Councilor Lambert moved that nominations cease.

Councilor Storey seconded. Vote: Unanimous (7)

Vote for Councilor Phipps as Vice-Chairman: Unanimous (7)

Councilor Gleason thanked the Council and Manager for their assistance during his chairmanship.

Chairman Lambert welcomed new Councilor Mark Kuntz and thanked the entire Council for their support.

IV. Approval of Minutes
a. June 9, 1997

Councilor Phipps moved to approve the minutes of the June 9, 1997 meeting as written.

Councilor Storey seconded.

Councilor Gleason pointed out that Charles Googins was inadvertently left out of motion appointing the Growth Committee but has been included in the minutes and that by voting acceptance of the minutes the Council will also be approving his appointment.

Vote on motion: Unanimous (7)

V. Legislation and Policy

97-75 To approve final design for new Town Office.

Mark Robinson, Building Committee Chair, informed the Council that the proposed design was unanimously approved by the Building Committee and that finish details are still to be worked out.

Mike White presented drawings of the proposed facility (layout plans) as well as a conceptual drawing of the outside of the building and answered questions from the Council.

Councilor Storey moved to approve the design as presented.

Councilor Gleason seconded. Vote: Unanimous (7)

The Manager informed the Council that if the SAD 51 vote on June 23rd is favorable he intends to begin the site work for the project.

97-76 To award contract for insurance services.

The Manager presented the Council with the three insurance quotes received and requested authority to make a decision on award of the contract at a later date so that he can more thoroughly review each proposal.

Councilor Bingham moved to authorize the Town Manager to review the insurance bids and make the award to the lowest bidder for comparable coverage to that we now have.

Councilor Storey seconded. Vote: 6 in favor
1 abstention (Gleason)

97-77 To consider and act on applications for Commercial Hauler's Licenses.

Councilor Gleason moved to approve Commercial Hauler's Licenses for the following:
Waste Management of Maine, Inc.; Enviropac; Pine Tree Waste, Inc.; Yarmouth Rubbish & Recycling; Reynolds & Sons Disposal, Inc.; Troiano Waste Services, Inc.; and United Waste whose license is subject to receipt of required fee.

Councilor Drummond seconded. Vote: Unanimous (7)

.New Business

The Manager asked that the Council appoint Klara Norton as registrar of Voters.

Councilor Bingham moved to appoint Klara Norton as Registrar of Voters.

Councilor Gleason seconded. Vote: Unanimous (7)

Councilor Gleason noted the need for a name for the combined Fowler and Dillenback properties and stated that the Lands Committee recommends "Twin Brooks".

Councilor Storey moved to formally name the combined Fowler and Dillenback Properties "Twin Brook Recreation Area".
Councilor Gleason seconded. Vote: Unanimous (7)

Councilor Bingham complimented the Manager on the Audit Report and stated interest in clearing-up the old taxes as suggested.

Councilor Storey stated he feels the Council should meet new personnel once they have been hired.

Councilor Lambert stated he would like to hold a Council goal-setting workshop at 6:00 pm on July 14, 1997.
He also asked that a letter of congratulations be sent to the Greely High School baseball team.

The Manager noted that he and Councilors Phipps and Lambert will be meeting with John Melrose of MDOT in the near future.

He also asked the Council to note the letter from the Town of Falmouth regarding sludge and informed the Council that the Portland Water District finished the Winn Road/Route Nine connection and Cumberland is now receiving Sebago Lake water.

VI. Adjourn

The meeting was adjourned at 8:10 pm.


Charlene A. Doyle
Council Secretary



June 19, 1997

PAULA W. JANSMANN, ASSESSOR
PO BOX 128
CUMBERLAND, ME 04021

Dear Paula,

I have reviewed all of the ratio studies and spread sheets prepared by June Perry for the Cumberland revaluation. There were approximately 200 qualified sales that were used for the analysis to develop the model. The overall median ratio is 94%, the mean is 95% and the COD is 4.71. As you know, these are excellent statistics. I also reviewed the manual and all of the supporting documentation and I believe that June and Don Thornley have done an excellent job.

As part of my review of the project I went out with June on May 27 and reviewed all of the different neighborhoods and the basic land values. On June 18 both you and I accompanied June for a review of all of the water influence and waterfront sales (non island) that were used to develop the methodology to appraise those type of properties.. We discussed neighborhoods and view factors and reviewed the property record cards for consistency and accuracy. I made a few suggestions that I believe June will be implementing. The data and description of the buildings were accurate and everything was consistently graded and depreciated.

We discussed the Island waterfront factor (multiplier) and it was decided to bring that ratio up a little, to put those properties at the same level of assessment as the rest of the properties.

I suggested that June remove any economic obsolescence she may have applied to waterfront and estate type properties for multiple dwellings, since it is not my experience that this is appropriate on those types of property.

I believe you have an equitable and defensible job! I am sure you will enjoy using the Vision software. It will allow you to make adjustments on a regular basis as changes take place in the market and as you expand your data base.

It was a pleasure meeting you and participating in you project. Don't hesitate to contact me if I can be of any further assistance.

Very truly yours,


Diana G. Calder, Certified Maine Assessor

cc: June Perry, Vision Project Supervisor

Results of the Cumberland Revaluation

Cumberland is on the heels of its latest town-wide revaluation, and the numbers have just been delivered to Assessor Paula Jansmann. The paperwork represents almost a full year of establishing accurate values on some 3,500 parcels within the town's borders—including those on Chebeague Island. The Town Council authorized a town-wide revaluation in order to ensure uniformity in property values throughout the town, as well as to assure individual taxpayers that they were paying their "fair share" in taxes.

Vision Appraisal Technology was awarded the contract to conduct the equalization program for the Town. A thorough revaluation program includes taking a complete description and inventory of all properties and setting new assessed values on a current basis. Phase one included the data collection process of measuring and inspecting properties to ensure the accuracy of information in the Assessor's files. Approximately 200 sales were analyzed as part of the market analysis phase. Once the sales data was collected and reviewed for accuracy, a valuation model was developed. And applied to all properties to determine value. Both the data collected and values determined were checked and re-checked by Vision Appraisal through field review. During this review, properties were viewed in the field by experienced appraisers who double checked the uniformity and accuracy of information.

An analysis of 2,487 residential properties reviewed town-wide indicates that 306 homeowners will see their properties decrease in value; 580 will see their values unchanged or increase less than 9 percent. 1,133 homeowners will see an increase in value between 10 and 50% and 468 will see an increase in their values 50% or more. Of this 468, 201 will see their values double or even triple last years assessment. The town-wide average increase was 34%.

Upon closer inspection, the average increase for homeowners on Chebeague Island with non-waterfront property was 84%; it was 139% for water front properties. This compares with an average increase of 17% on the mainland non-water front, and 41% for waterfront properties. Of the 201 Cumberland homeowners facing increases in value greater than 100%, 166 of them are Island properties - 76 of these water front properties. Of the 267 homeowners with increases between 50 and 100%, 131 are on Island - 35 of which are water front. 35 mainland residents, 2 of which are water front, will see their values increase by 100% or more. 136 mainland residents - 9 water front-will see their values increase between 50 and 100%.

As a result of the revaluation, nearly 40% of Island residents and 2% of mainland residents will see their previously under-assessed properties double or triple. 33% of Island residents will see their values rise between 50 and 90% and 6% of mainland residents will see similar increases.

The town's overall valuation will see a 24% increase from 1996. This increase will allow for a \$2.90 / \$1,000 reduction in the mill rate to \$17.80. This reduction from last year's rate of \$20.70 / \$1,000 will mean 1,171 Cumberland residents will see decreases in their taxes; 470 will see either no change or a slight increase; 489 taxpayers will see their taxes rise between 11 to 40% while 357 residents will face dramatic increases in excess of 40%. Those taxpayers whose values increase by more than 65% will face the highest tax increases; those taxpayers whose values decrease or increase by 17% or less will pay less taxes or see little or no change from 1996.

In translating the increased valuations into a tangible dollar tax amount, the owner of an average \$100,000-valued property in Cumberland in 1996, paid \$2,070 in taxes. If this property saw no change in value, the 1997 taxes would be \$1,780. Assuming this house rose in value 10% to \$110,000, the amount of tax, with the new tax rate, would be \$1,958. If the same \$100,000 house rose by 20% to \$120,000, the new tax on that property would now be \$2,136. If the \$100,000 house was now valued at \$150,000, the property tax would be \$2,670.

Property owners in the Town of Cumberland have received written notice of their new values. Notices were to be mailed Thursday, July 3 and/or Monday, July 7. The notices will show the fair market value of the property as established under the equalization program and will provide taxpayers with a number to call to arrange a hearing with Vision Appraisal to review and/ or appeal the new values. Property owners may call for appointments during the week of July 14th. No appointments will be scheduled after Wednesday July 23. The hearings themselves will be scheduled as follows:

Chebeague Island

Sat. 26th - 10am - 5pm (Parish Hall)
Mon. 28th - 10am - 6pm (Community Ctr)
Tues. 29th - 10am - 6pm (Community Ctr)

If necessary appointments will be set for

Mainland

Mon. 21st - 10am - 5pm (Town Hall)
Tues. 22nd - 9am - 7pm (Town Hall)
Weds. 23rd - 10am - 7pm (Town Hall)
Thurs. 24th - 10am - 7pm (Town Hall)
Fri. 25th - 9am - 2pm (Town Hall)
July 30 & 31 - 9am - 5pm (Town Hall)

Any owner who appeals the revaluation figure will have to present compelling evidence as to why the new assessment is incorrect. Taxpayers who appeal should bring supporting information such as a current appraisal of the property to the hearing. The information on the Assessor's property record card will be reviewed, and if necessary, an interior and exterior inspection of the property will be done to determine if a value needs to be adjusted.

CUMBERLAND REVALUATION

1997 REVALUATION ANALYSIS - SINGLE FAMILY RESIDENCES

% CHANGE BREAKDOWN - 2487 PARCELS

TOWN WIDE		MAINLAND		CHEBEAGUE		H2O		MAIN		CHEB	
>200%	45	>200%	5	>200%	15	>200%	1			24	
100-199%	156	100-199%	28	100-199%	75	100-199%	1			52	
50-99%	267	50-99%	127	50-99%	96	50-99%	9			35	
25-49%	475	25-49%	387	25-49%	48	25-49%	24			16	
10-24%	658	10-24%	632	10-24%	10	10-24%	10			6	
0-9%	580	0-9%	571	0-9%	4	0-9%	0			5	
<0%	306	<0%	297	<0%	3	<0%	2			4	
TOTAL	2487	TOTAL	2047	TOTAL	251	TOTAL	47			142	
AVG. INC.	34%	AVG. INCREASE	17%	AVG. INCREASE	84%	AVG. INC.	41%			139%	

1997 EST TAX RATE 0.0178 (\$17.80) A REDUCTION OF \$2.90 / \$1,000 ASSESSED VALUE FROM 1996 \$20.70

96' BASE VALUE	96' TAX	EST 97' TAX	% CHG	A TAXPAYER WITH PROPERTY VALUED AT \$100,000 IN 1996 PAID \$2,070 IN TAXES. IF THE SAME PROPERTY INCREASES 30% TO \$130,000 IN VALUE, THEN TAXES WOULD INCREASE @ 12% TO \$2,314 IN 1997.	TAXPAYERS WITH PROPERTY INCREASES LESS THAN 16.5% WOULD SEE NO CHANGE OR A DECREASE IN TAXES FOR 1997.
100,000	2070	1780	-0.14009662		
97' 10% INCREASE		1958	-0.05410628		
97' 16.5% INCREASE		2073.7	0.00178744		
97' 20% INCREASE		2136	0.031884058		
97' 30% INCREASE		2314	0.117874396		
97' 40% INCREASE		2492	0.203864734		
97' 50% INCREASE		2670	0.289855072		
97' 60% INCREASE		2848	0.375845411		
97' 70% INCREASE		3026	0.461835749		
97' 80% INCREASE		3204	0.547826087		
97' 90% INCREASE		3382	0.633816425		
97' 100% INCREASE		3560	0.719806763		
97' 150% INCREASE		4450	1.149758454		
97' 200% INCREASE		5340	1.579710145		

CUMBERLAND REVALUATION

TAX ANALYSIS

TOWN WIDE		MAINLAND		CHEBEAGUE	
% VALUE CHANGE TAXPAYERS		% VALUE CHANGE TAXPAYERS		% VALUE CHANGE TAXPAYERS	
DECREASE IN TAXES					
0 - 10% INCREASE	1171	< 0 - 14%	1146	< 0 - 14%	10
11 - 20% INCREASE	470	15 - 28%	442	15 - 28%	10
21 - 40% INCREASE	266	29 - 40%	222	29 - 40%	24
41 - 60% INCREASE	223	41 - 63%	144	41 - 63%	54
61 - 75% INCREASE	110	64 - 86%	46	64 - 86%	43
> 75% INCREASE	61	87 - 104%	16	87 - 104%	28
	186	> 105%	31	> 105%	82
TOTAL	2487	TOTAL	2047	TOTAL	251

H20	MAIN	CHEB
% VALUE CHANGE TAXPAYERS		TAXPAYERS
DECREASE IN TAXES		
0 - 10% INCREASE	4	11
11 - 20% INCREASE	11	7
21 - 40% INCREASE	11	9
41 - 60% INCREASE	16	9
61 - 75% INCREASE	3	18
> 75% INCREASE	0	17
	2	71
TOTAL	47	142

MEMORANDUM

TO: Town Councilors
FROM: JFL
DATE: 7/11/97
RE: Council Goals for 1997-98

I have received a list of possible Council goals from Peter and Phil and I thought I would summarize them with my list for Monday's discussion. The list is in no particular order and not each of the goals is shared by the other councilors.

1. Finalize the new town hall and Drowne Road School;
2. resolve the Chebeague Island Ferry situation;
3. press forward with the growth management review and a separate dialogue with large landowners;
4. finalize the Comprehensive Plan and see that it is implemented;
5. continue to explore ways to cut municipal costs;
6. review the Town's policy re tax acquired policy;
7. continue dialogue with North Yarmouth and SAD #51 re shared goals;
8. explore possibilities of shared services with Yarmouth;
9. explore possibility of another elderly housing project;
10. continue planning for Twin Brooks;
11. continue to look for opportunities for grants for bike paths;
12. RFP for legal services;
13. establish hunting policy for Twin Brooks;
14. reorganize and simplify the Towns' Boards to avoid overlap;
15. local access TV for public meetings;
16. move municipal election date to November;
17. Cumberland home page on the WEB; and
18. possible site for habitat for humanity home.

July 7, 1997

**BRAD
HARE
ASLA**

139 Spiller Hill
Raymond, Maine 04071
207.998.3030

**Donna Larsen
Town Planner
P. O. Box 128
Cumberland, Maine 04021**

Request to Accept Open Space Easement
Idlewood Subdivision

Dear Donna,

On behalf of my client, George Rickley of Casco Partners, Inc., we hereby request that the above mentioned project be placed on the upcoming Council meeting on July 14, 1997. I have enclosed reduced plans of Idlewood showing the proposed open space easement for review. A full-size plan will be presented at the meeting.

As previously discussed, this proposal will provide the citizens of Cumberland with a 30' wide easement that will allow both passive and active recreational uses. Locating the easement primarily along existing tote roads will allow for easy and almost immediate use while minimizing the future maintenance. Connections to both Range Road and the Cumberland/Falmouth Town line will assure that this easement will provide a vital link in the overall open space system.

As always, if you have any questions or concerns, please feel free to call either George or myself.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Brad Hare', with a stylized flourish at the end.

Brad Hare, ASLA
Enc.

Memorandum

DATE: July 10, 1997

TO: Donna Larson, Town Planner

FROM: Paula M. Wight, Assessor

RE: Assessments Town Owned Property

Following is a breakdown of current assessments for Town owned property located in Cumberland Common, Small's Brook, Kerri Farms and Sunnyfield Farms Subdivisions:

Cumberland Common

THE COMMON - 4.9 acres priced currently as raw land @ \$2250/acre = \$11,030
 $\$11,030 \times \$20.70/\text{thousand assessed value} = \$228.33 \text{ lost taxes}$

CIVIC USE - 4.39 acres priced currently as raw land @ \$2500/acre with
PARCEL a 10% adjustment for easement = $\$10,980 \times .90 = \$9,880$
 $\$9,880 \times \$20.70/\text{thousand assessed value} = \$204.52 \text{ lost taxes}$

OPEN SPACE - Detention Pond area - 2.18 acres priced currently as resource
protection/wasteland @ 250/acre = \$550
 $\$550 \times \$20.70/\text{thousand assessed value} = \11.39 lost taxes

There would be no difference in the above assessments were the property privately owned.

Small's Brook

OPEN SPACE - 2.55 acres priced currently as raw land @ \$2880/acre with a
10% adjustment for restrictions = $\$7,340 \times .90 = \$6,610$
 $\$6,610 \times \$20.70/\text{thousand assessed value} = \$136.83 \text{ lost taxes}$

OPEN SPACE - 30.88 acres priced currently as raw land @ \$1975/acre with a
10% adjustment for restrictions = $\$60,990 \times .90 = \$54,890$
 $\$54,890 \times \$20.70/\text{thousand assessed value} = \$1,136.23 \text{ lost taxes}$

There would be no difference in the above assessments were the property privately owned.

Kerri Drive

OPEN SPACE - 13.95 acres if left in private ownership with no restrictions or
easements would be priced as raw land @ \$1090/acre = \$15,210
 $\$15,210 \times \$20.70/\text{thousand assessed value} = \$314.85 \text{ tax dollars}$

Memorandum

February 3, 1997

Page 2

13.95 acres owned by the Town as "Open Space" conservation area with public access is priced as raw land @ 1090/acre with a 50% adjustment = $\$15,210 \times .50 = \$7,600$. $\$7,600 \times \$20.70/\text{thousand}$ assessed value = **\$157.32 lost taxes.**

Sunnyfield Farms

OPEN SPACE - 23.64 acres if left in private ownership with no restrictions or easements would be priced as raw land @ \$1310/acre = \$30,970
 $\$30,970 \times \$20.70/\text{thousand}$ assessed value = \$641.08 tax dollars.

23.64 acres owned by the Town as "Open Space" conservation area with public access is priced as raw land @ 1310/acre with a 50% adjustment = $\$30,970 \times .50 = \$15,490$. $\$15,490 \times \$20.70/\text{thousand}$ assessed value = **\$320.65 lost taxes.**



GLOBAL HEALTH ALTERNATIVES

TELEFACSIMILE TRANSMISSION COVER SHEET

TO: Town of Cumberland FAX #:
ATTN: Donna Larson RE: Range Road Site Inspection
FROM: John Eldredge cc: Rob Craig
DATE: June 12, 1997 Ellen Hoffman
Howard Foley
Denny Gallaudet

PAGES FOLLOWING COVER:

If you do not receive all pages of this fax, please call 207-772-7234

Donna -

Members of the Conservation Commission recently walked the easement corridor that has been proposed by Rickley in association with the planned subdivision on Range Road. This fax will provide a summary of our observations.

- ▶ In and of itself, the corridor has value due to its scenic qualities, and the opportunity it affords to connect with other nearby trails for passive recreation.
- ▶ However, we are concerned that an access point from Range Road be considered that would have minimal impact on existing wetlands. Such an access point may exist at the logging staging area just north of the current informal access point.
- ▶ We also saw considerable fresh evidence of moose activity, and have a general concern about the impact of the subdivision on the presence of moose and other wildlife in the surrounding area.

Donna, please let us know if you have any questions.

BANK	1,700,000 BAN MSAD#51 (LEASE)	1,750,000 BAN NEW TOWN OFFICE
FLEET BANK	4.12%	4.12%
STATE STREET BANK	4.10%	4.10%
KEY BANK	4.27%	4.27%
PEOPLES HERITAGE BANK	3.94%	3.94%

TOWN OF CUMBERLAND

TOWN FOREST BOARD

May 1, 1997

- Meeting called to order at 7:00 p.m. by Walt Dunlap, Chairman.
- Present Sally Stockwell, Bob Wood, Bill Wyatt, George Hyde, Paul Ganas, Anne Maher, Jennifer West, Megan Thorn and Betty Surgi.
- SAD #51 to lease present Town Office Building September 1998 - building will be remodeled for Grade 6 occupancy. New Town Hall to be built on Tuttle Road in part of pine plantation (managed part of Forest).
- Walt will finish Kiosk roof - kiosk to be left at present location for time being as we will need to relocate part of trail after dedication June 15, 1997.
- Megan proceeding with plans working with Greg at Downeast Signs.
- Map to be put onto IBM disc.
- Need to move legend into map - add parking area and gravel roads and numbered stops along trail.
- Betty to call film producer Sean Glen.
- Special meeting May 15th - Sally to take notes as Betty will be absent.

June 5, 1997

- Walt Dunlap opened meeting at 7:00 p.m. Present were Anne Maher, Paul Ganas, Sally Stockwell, Bob Wood, Bill Wyatt and Betty Surgi.
- Grant submitted on time - cash outlay \$1689 (over budget) - the 3 signs will cost \$905.
- Will receive \$1340 grant money.
- On June 15th for Dedication of the Ernest A. Rand Nature Trail those present will gather at Kiosk for brief ceremony and ribbon cutting, refreshments and guided tour.
- Written invitations to be sent to Mr. Benson, the Council, Steve Moriarty, John Eldredge, Jeff Butland, Joe Taylor, Jan Thomas, Phil Hunt, Phil Wentworth and crew. Phone invites to Bill Farwell, former Greely Institute Agriculture instructor, and some of the "boys" who planted trees under his guidance. Speakers at Dedication to include Walt, Bob Benson, State Forester Dennis Brennan, and Betty Surgi. Sally to fax press release to Walt. Flyers to be placed at Library, Stores, Schools, etc. Scouts to provide refreshments. Bill Wyatt to locate mailbox for brochures. Cumberland Mainland & Islands Trust will continue to work with us - their Newsletter soon to be released with article by Walt giving history of Forest and Dedication plans.
- June 15, 1997 - On a beautiful June day^{with} at least 50 people gathered, the Dedication of the Ernest A. Rand Nature Trail took place with a brief ceremony and ribbon cutting followed by refreshments and guided tours for all.

*Cumberland
NY
7-14-97*

United States Senate

WASHINGTON, DC 20510-1904

10 Moulton Street
Portland, ME 04101
June 24, 1997

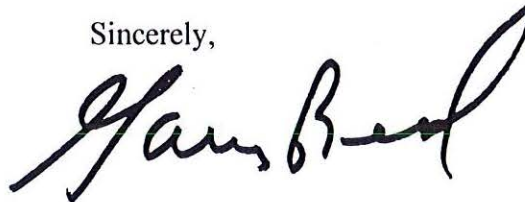
Mr. Robert B. Benson
Town Manager
Town of Cumberland
P. O. Box 128
Cumberland Center, ME 04021-0128

Dear Mr. Benson:

I am writing of behalf of Senator Susan Collins, to introduce myself as her representative in her Portland office. Our Portland location is charged with the responsibility of providing service to the citizens of Cumberland and Sagadahoc counties in matters relating to the wide variety of federal issues that they may encounter in either discharging their duties as elected officials or, in the conduct of their daily lives. As you carry out your responsibilities as one of the community leaders in Cumberland, I hope that you will feel free to contact Senator Collins' office any time that you believe we may be of assistance. Whether the matter pertains to the official business of the Town of Cumberland or, to the lives of one or more of your citizens, we will make every effort to render advice or assistance to the best of our ability. Senator Collins is committed to maintaining a close working relationship with the leaders of Maine's cities and towns and we in the Portland office look forward to working with you.

With best regards, I am

Sincerely,



Gary Reed
State Office Representative to
Susan M. Collins
United States Senator

TOWN OF CUMBERLAND
DEPARTMENT OF BUILDING INSPECTION
P.O. BOX 128, 12 DROWNE ROAD
CUMBERLAND CENTER, MAINE 04021

June 1997 Building Permits

DATE	PERMIT #	Map/Lot	LOCATION	OWNER	IMPROVEMENT	EST. COST	FEE
6- 3	71 -97	R08/68	389 Blanchard Rd	Robert Piamplano	Demolish barn/shed	NA	\$1.00
6- 4	72 -97	R05/48	144 Bruce Hill Rd	John & Jenny Godsoe	House	\$228,000	\$456.00
6- 4	73 -97	U14/157	20 Country Charm Rd	Helen & James McBrady	Pool	\$12,000	\$24.00
6- 6	74 -97	R03A/10	21 Turnberry Dr	Bruce & Deborah Fritson	House	\$250,000	\$262.00
6- 6	75 -97	U14B/84	31 Crystal Ln	Avigitt DasGupta	Deck	\$800	\$4.00
6- 2	76 -97	I05/16A	Cottage Rd	Samuel Ballard	Shed	\$4,000	\$10.00
6- 10	77 -97	R08/86	203 Blanchard Rd	Dale Morin	Shed Roof	\$1,000	\$4.00
6- 11	78 -97	R05/39	75 Bruce Hill Rd	Richard & Kathy Taymen	Demolish house	NA	\$1.00
6- 10	79 -97	R01/50E	28 Range Way	Jelet, Inc	House	\$45,000	\$57.00
6- 13	81 -97	R05/19A	356 Range Rd	Todd & Jane Kenniston	Pool	\$10,600	\$22.00
6- 16	82 -97	R04B/19	44 Crossing Brook Rd	Bill Landis	Shed	\$700	\$4.00
6- 16	83 -97	U02/32	5 Russell Rd	N. Clark & K. Burnham	Garage	\$16,000	\$28.00
6- 19	84 -97	U06A/10	2 Blue Heron Ln	Charlie & Kathy VonBrecht	Additions	\$98,000	\$110.00
6- 19	85 -97	U10A/20	8 Oak St	Dan & Janet Ferguson	Renovation	\$4,900	\$12.00
6- 20	86 -97	R03/23D	150 Harris Rd	Mark Pesce	Garage	\$15,000	\$54.00
6- 20	87 -97	R03/16C	46 Longwoods Rd	Tom Stanhope	Garage	\$7,500	\$17.00
6- 23	88 -97	R01/53	20 Middle Rd	Carleton Bradbury	Garage	\$30,000	\$42.00
6- 27	89 -97	I06/31A	Schoolhouse Rd	Chebeague Island Center	Recreation Center	\$335,000	NA
6- 27	90 -97	R04B/32	62 Crossing Brook Rd	Tim Cassidy	Deck	\$1,100	\$5.00
6- 27	91 -97	R07/73	1 Blackstrap Rd	Patricia Balzer	Gazebo	\$1,500	\$5.00
6- 30	92 -97	U10A/2	1 Cumberland Common	Garth Grandchamp	House	\$180,000	\$192.00
6- 30	93 -97	U10A/23	25 Cumberland Common	B & M Developers	House	\$110,000	\$122.00
						\$1,351,100	\$1,432.00

BUILDING PERMITS SUMMARY:

<u>June, 1997</u>				<u>YEAR TO DATE</u>		
	<u>Number</u>	<u>Cost</u>	<u>Fees</u>	<u>Number</u>	<u>Cost</u>	<u>Fees</u>
New Houses	5	\$813,000.00	\$1089.00	23	\$3,712,600	\$4,357.00
Renovations	1	\$4,900.00	\$12.00	16	\$161,100	\$276.00
Alterations	0	\$0.00	\$0.00	0	\$0	\$0.00
Additions	1	\$98,000.00	\$110.00	10	\$432,382	\$564.00
Porches	0	\$0.00	\$0.00	5	\$27,500	\$173.00
Garages	4	\$68,500.00	\$141.00	8	\$97,395	\$205.00
Foundation	0	\$0.00	\$0.00	1	\$4,500	\$11.00
Access. Struct.	5	\$8,100.00	\$28.00	16	\$66,250	\$79.00
Temp. Struct.	0	\$0.00	\$0.00	0	\$0	\$0.00
Antenna	0	\$0.00	\$0.00	0	\$0	\$0.00
Pools	2	\$22,600.00	\$46.00	3	\$42,600	\$78.00
Retaining Wall	0	\$0.00	\$0.00	0	\$0	\$0.00
Demolitions	2	\$0.00	\$2.00	4	\$0	\$4.00
Commercial	0	\$0.00	\$0.00	3	\$32,500	\$62.00
Other	2	\$336,000	\$4.00	2	\$336,000	\$4.00
TOTALS:	22	\$1,351,100.00	\$1432.00	92	\$4,912,827	\$5,813.00

		<u>June</u>	<u>Year to Date</u>
ELECTRICAL PERMITS:	Number:	13	73
	Fees:	\$220.00	\$939.00
PLUMBING PERMITS:	Number:	20	82
	Fees:	\$1122.00	\$3861.00


 Robert B. Littlefield
 Building Inspector

**TOWN OF CUMBERLAND
MINUTES OF THE MEETING OF THE TOWN COUNCIL
JULY 14, 1997**

Present: John Lambert, Josiah Drummond, Mark Kuntz, Harland Storey,
Peter Bingham, Philip Gleason, James Phipps

Absent: None

The Council held a goal setting workshop beginning at 6:30 pm.

I. The meeting was called to order by the Chairman at 7:10 pm
at the Cumberland Municipal Center.

II. Approval of Minutes
a. June 16, 1997

Councilor Phipps moved to approve the minutes of the June
16, 1997 meeting as written.

Councilor Drummond seconded. Vote: Unanimous (7)

III. Manager's Report

The Manager introduced Paula Jansmann, Assessor, who
updated the Council regarding the re-valuation process.

Donna Damon stated concern with the large overall increase
in property value on Chebeague Island.

Alan Blanchard, Greely Road, and his grandfather, Richard
Blanchard stated concern that those who own large tracts of
land will no longer be able to hold them and keep them from
development due to the high cost of taxes.

The Council encouraged them to take advantage of the
hearing process which is available for those who disagree
with the values placed on their property. They also
explained that they are looking into options the
Council may have regarding this issue.

Mark Robinson, Main Street, also noted what a large
percentage of Cumberland's taxes actually go to the School
District and not for Municipal costs and that the public
needs to attend the budget hearing for the schools and make
their voices heard regarding spending.

IV. Public Discussion

None

V. Legislation and Policy

- 97-78 To award bid for foundation and steel work for the Town Office.

Mike White, The Pochebit Co., presented the bid information to the Council.

Councilor Gleason moved to award the foundation bid for \$88,265.00 and the steel work for 34,358.00.

Councilor Bingham seconded. Vote: Unanimous (7)

- 97-79 To authorize Gazebo construction - Cumberland Common.

The Manager reviewed the background of this project and introduced Glenn Hutchins, who volunteered to raise the \$30,000 needed for materials to construct the proposed gazebo as long as the Council was willing to publicly recognize any businesses that donate to the project. It is expected that labor needed for construction will be volunteer.

Councilor Drummond moved to authorize Glenn Hutchins and the committee associated with the project to proceed with fund raising and construction of a gazebo on the Cumberland Common.

Councilor Bingham seconded. Vote: Unanimous (7)

- 97-80 To consider and act on willingness to accept pedestrian easement - Idlewood Subdivision.

Town Planner Donna Larson explained that the easement that will be offered to the Town is mostly an existing tote road that is also used as a snowmobile trail. The proposed easement would allow pedestrian and snowmobile access.

Councilor Gleason moved to affirm the Councils' willingness to accept the easement as proposed.

Councilor Phipps seconded. Vote: Unanimous (7)

- 97-81 Council Appointments.

It was agreed to table this item.

- 97-82 To set date for workshop on policy regarding tax acquired property.

- 97-82 To set date for workshop on policy regarding tax acquired property.

Councilor Gleason moved to hold a workshop on August 25, 1997 to discuss the policy regarding tax acquired property.

Councilor Phipps seconded. Vote: Unanimous (7)

- 97-83 To set date for workshop on BOCA Code.

Councilor Phipps moved to hold a workshop regarding the BOCA Code on July 28, 1997.

Councilor Bingham seconded. Vote: Unanimous (7)

- 97-84 To set date for Public Hearing to consider and act on Mass Gathering Permit application to hold annual Downeast Street Rods Association meeting on August 14 through 17, 1997 at the Cumberland Fairgrounds.

Councilor Bingham moved to hold a public hearing on July 28, 1997 to consider and act on Mass Gathering Permit application to hold annual Downeast Street Rods Association meeting on August 14 through 17, 1997 at the Cumberland Fairgrounds.

Councilor Drummond seconded. Vote: Unanimous (7)

- 97-85 To set date for Pubic Hearing to consider and act on Mass Gathering Permit application for the Cumberland Farmer's Club to hold the Cumberland Fair on September 21, through 27, 1997 at the Cumberland Fairgrounds.

Councilor Bingham moved to hold a public hearing on July 28, 1997 to consider and act on Mass Gathering Permit application for the Cumberland Farmer's Club to hold the Cumberland Fair on September 21, through 27, 1997 at the Cumberland Fairgrounds.

Councilor Drummond seconded. Vote: Unanimous (7)

- 97-86 To consider and act on applications for Victualer's Licenses.

Councilor Storey moved to approve victualer's licenses for the following businesses, subject to meeting all inspection requirements: Allen Farm Country Store, Burger King, Chebeague Island Inn, Chebeague Island Bakery, The Big Apple Food Stop, Cumberland/No. Yarmouth Lions Club, Cumberland/No. Yarmouth Suburban Little League, Food Stop, Island Market, J Brothers Variety Store, Log Cabin Store,

Val Halla Golf Course, Val Halla Grill, West
Cumberland Methodist Church (booth at Fairgrounds).

Councilor Gleason seconded. Vote: Unanimous (7)

97-87 To award Bond Anticipation Note bids.

Councilor Bingham moved to award the bid for Bond
Anticipation Notes in the amount of \$1,700,000 for
the SAD #51 lease project and Bond Anticipation
Notes in the amount of \$1,750,000 for the new town
office to Peoples Heritage Bank at a rate of 3.94%.

Councilor Phipps seconded. Vote: Unanimous (7)

VI. Correspondence

L.D. 1790 - re: Brown Tail Moths
State Dept. of Conservation - re: Brown Tail Moths
Town Forest Board meeting minutes - May 1, 1997
Gary Reed - re: State Representative to Susan M. Collins
Building Inspector Report - June 1997

VII. New Business
none

VIII. Executive Session - Personnel

Councilor Gleason moved to go into executive session
regarding personnel at 8:50 pm.

Councilor Drummond seconded. Vote: Unanimous (7)

Councilor Gleason moved to end the executive session at
9:15 pm.

Councilor Drummond seconded. Vote: Unanimous (7)

IX. Adjourn

The meeting was adjourned at 9:15 pm.


Charlene A. Doyle
Council Secretary

Absent: None

2487 properties

Town Council
7/14/97 (1)

Opened 7:10pm

Minutes

6/16/97

Phipps to approve

2nd D Unan (7)

Mugger Rpt

Rt
thru 38

P. Jansmann - Assessor - reval notices have gone out - now setting up appts for hearings

Donna Damon - CI - ^{was 8.9%} now 13+% over 17% - All Islands probably close to 20% of tax money

Alan Blanchard, Greeley Rd. 1/2 land here + have in Yarmouth pushing those w open land into selling - etc.

Dick Blanchard - now live in Yarmouth due to Town line (built) new house out behind old ~~house~~ ^{Cumb.} - Resident all his life until 4 yrs ago

Lambert, Gleason, Bingham, Phipps - take advantage of process available if feel appraisal (valuation) is not appropriate

Drummond, S&D Board spends a lot of money - important that they hear about pressure on large land owners to pay taxes

Mark Kuntz - received several calls upset about values - want to do anything in Council's power to assist people - grew up on CI

Stoney - double hit ^{Town} value increases + also loose education funding from State.

M. Robinson - cost of Schools - citizens need to be more involved in spending issues at S&D

Pub Disc. - no other pub. disc

Log & Policy

97-78 Foundation Bid

Mike White - phase I portion of T/O - concrete
+ structural steel - Foundation Labor - Cook 37,800
Steel - Barker 8425 - Dragon 35,890
Slab labor 7,000 + 5,000 other materials } Total
just over 100,000 Steels over budget - combined
just 2,000 under estimate

Gleason Foundation work - bid to come in tomorrow - make
decision on that + #'s as above

2nd Bingham Uman (7)

97-79 Gazebo

RB - explanation ~~about~~ Hutch - costs about 30,000

I will raise the money - need OK from Council
to accept corporate donations that may mean
public recognition ~~public~~ acknowledging funding. - Labor is hoped to
be volunteer - structure is pre-cut kit -

D motion to author Glen Hutch & Committee
to proceed w/ const of Gazebo on Club Common
2nd B Uman (7)

97-80 Tidewood Subdiv.

D. Larson mostly existing Tate Road - Snowmobile
Trail - Pedestrian/Snowmobile easement

Gleason willingness to accept as proposed

2nd Phipps Uman (7)

97-81 Council App'ts - Tabled

~~See Street~~

TC (3)
7/19/97

97-82 Tax acquired policy

Gleason motion to hold workshop on Aug 25th

Phipps 2nd Unan (7)

(summarize other towns policies)

MMAT ?
info.

97-83 BOCA CODE - RBL explanation - 1B-624
up from 87+83 Code

Phipps move to hold workshop on 28th of July
2nd B Unan (7)

97-84 Mass Grate - Rods

97-85 B to hold 28th
D 2nd Unan (7)

97-86 Storey to approve sub to inspectors
2nd Gleason Unan (7)

(24) 97-87 - BAN
B Both notes to people
2nd Phipps Unan (7)

Corresp:

LD 1790 - B. Tain Moths

Dick Bradbury - Moths

P. Wentworth - retiring

Town Forest, 30 minutes

NewsBus

- See Donna L.
PAPER STREETS
next agenda

9 to X 255 0850

2nd D Unan

Adjourn 9:15

THE POCHBIT CO., INC.

171 Warren Avenue
PORTLAND, ME 04103
(207) 797-3369

MARYSHAW

SHEET NO

OF

CALCULATED BY

MAW

DATE

7/14/97

CHECKED BY

DATE

BID RESULTS - PHASE I - FOUNDATION & STEEL

CONCRETE (109,000.00)

(ORIGINAL BUDGET

Actual Costs

FOUNDATION LABOR (*40,000)

- MAITHEA

45,000.00

- COOK

39,900.00

- RHODES

TOO BUSY

- SYMONDS

NO BID

39,900.00

REINFORCING STEEL (12,800.00)

- MAC FALLOVE STEEL (16.1 TON) 9,018.00

- BARKER STEEL (16 TON) 8,475.00

- TRI-STATE STEEL

8,475.00

- CONCRETE MIX SUPPLIER (45,000.00)

- DRAGON PRODUCTS

- BLUE ROCK

- F.R. CARROW

- DAYTON S & G

39,890.00

- MISD. CONCRETE ACES / MIN. BRILL ALLOWANCE
FOUNDATION INSUL. VARIATION RE. 500.00

5,000.00

- CONCRETE SLAB LABOR ALLOWANCE

7,000.00

TOTAL CONCRETE

109,000.00
100,265.00

STEEL (*27,000.00)

STRUCTURAL STEEL FABRICATION (22,000.00)

- PROGRESSIVE IRON 28,937.00

- PROGRESSIVE

30,474.00

- PRECISION

40,600.00

- S.D.S. / SUPERIOR

NO BID

- TRI STATE STEEL

30,735.00

- DINSMORE

34,720.00

28,937.00

STEEL ERECTION (5,000.00)

- DINSMORE \$6,250.00

- DAVIS \$10,375.00

- LIBBY \$5,421.00

5,421.00

5,421.00

- SEACOAST NO BID

TOTAL STEEL

34,358.00

34,358.00



The Pochebit Co., Inc.

171 WARREN AVE. - PORTLAND, ME 04103 - (207) 797-3369

FAX#: 797-3299

FAX CORRESPONDENCE COVER SHEET

DATE:

7/25/97

TIME:

10 AM

NO. OF PAGES BEING TRANSMITTED: 2
(Including Cover Sheet)

Please deliver the following transmittal to:

829-2214

NAME:

BOB BENSON TOWN OF CONOVERLAND

FROM:

MIKE WHITE

REF:

TOWN OFFICES

Remarks:

BOB,

AS REQUESTED, HERE IS A

COPY OF BID RESULTS FOR

PHASE I THAT WAS PRESENTED

TO TOWN COUNCIL. THIS SUMMARY IS ALSO

IN OUR CONTRACT. CALL IF ANY QUESTIONS.

THANKS

MIKE

If you do not receive the number of pages indicated above, or if you have any questions, please call our office at 797-3369.

This FAX Correspondence is intended only for the use of the party addressed above. If you have received this in error, please notify us immediately by phone and

TOWN COUNCIL APPOINTMENTS - 1996 - 1997 (APPT IN JUNE)

ARCHANGEL COMMITTEE: Robert Humphreys
CHEBEAGUE ISL. LIBRARY BOARD OF TRUSTEES: James Phipps
COUNTY BUDGET COMMITTEE: Josiah Drummond
CUMBERLAND/YARMOUTH JOINT STANDING COMMITTEE: John Lambert,
& James Phipps (Stephen Moriarty-advisory)
G.P.C.O.G.: John Lambert - Alternate:
LIBRARY ADVISORY BOARD: Josiah Drummond
NOMINATING COMMITTEE: John Lambert (Chair), Peter Bingham,
Harland Storey
RECREATION/COMMUNITY EDUCATION ADVISORY BOARD: John Lambert
REGIONAL WASTE SYSTEMS BOARD: Susan McGinty - Alt: R. Benson
VAL HALLA BOARD OF TRUSTEES: Philip Gleason
LIAISON TO BOARD OF APPEALS: John Lambert
LIAISON TO CONSERVATION COMMISSION: Peter Bingham
LIAISON TO FALMOUTH/CUMBERLAND CHAMBER OF COMMERCE: Harland Storey
LIAISON TO PLANNING BOARD: Philip Allen
LIAISON TO RECYCLING COMMITTEE: Philip Allen
LIAISON TO LONG RANGE PLANNING COMMITTEE: Philip Allen
LIAISON TO CHAT (SAD 51) - Josiah Drummond
LIAISON TO LANDING COMMITTEE - James Phipps
LIAISON TO ISLANDS COMMITTEE - James Phipps

Edmund E. and Julie Doughty
ISLAND MARKET - 846-9997
P.O. Box 22
Chebeague Island, ME 04017

James Howland
J BROTHERS VARIETY STORE - 829-5591
42 Gray Rd
Cumberland, ME 04021

Gail Terison, Owner, Mgr.
LOG CABIN STORE - 829-5941
20 Blanchard Rd
Cumberland, ME 04021

Robert Leighton, Mgr
VAL HALLA GOLF COURSE
Val Halla Rd.
Cumberland, ME 04021

Sandra Moody
VAL HALLA GRILL - 829-2225
P.O. Box 5
Cumberland, ME 04021

Bob Yarumian 829-5954
WEST CUMBERLAND METHODIST CHURCH (Fairgrounds, permanent bldng.)
Tuttle Rd
Cumberland, ME 04021

HEALTH OFFICER'S REPORT: All above approved except:

(1) Chebeague Inn, pending WATER TEST

(2) Log Cabin Store, follow up visit

**Town of Cumberland
1997 VICTUALER'S LICENSE LISTING**

Dennis Allen

ALLEN FARM COUNTRY STORE - 829-6665

201 Gray Rd

Cumberland, ME 04021

Manager (1997 - Dennis Martin)

BURGER KING 829-3831

Travel Plaza's by Marriott

Mile 56 Maine Turnpike South

P.O. BOX 337, Gray, ME 04039

Janet and Richard Bowden

CHEBEAGUE ISLAND INN 846-5155

RR1, Box 492

Chebeague Island, ME 04017

1996 Spring Address: P.O. Box 332

Kennebunk, ME 04043

Gail Todd

CHEBEAGUE ISLAND BAKERY

P.O. Box 26

Chebeague Island, ME 04017

C.N. Brown, D/B/A

THE BIG APPLE FOOD STOP - (743-9212 & 829-5246)

174 Main St

Cumberland, ME 04021

Kenneth Snitger (H) 829-3466 (W) 774-8770

('96 or Doug Pride)

CUMBERLAND/NO YARMOUTH LIONS CLUB

105 Tuttle Rd

Cumberland, ME 04021

Mike DeAngelis 829-4099

CUMBERLAND/NO YARMOUTH SUBURBAN LITTLE LEAGUE

28 Pinewood Dr

Cumberland, ME 04021

Peter Zaimes, Inc. ('96 Paul R. Poisson, Mgr)

FOODSTOP - 829-3250

P.O. Box 92A

318 Main St

Cumberland, ME 04021

TOWN OF CUMBERLAND

Public Works Department

P.O. Box 128

23 Drowne Road

Cumberland, Maine 04021

(207) 829-2220

MEMO

TO: ROBERT BENSON

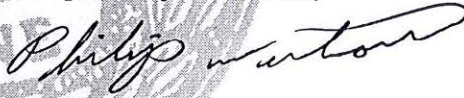
FROM: PHILIP WENTWORTH

DATE: JUNE 20, 1997

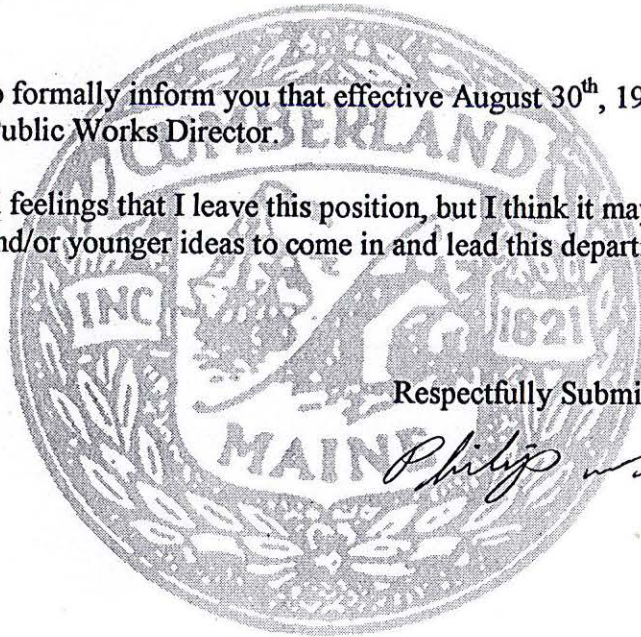
This Letter is to formally inform you that effective August 30th, 1997, I will be retiring as Cumberland's Public Works Director.

It is with mixed feelings that I leave this position, but I think it may be time for a person with new and/or younger ideas to come in and lead this department into the next century.

Respectfully Submitted,



Philip Wentworth



Council
MS
7-14-97

APPROVED	CHAPTER
MAY 16 '97	215
BY GOVERNOR	PUBLIC LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-SEVEN

H.P. 1263 - L.D. 1790

An Act to Control Browntail Moths

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, an infestation of browntail moths has made living in certain Maine communities dangerous for adults and children; and

Whereas, a browntail moth control program can be undertaken by Maine communities for 1997 if undertaken during the month of May; and

Whereas, emergency legislation is required to enable control efforts to be undertaken for 1997; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA c. 257-A is enacted to read:

CHAPTER 257-A

CONTROL OF BROWNTAIL MOTHS

§1444. Control of browntail moths

1. Declaration of public health nuisance. The Director of the Bureau of Health may declare that an infestation of browntail moths is a public health nuisance. The declaration may be made on the director's own initiative or on petition to the director by municipal officers in a municipality affected by the infestation.

2. Aerial spraying. When the infestation causing a public health nuisance may be controlled by the aerial spraying of pesticides, the municipal officers in the affected municipality may conduct aerial spraying subject to rules adopted by the Board of Pesticides Control, pursuant to Title 22, section 1471-R, subsection 3, paragraph C, except that:

A. The municipality rather than the applicator is responsible for compliance with the notification and consent regulations;

B. Landowners who are sent written notification by mail, sent to the landowner's last known address as contained in the municipal assessing records and who fail to respond to the notice within 30 days are deemed to have consented to aerial spraying;

C. A landowner's written consent to spray remains valid unless the municipal officers are notified in writing at least 90 days before spraying is to occur that:

(1) The landowner withdraws consent; or

(2) Ownership of the property has been transferred and the notice contains the name and mailing address of the new owner;

D. Any such notice sent or consent received in calendar year 1997 prior to the effective date of this chapter constitutes adequate notice or consent under the law;

E. Written notice to the landowners must identify the chemicals to be used in the aerial spraying; and

F. Public notice of the date of the aerial spraying, subject to change because of weather conditions, must be given 24 hours prior to the spraying.

3. Refusal to consent; cost of extermination. After the declaration of the Director of the Bureau of Health and a written

declaration by the municipal officers of their intent to conduct aerial spraying, any landowner who refuses to consent to aerial spraying shall remove any browntail moth infestation from that landowner's property at that landowner's expense in a time and manner satisfactory to the local health officer. Regardless of whether the nonconsenting landowner's property has an infestation of moths, the nonconsenting landowner is also liable for the additional expenses actually incurred by neighboring consenting landowners or the municipality when neighboring consenting landowners or the municipality uses a method of removal other than aerial spraying due to lack of consent. In such cases, consenting landowners shall remove any browntail moth infestation from their own property at their own initial expense in a time and manner satisfactory to the local health officer.

All additional expenses incurred by a municipality must be repaid to the municipality within 30 days after written demand mailed to the nonconsenting landowner by the municipal officers. If the written demand is not met, a service charge may be assessed by the municipal officers against the land of the nonconsenting landowner for the amount of those expenses. The service charge must be collected in the same manner as municipal sewer service charges are collected pursuant to Title 30-A, section 3406.

All additional expenses incurred by neighboring consenting landowners may be collected by the municipality from nonconsenting landowners as a service charge described in this subsection, following certification in writing by the consenting landowners to the municipal officers of the additional costs. The municipal officers shall make suitable provisions to reimburse the consenting landowners from the amounts collected.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.



STATE OF MAINE
DEPARTMENT OF CONSERVATION
22 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0022

Letter
by mail
to
my

ANGUS S. KING, JR.
GOVERNOR

RONALD B. LOVAGLIO
COMMISSIONER

March 25, 1997

Dear Town Officials:

This letter is to provide you with information on the current status of the browntail moth infestation within your town boundaries. The recent outbreak of this insect within Maine began in 1988 and may be a problem for residents of your town because hairs from this insect contain a poison capable of causing a severe rash on people. A survey of overwintering webs of this insect was recently completed and the **attached map** shows areas within your town supporting levels of browntail moth, some high enough to potentially cause discomfort to residents and visitors during June and July.

My goal in contacting you is twofold: 1) to inform you first hand of the problem and 2) to find a means to inform residents within the infested area of the insect and associated problems. If you are considering a town control project using insecticides, I would recommend exploring all available options first to avoid unnecessary expense and legal issues associated with pesticide application and chemical trespass. I am available to discuss these issues if you feel this is the most appropriate path to follow. Town government can be a very great asset forewarning residents of the presence of this pest and educating them in the various avenues of control available. There are several information sheets which I have included with this note for your benefit and I would be happy to provide additional sheets for distribution. I am available to speak to any interested groups, e.g. homeowners, private groups or town officials, regarding local control programs. Just give a call and we can set something up.

If the attached map information sheets can be posted in the town office, the affected residents should have an opportunity to learn of the browntail moth and how to deal with it. Again, I or other members of the Maine Forest Service are available to discuss this issue or make on site visits to assist concerned individuals. A list of licensed pesticide applicators who do direct control for a fee is being prepared and will be distributed, upon request, in April.

If you have questions regarding the browntail moth, please feel free to contact me at the address on this letterhead or telephone 287-4982. Thank you.

Sincerely,

Dick Bradbury
Forest Entomologist
Maine Forest Service

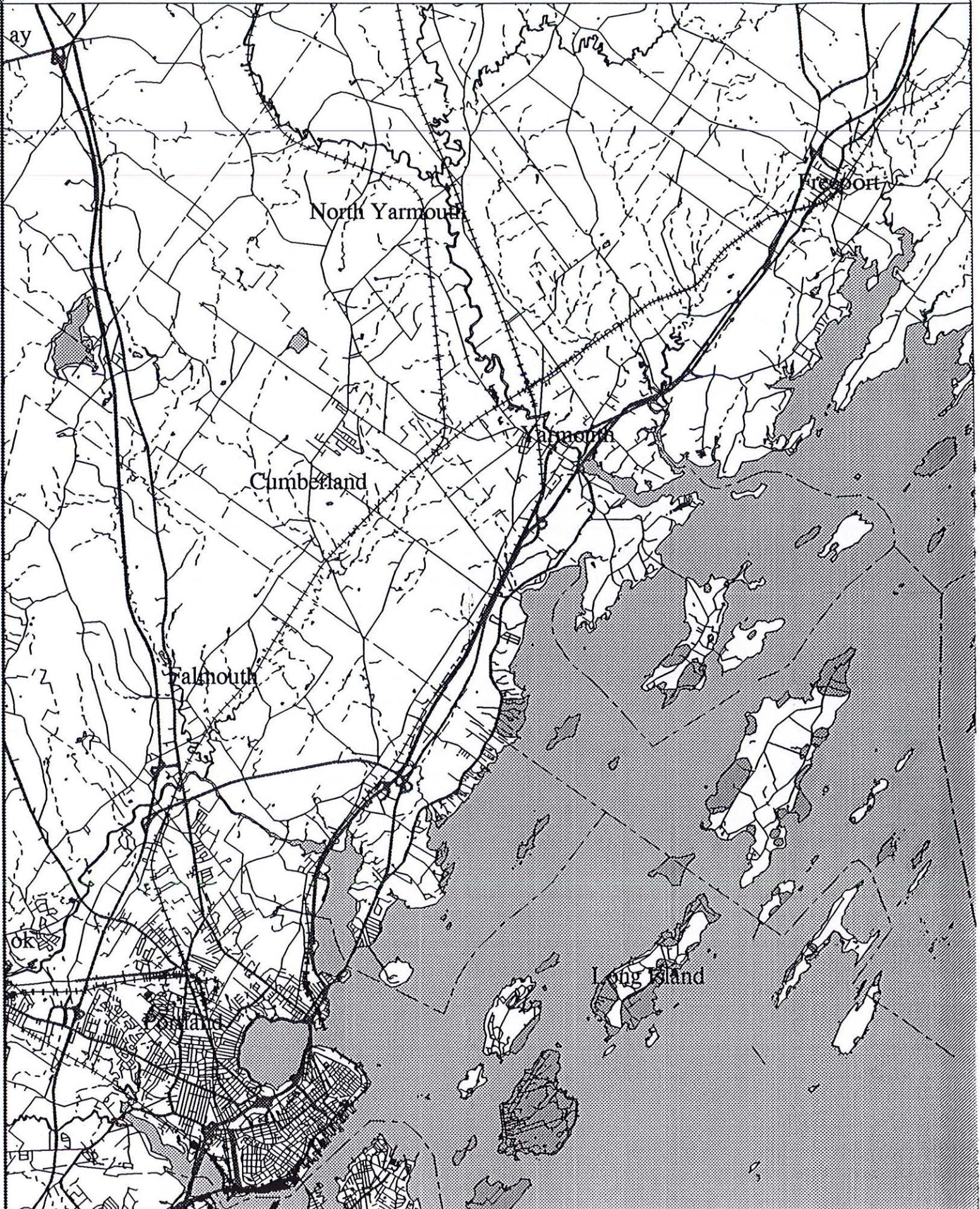


Cumberland

1997 Browntail Moth

Areas with Browntail Moths
1997

(Gray areas were defoliated in
1996)



Pest Alert

United States
Department of
Agriculture

Forest Service

Northeastern Area
NA-PR-01-93

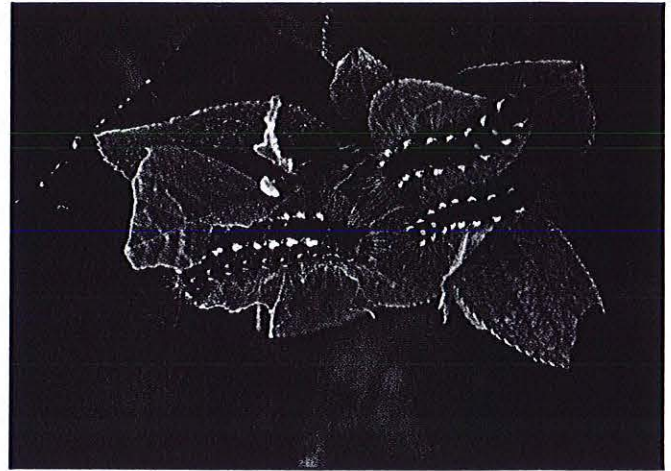
Browntail Moth

The browntail moth, *Euproctis chrysorrhoea*, a native of Europe, was first found in North America in Somerville, MA in the spring of 1897. Lack of natural control agents contributed to its rapid spread throughout the Northeast. By 1915, the moth's range included most of the area east of the Connecticut River and as far north as Nova Scotia. During the early 1920's, the range had begun to decline and by the 1970's, the insect was found on only a few islands in Casco Bay in ME and limited locations on Cape Cod in MA.

Browntail moth caterpillars feed on leaves of many hardwood trees and shrubs. At high population levels, the caterpillars may completely defoliate the host. Commonly infested trees and shrubs include apple, oak, cherry, hawthorn, serviceberry, rugosa rose, and bayberry. Caterpillar hairs can cause a skin rash on humans similar to that caused by poison ivy. The rash can be severe and persistent on sensitive individuals. **To avoid skin irritation do not touch any caterpillars.**



Overwintering web



Mature caterpillar

Both sexes of the browntail moth have snow white wings and a tuft of dark brown hair on the tip of the abdomen. Moths are active in late July and August, laying clusters of eggs on the underside of leaves. Caterpillars emerge from the eggs in August and form overwintering webs in close proximity to the egg mass. Limited feeding is done on the upper leaf surfaces in the fall.

Early in the spring when the buds expand, caterpillars begin to feed, often returning to the protection of the webs when temperatures cool. Caterpillars may reach 1.5 inches in length. At this stage, they are brown in color with a broken white stripe on each side and conspicuous red spots on the back. Caterpillars mature in late June or early July and pupate in loosely woven cocoons, singly or in clusters, on leaves, trunks, and undersides of branches. The pupal stage ends when the moths begin to emerge approximately two weeks later.

Landscape Tip: A good method of management around the home is to clip the webs during the winter months while the caterpillars are still inside and destroy by soaking them in water and detergent.

Photo Credits: Maine Forest Service

For additional information contact:

USDA Forest Service
Forest Health Protection
P.O. Box 640
Durham, NH 03824
(603) 868-7709

Maine Forest Service
50 Hospital Street
Augusta, ME 04333
(207) 289-2431

National Park Service
Cape Cod National Seashore
South Wellfleet, MA 02663
(508) 349-3785

BROWNTAIL MOTH PRECAUTIONS

The browntail moth has tiny (2-3 mm) poisonous hairs that cause dermatitis similar to poison ivy. The hairs easily break off the larvae or from the cast skins the insects leave behind when they molt and this material then becomes airborne. The rash can be severe and persist for weeks in sensitive individuals. The rash is caused by both a chemical reaction to a toxin in the setae and a physical irritation as the barbed setae become embedded in the skin. Respiratory distress from inhaling the hairs has been reported and can be serious.

The following precautions are recommended for anyone living in or visiting browntail moth infested areas during the spring and summer:

- ♦ Avoid places where trees or shrubs are lacking their leaves as this indicates a heavy infestation of caterpillars. Campers should plan their stays on uninfested islands.
- ♦ Take a cool shower and change clothes after any activity that might involve contact with the browntail moth hairs.
- ♦ Dry laundry inside during June and July to avoid the hairs becoming impregnated in the clothing.
- ♦ Wear respirator, goggles and coveralls tightly closed at neck, wrists and ankles when:
 - entering infested areas on windy days.
 - performing activities that would stir up caterpillar hairs such as:
 - mowing
 - raking
 - weed wacking
 - removing pupal webbing from eaves and boats.
- ♦ In addition, work on damp days or wet down material with a hose as moisture helps keep the hairs from becoming airborne.
- ♦ Use extreme caution even if material has been there for a number of years as the toxin is extremely stable.
- ♦ Consult your physician if you develop a severe reaction to the browntail moth.

Maine Forest Service
Insect & Disease Management Division
April 1995