

Manager

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY - JULY 28, 1997**

- I. Call to order at the Cumberland Municipal Center at 7:00 pm.
- II. Approval of Minutes
 - a. July 14, 1997
- III. Manager's Report
- IV. Public Discussion
- V. Legislation and Policy
 - 97-88 To hear report of Recycling Committee.
 - 97-89 To hold Public Hearing to consider and act on Mass Gathering Permit application to hold annual Downeast Street Rods Assoc. meeting on August 14 through 17, 1997 at the Cumberland Fairgrounds.
 - 97-90 To hold Public Hearing to consider and act on Mass Gathering Permit application by the Cumberland Farmer's Club to hold the Cumberland Fair on Sept. 21 through 27, 1997 at the Cumberland Fairgrounds.
 - 97-91 To consider and act on application of Chebeague Island Hall Community Center for a Bottle Club Liquor License.
 - 97-92 Council Appointments.
 - 97-93 To authorize Town Manager to accept payment of foreclosed taxes and issue a quitclaim deed.
- VI. Correspondence
- VII. New Business
- VIII. Adjourn to workshop on BOCA Code.

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

**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.

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: 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.

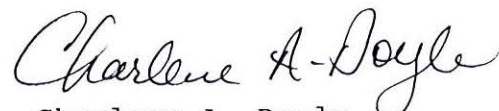
Councilor Drummond seconded. Vote: Unanimous (7)

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

8 Longmeadow Road
Cumberland, ME 04110
July 25, 1997

Mr. John Lambert, Chair
Cumberland Town Council
P.O. Box 128
Cumberland, ME 04021

Dear Mr. Lambert:

On behalf of the Cumberland Recycling Committee, I am forwarding to you a copy of the Survey of Residential Recycling Habits -- Interim Report. This report summarizes the results of the survey conducted last summer on mainland households and suggests improvements to the Town's current recycling program.

We look forward to meeting with the Council on Monday, July 28th and will be happy to discuss the results to date and respond to questions from the Council at that time.

Sincerely,


Jo Anne Babcock, Chair
Cumberland Recycling Committee

CUMBERLAND RECYCLING COMMITTEE
SURVEY OF RESIDENTIAL RECYCLING HABITS
INTERIM REPORT

Introduction

In November 1995, the Cumberland Town Council directed the Recycling Committee to undertake a study of residential recycling habits and suggest improvements to the current collection program that would ultimately increase the Town's recycling rate. The purpose of this report is to update the Council on the current status of the survey.

Scope of Project

By monitoring the recycling habits of sample Cumberland households, the Committee hoped to highlight aspects of the recycling program that are working well in addition to aspects that need improvement. To accomplish this, it was important to first ascertain:

- * what percentage of households recycle;
- * what materials are being recycled and how they're prepared;
- * what factors affect recycling;
- * what materials could be recycled but aren't; and
- * whether recycling percentages vary in different parts of town.

The Committee's attempt to gather this data from mainland residents was Phase I of the project while data gathered from Chebeague Island residents comprised Phase II. The remainder of this report deals with Phase I of the project.

Initially, the Recycling Committee identified five sample areas on the mainland which represented a cross-section of the population. These areas were identified as: West Cumberland; Cumberland Center; Crossing Brook; Middle Road; and Foreside. Fifty addresses were selected within each area. Next, a questionnaire was drafted and, in May, sent to all 250 (approximately) households asking residents what and how they recycle as well as for feedback on the current program (see Attachment A).

In June, two interns were hired to survey each of the five sample areas a minimum of four times by visually checking the contents of residential recycling bins. Once the data was collected, the results were tabulated and assessed. These results are discussed below.

Results

Of the 233 questionnaires that were mailed, 96 were returned making the response rate 41%. Data from the survey was tabulated on the following basis:

- * those households that left no trash or recyclables out at any time during the survey period;
- * those households that left trash but no recyclables out at the curb during the survey period;
- * those households that recycled at least one item during the survey period; and
- * those households that recycled all four materials during the survey period.

Data was tabulated for each of the sample areas then averaged (see Attachment B). Unless otherwise mentioned, this report focuses on the averages.

Thus, the survey showed the following:

- * only 4% of the households surveyed left no trash or recyclables out for collection during the survey period;
- * 31% of the households surveyed left trash but never left recyclables at the curb;
- * 65% of all households surveyed recycled something during the survey period
 - 55% recycled mixed paper;
 - 36% recycled paperboard;
 - 45% recycled glass, cans or aluminum; and
 - 48% recycled plastics;
- * only 24% of all households recycled all four materials during the survey period.

Conclusions

On one hand, the fact that 65% of households surveyed participate in Cumberland's curbside collection program is something the Town should be proud of. On the other hand, however, 35% of the households did not recycle (only three respondents to the questionnaire stated that they do not use Cumberland's curbside program -- two of whom recycle materials elsewhere). With only 24% of households recycling all four materials it seems to be clear that there should be more that the Town could be doing to encourage residents to recycle a greater number of materials on a more regular basis.

Regular updates mailed to all households are important to keep residents informed of program changes and to remind them of the importance of recycling. Beyond that, however, the Committee believes that residents need to be provided with more direct feedback on how to recycle properly. One way to do this would be to develop a sticker or tagging program that could be implemented by the recycling hauler. Several different types of stickers could be designed that would provide the hauler with a series of messages that could simply be checked off by the hauler depending on the need (i.e., "colored plastics are no longer recyclable -- only natural or HDPE #2 plastic is collected", "you missed an opportunity to recycle your paperboard [cereal boxes, egg cartons, shoe boxes, etc.] today", or "please do not put paper products out on inclement days -- once they become wet, they are no longer recyclable"). Recipients would also be directed to contact the Town Hall with questions or for further information.

The Committee believes that this approach would provide residents with the best opportunity to educate themselves on proper recycling without being heavy-handed. Other options such as making the program mandatory or adopting a pay-per-bag approach were considered but are not recommended at this time. Without additional resources, we believe a mandatory program would be difficult to enforce. As for the pay-per-bag option, households that participated in this project were asked if they would recycle more under a pay-per-bag program and the vast majority (over 80%) stated they would not.

In 1996 Cumberland residents recycled 400 tons of the 2,983 tons of solid waste that were generated. This saved the Town over \$34,000 in disposal fees. The Recycling Committee believes that these numbers have no place to go but up and look forward to working with the Council to implement changes to the current program.

	Middle Rd	West Cumb	Center	Crossing Brook	Foreside	\bar{x}
% (total households)						
Ø	4%	12%	2%	0%	4%	4%
TNR	35%	44%	12%	38%	27%	31%
Recycle	60%	44%	86%	62%	69%	65%
All 4 Cat	27%	12%	39%	20%	23%	24%
% (households that recycle)						
All 4 Cat	45%	26%	45%	32%	33%	37%
% (total households)						
MxP	54%	26%	82%	42%	69%	55%
PB	42%	16%	55%	38%	29%	36%
GCAL	46%	33%	59%	40%	46%	45%
Plas	46%	40%	67%	40%	48%	48%
% (households that recycle)						
MxP	90%	58%	95%	68%	100%	85%
PB	70%	37%	64%	61%	42%	56%
GCAL	76%	74%	69%	64%	67%	70%
Blas	76%	89%	79%	64%	70%	75%

ATTACHMENT A

1 May 1996

Dear Neighbor:

As you may be aware, the Cumberland Recycling Committee is working on a survey of residential recycling habits to assess the strong and weak points of our current curbside recycling program. We hope that this survey will help us to address weaknesses in the program so that we can increase the amount of material the Town recycles as well as the number of people who participate in the program.

As part of this project, volunteers are surveying residential recycling trends in various neighborhoods throughout Town. The volunteers are checking whether or not people recycle regularly, what they recycle and if the materials are processed properly.

Additionally, we are sending the enclosed questionnaire to selected residences. Please take a few moments to answer the questions on the reverse side of this flier. Then refold the flier so that the panel with the stamp on it addressed to the Cumberland Recycling Committee is facing out. Next, tape or staple and mail (or drop off at the Town Hall) your completed questionnaire no later than May 20th. We hope to gather as much feedback from people as is possible, so feel free to tell us what you really think about Cumberland's recycling program. And, of course, if you have questions about the survey or any other aspects of this project, please feel free to call the Town Hall at 829-5559. Thanks for your help and participation in this effort!

Sincerely,

the Cumberland Recycling Committee

Cumberland Recycling Committee
Town of Cumberland
P.O. Box 128
Cumberland, ME 04021

How many people live at this address?

Do you currently recycle?

If not, why not?

If so, which of the following materials do you recycle?

- ☐ mixed paper (i.e., old mail, newspapers and magazines)
- ☐ paperboard
- ☐ glass
- ☐ cans & aluminum
- ☐ plastic
- ☐ other, such as:

Do you place recyclables at the curb:

- ☐ every week
- ☐ whenever the bin is full
- ☐ other, such as:

Do you regularly recycle other materials that currently are not collected at curbside? If so, what are they?

Do you use recycling centers instead of or in addition to our curbside program?

Do you compost?

What do you do with:

- leaves? _____
- grass clippings? _____
- prunings? _____
- stumps? _____
- lumber? _____
- kitchen scraps? _____

Do you feel that the information you receive from the Town about recycling is adequate? If not, why not?

Would you recycle more if Cumberland adopted a waste disposal system similar to Falmouth's where you would be charged for every bag of trash you throw away, but recyclables would be collected for free?

Would you recycle more if there were a container placed at some central location in town where you could drop off your recyclables?

Do you have any suggestions for ways we can improve the recycling program?

Would you like to know more about Recycling Committee activities or volunteer to assist with special projects?

Please share any comments you have about recycling or other solid waste-related issues:

PRESENT LICENSE EXPIRES: 8-24-97

STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
LICENSING AND INSPECTION UNIT — LIQUOR
164 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0164
TEL. (207) 624-8745

BUREAU USE ONLY	
Reg. No.	
Deposit Date	
Deposit Amount	

APPLICATION FOR BOTTLE CLUB REGISTRATION

REGISTRATION FEE \$50.00

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S)	2. BUSINESS
<u>Chebeague Community Center</u> Name(s) in full	<u>We are not a business.</u> Business name, d/b/a, etc.
<u>Chebeague Island Hall Community Center</u> Applicant(s) home address	Location (do not use PO box number)
<u>RR Box 152</u> Applicant(s) home address	City or town State ZIP code
<u>Chebeague Island, ME 04017</u> City or town State ZIP code	Mailing address (if different from above)
<u>(207) 846-4117</u> Residence telephone number	City or town State ZIP code
	Business telephone number

3. Is applicant a corporation? Yes ☒ No ☐ If answer is "Yes," complete Supplementary Questionnaire for Corporation Applicants.

4. Is applicant a non-profit club? Yes ☒ No ☐ If "Yes," complete club questionnaire.

5. Does applicant(s) own the premises? Yes ☒ No ☐ If "No," give name and address of owner _____

6. What are the regular days and hours your establishment is operated as a Bottle Club?

Days no regular hours established Hours _____

7. List name, date of birth and place of birth for all applicants and manager, if any. Give maiden name if married.

A. <u>Sylvia (Hamilton) Ross</u> Name in full	<u>4/28/32</u> Date of birth	<u>Chebeague Island, ME</u> Place of birth
B. <u>Pat St. Cyr</u> Name in full	<u>3/14/49</u> Date of birth	<u>Long Island, Me.</u> Place of birth
C. <u>Caroline (Deveraux) Hawks</u> Name in full	<u>2/9/63</u> Date of birth	<u>New York</u> Place of birth
D. <u>Jeanette Hamilton</u> Name in full	<u>7/5/31</u> Date of birth	<u>Cliff Island, Me.</u> Place of birth

Residence address on all of above for previous 5 years (limit answer to city and state).

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: ~~James Phipps~~ ✓
LIBRARY ADVISORY BOARD: Josiah Drummond ✓
NOMINATING COMMITTEE: John Lambert (Chair), Peter Bingham, ✓
Harland Storey
RECREATION/COMMUNITY EDUCATION ADVISORY BOARD: ~~John Lambert~~ Phil Gleason ✓
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~~ Mark Kuntz ✓
LIAISON TO FALMOUTH/CUMBERLAND CHAMBER OF COMMERCE: ~~Harland Storey~~ Bingham ✓
LIAISON TO PLANNING BOARD: ~~Philip Allen~~ Bingham ✓
LIAISON TO RECYCLING COMMITTEE: ~~Philip Allen~~ Gleason ✓
~~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 ✓

Appointments

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: *Phipps*
LIBRARY ADVISORY BOARD: Josiah Drummond
NOMINATING COMMITTEE: John Lambert (Chair), Peter Bingham,
Harland Storey
RECREATION/COMMUNITY EDUCATION ADVISORY BOARD: ~~John Lambert~~ *phil gleason*
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~~ *mark kuntz*
LIAISON TO FALMOUTH/CUMBERLAND CHAMBER OF COMMERCE: ~~Harland Storey~~ *Bingham*
LIAISON TO PLANNING BOARD: ~~Philip Allen~~ *Peter Bingham*
LIAISON TO RECYCLING COMMITTEE: ~~Philip Allen~~ *mark kuntz gleason*
~~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

Date: July 24, 1997

AUTHORIZATION OF PAYMENT OF FORECLOSED REAL ESTATE TAXES

THIS ITEM IS BEFORE THE COUNCIL DUE TO THE FORECLOSURE OF THE 1993 AND 1994 TAX LIENS. THE OWNER OF RECORD HAS SUBMITTED PAYMENT OF THE TOTAL AMOUNT DUE TO THE TOWN.

Owner of Record: William R. & Gail P. Legge - 232 Foreside Rd.,
Cumberland Foreside, ME 04110

Property ID: R2A/5 1996 Assessment: \$177,810
Land - \$66,960 - (1.4 acre)
Bldg - \$110,850

Location: 232 Foreside Road

The following is a breakdown of monies owed:

1993 Taxes

\$3,378.39 tax
1,259.71 int.
28.52 lien charge
\$4,666.62

1994 Taxes

\$3,467.30 tax
946.14 int.
28.52 lien charge
\$4,441.96

1995 Taxes

\$3,573.98 tax
664.20 int.
31.52 lien charge
\$4,269.70

1996 Taxes

\$3,680.67 tax
287.27 int.
5.77 lien charge
\$3,973.71

THE FULL AMOUNT DUE - \$17,401.99 - WHICH INCLUDES THE ADMINISTRATIVE FEE OF \$50.00 HAS BEEN PAID.

187 Greely Road
Yarmouth, ME 04096
July 21, 1997

Mr. John Lambert
7 Ocean Terrace
Cumberland Foreside, ME 04110

Dear Chairman Lambert & Members of the Town Council:

I appreciated the opportunity to appear before you at the Town Council Meeting on July 14. Even though I have moved across the town line into Yarmouth, I still have a keen interest in Cumberland where I have been involved in town affairs for some 50 years.

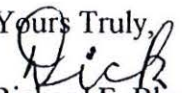
I was grateful for your courteous attention as I expressed some of my thoughts regarding the proposed revaluation of the town and for your responsive expressions of understanding.

You extended an invitation to anyone who has an idea for a solution to the problem to bring it forward. That is the reason I am writing this letter.

I believe that if the town would adopt a policy of assessing all property at full value for its current use, we would equitably distribute the cost of public services. Appraisal firms like to value property according to the highest and best use because by doing so they can achieve higher valuation and thus lower the tax rate. Current use, however, is an established fact, but highest and best use is someone's opinion and may never be accomplished. I believe that a strong case can be made that the present owner of property is the one who is most capable of deciding what is its best use.

The current use concept might also address the problem that Donna Damon presented of the elderly couple on Chebeague Island. Their only wish is to live the rest of their lives in their modest house which happens to be on the shoreline.

I realize that implementation of the current use valuation of property at this time may be difficult. I believe, however, that if the Town Council, the Assessor, the Town Manager, Members of the Planning Board and interested citizens will work together that a way can be found to equitably assess all property.

Yours Truly,

Richard F. Blanchard

cc: Robert Benson
Donna Damon

*I would appreciate it if
you would bring this to the
attention of other members of the Council.*

John F. Lambert, Jr.
7 Ocean Terrace
Cumberland, Maine 04110

July 24, 1997

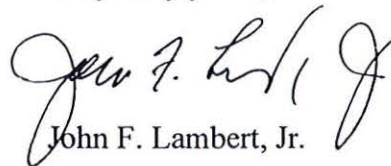
Richard F. Blanchard
187 Greely Road
Cumberland Center, ME 04021

Dear Mr. Blanchard:

Thank you very much for your letter of July 21, 1997. I have arranged for your letter to be distributed to the rest of the Town Council. We have also started the process of consulting with counsel to find out exactly what the Town's options are under state law with respect to the various considerations that may be used for appraisals. I hope to have that answer from the Town's lawyer within the next week at which point the Town Council can explore all of the options it has available to it.

As soon as we have a sense of what our options are, I will notify you. In the interim, if you have any questions, please feel free to call me.

Very truly yours,


John F. Lambert, Jr.

cc: Town Council
Robert Benson

169 Greely Road
Cumberland Center, ME 04021
July 21, 1997

Mr. John Lambert, Jr.
7 Ocean Terrace
Cumberland Foreside, ME 04110

Dear Chairman Lambert & Members of the Town Council:

Thank you for the chance to voice my concerns about the proposed revaluation of my property on Greely Road. My family is gratified to know that the council willingly listened to my concerns and the concerns of residents of Chebeague Island. From the collective response of the council I believe the town still values agriculture, open land and the fishing heritage Chebeague Island represents.

Unfortunately, a sympathetic ear alone does not make it easier for those impacted to pay their new, higher tax bills. You suggested, quite rightfully, that those with a concern about the current method of valuing property should become involved and offer possible solutions to the problem of valuing all property in Cumberland at "fair market value".

Since the root of the current valuation problem appears to be the State of Maine educational funding formula, I am sending a letter to Joe Taylor and Jeff Butland outlining my concerns and offering one possible solution. The enclosed letter is a small effort but perhaps it will generate some discussion.

Hopefully, we all can come up with an equitable and creative way for the town to raise its necessary tax revenues without endangering the remainder of the fishing and farming heritage that has helped to make Cumberland such a desirable place to live and raise a family.

Sincerely Yours,



Alan R. Blanchard

attachment

cc: Donna Damon
Robert Benson
Peter Bingham
Philip Gleason
Mark Kuntz
Harland Storey
James Phipps
Josiah Drummond

169 Greely Road
Cumberland Center, ME 04021
July 21, 1997

Honorable Joseph B. Taylor
ME Representative District 42
14 Lawn Avenue
Cumberland Center, ME 04021

Representative Taylor:

I am writing you concerning the impact Maine's current Educational Funding Laws and the recent Cumberland property revaluation is having on my family.

In 1993, my wife and I purchased the family farm on Greely Road in Cumberland from my grandfather. This is a special place to me since it has been in the family for generations. I have loved the house and the land around it since I was old enough to walk. This land helps support one of the last working farms in Cumberland. Almost every day cars stop to admire the cows, the pastoral beauty and the occasional deer grazing on the "back forty". It has always been our intent to keep this land open and in agricultural use for as long as is humanly possible. To that end we allow Spring Brook Farm use of our land at no charge in hopes that this small gesture will help keep this farm in business.

When we purchased the farm we had to budget carefully. We budgeted property taxes to increase at ten percent per year. Because the farm is partly in Cumberland and partly in Yarmouth we need to carefully watch tax developments in both towns. Since we purchased the farm, we have seen the following trend in our property tax bill:

1992 - 1993	+5.8%
1993 - 1994	+9.2%
1994 - 1995	+10.0%
1995 - 1996	+13.5% (Yarmouth revaluation)

This trend has stressed our finances but we have managed to find ways to adjust other expenses (read pinch pennies) so we can pay the tax bill. The recent tax revaluation in Cumberland will, if it stands as is, very nearly push us under. Our property valuation increased by 222% while the total town valuation increased by only 25%. If I have done my math correctly this would result in a 61% increase in our Cumberland property taxes or a 42% overall increase (Cumberland and Yarmouth) for 1997. Said another way, our property tax has more than doubled in just five years. With the ongoing dispute between Yarmouth and CMP over the Wyman Plant hanging over our heads, we expect to have to absorb another hefty tax jump once the dispute is resolved.

We find it ironic that at the same time communities in Cumberland and York counties are desperately looking for ways to regulate growth with zoning and building moratoriums, the State of Maine has an educational funding policy that forces large landowners in the Southern part of the state to develop their land or face financial ruin. It is equally distressing to hear of the plight of our neighbors on Chebeague Island who must consider abandoning their fishing way of life because it is becoming too expensive to live near their work.

This policy, if left unchanged, puts the quality of life we say we value so much in Maine at grave risk. We are at a crossroads. Development pressures are building in Southern Maine. There is only so much open space and, once it is lost, it is gone for good. If we wish to control sprawl and leave some of our land as open space, we need to find a way to give communities under development pressure the option to treat their open land and traditional fishing communities as assets to treasure rather than to sell off to the highest bidder.

We need to structure our tax policy in a way to tax heavily those who convert their land to cash and to offer viable alternatives to control the tax burden of those who wish to preserve their land as it is. The current options I know of, the Tree Growth Tax and the Farm and Open Space Tax Law, are complex. They represent significant financial risk to those who choose to use them. If a landowner finds he cannot maintain the appropriate designation even if the land is not developed he could be placed in a financial position where he has to sell out.

Keeping land open in Southern Maine makes financial sense. Very few housing developments pay for themselves. With the development and its increased tax revenue come roads to plow and children to educate. One does not need to look far to see examples. Falmouth is asking the state for funds to build a new high school. Cumberland just finished expanding the Wilson School two years ago and the schools are already in an over crowded situation again. These new schools cost Maine money at a time where schools in some areas are nowhere near their capacity. Clearly, Maine needs a system to help fund education in the less wealthy communities of Maine. However, a policy that results in increased overall costs makes no sense.

The State needs to modify its tax laws to allow towns to value land at its current use rather than at its "highest and best" use. This way open space would be valued gently. It may be useful to also include a development tax or a penalty to those who divide their land. This tax should be imposed at the time a land survey dividing the land is registered with the registry of deeds.

Towns should be given the option to zone certain areas as open space conservation zones where special tax consideration could be given. These zones would be similar to the TIF's that are currently so popular. While a TIF is supposed to generate economic activity (and hopefully revenues to follow), a space conservation zone would be set up to *reduce future costs* associated with development.

Clearly, the problem is complex and the solution offered above may have its flaws. However, if we value our open space in the southern half of Maine we need some changes fast. My family is counting on you to help us keep our land open and to help keep Cumberland a special place to live.

Sincerely,

A handwritten signature in cursive script, reading "R. Blanchard". The signature is written in dark ink and is positioned above the printed name.

Alan R. Blanchard

cc: Robert Benson
Cumberland Town Council
Senator Jeff Butland
Governor Angus King
The Portland Newspapers
The Falmouth Forcaster
Donna Damon

John F. Lambert, Jr.
7 Ocean Terrace
Cumberland, Maine 04110

July 24, 1997

Alan R. Blanchard
187 Greely Road
Cumberland Center, ME 04021

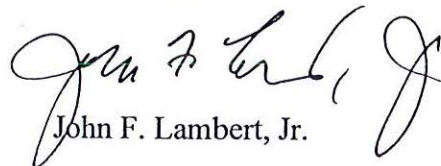
Dear Alan:

Thank you very much for your letter of July 21, 1997. Right now the Town Council is trying to become as informed as possible about what exactly its options are to see if there are some steps that can address your concerns on a short-term basis. As I indicated at the last Town Council meeting, however, I think the ultimate solution rests in Augusta. I think your decision to contact Joe Taylor and Jeff Butland is a constructive one and I expect the Town Council to head down a similar path once it has a better understanding of what its options are and perhaps more importantly, what options it does not have.

Unfortunately, things move very slowly at the Town Council level. I would, however, like to give you my personal commitment to exploring options, including efforts at the state level, to alleviate concerns such as those that you have expressed. As I learn information, I will try to share it with you. In the interim, I want to encourage you to nag both me and the Town Council if you feel that we are not moving quickly enough.

I look forward to working with you on this matter.

Very truly yours,



John F. Lambert, Jr.

cc: Town Council
Robert Benson

Maine Turnpike Authority

430 RIVERSIDE STREET
PORTLAND, MAINE 04103

A RESOLUTION TO ADDRESS SAFETY AND CONGESTION ON THE MAINE TURNPIKE

Whereas, the Maine Turnpike is the State's primary transportation artery, and its' ability to provide safe and efficient travel is essential to the social and economic well-being of the people of Maine; and

Whereas, the Maine Legislature has charged the Authority with maintaining the Turnpike in a safe, efficient and modern functional state; and

Whereas, the Turnpike Authority has a fiduciary responsibility to its' bondholders to maintain the roadway in good repair, working order and condition; and

Whereas, the Maine Turnpike is the second oldest toll highway in the nation, designed and built in 1947 in accordance with highway standards that are today a half century old; and

Whereas, annual traffic volume on the Maine Turnpike has more than tripled over the last twenty years, exceeding 44 million vehicles in 1996, and annual traffic volumes are projected to grow to over 55 million vehicles by the year 2005; and

Whereas, the southern section of the Maine Turnpike currently operates at unacceptable levels of service during peak travel hours, and it is projected that traffic demand will exceed existing roadway capacity by the year 2005; and

Whereas, traffic accident rates on the four lane section of the Maine Turnpike are 72% higher than on the six lane section, and approximately 50% of the accidents which occur on the four lane section are caused by congestion and outdated design features; and

Whereas, for six years the Maine Turnpike Authority has conducted a truly unprecedented and comprehensive exploration of transportation alternatives, involving the investment of more than \$23 million in traffic system and demand management programs, demonstration projects, surveys and studies; and

Whereas, an extensive, independent analysis of travel demand management (TDM) and traffic system management (TSM) alternatives has been conducted in compliance with the Maine Sensible Transportation Policy Act, and while that analysis found certain TDM and TSM alternatives to offer limited potential to better manage traffic, it concluded that no alternative or combination of alternatives would adequately address the future capacity deficiencies of the southern section of the Maine Turnpike; and

Whereas, the independent analysis further concluded that the goals of reducing congestion and improving safety could only be achieved through a strategy combining increased roadway capacity and various, cost-effective alternatives; and



Whereas, the Turnpike Authority engaged in a rigorous public process which included the formation of public advisory committees, an ambitious schedule of public meetings and formal public hearings; and

Whereas, a 21-member Public Advisory Committee, representing a broad crosssection of geographic and philosophical interests, was appointed to provide knowledgeable and continuous citizen input throughout the alternatives evaluation, and after nine months of study and deliberation, an overwhelming majority of the Committee supported the simultaneous implementation of alternatives and the initiation of permitting activities to increase roadway capacity from York to South Portland; and

Whereas, testimony presented at two heavily attended public hearings overwhelmingly supported increasing turnpike capacity from York to South Portland; and

Whereas adding capacity to the Turnpike has the potential to create the opportunity for as many as 11,000 additional jobs statewide and provides as much as \$456 million more in statewide industrial output by 2015; and

Whereas, preliminary engineering and permitting activities for increasing roadway capacity would require the investment of significant toll revenues; and decisions regarding these investments would benefit from an expression from the Citizens of Maine; and

Whereas, the Maine Turnpike Authority has accepted the Maine Turnpike Alternatives Study, prepared by Vanasse Hangen Brustlin, Inc.; and

Whereas, the Maine Turnpike Authority has voted to accept and adopt the report of the Executive Director and the Maine Turnpike Authority staff, the report entitled the Synopsis and Conclusions regarding the Alternatives Analysis.

Therefore be it resolved that the Maine Turnpike Authority:

Reaffirms its commitment to continue and complete the ten-year modernization program initiated in 1994 to rehabilitate bridges, reconstruct interchanges and undertake other such activities to update and upgrade the infrastructure and to address safety and design deficiencies.

Reaffirms its commitment to continue and enhance travel demand management and traffic system management programs such as Rideshare, park and ride lot development, commuter bus services, electronic toll collection, advanced highway communication systems, increased law enforcement, promotion of Boston to Portland rail service and improved public education.

And be it further resolved that the Maine Turnpike Authority:

Strongly endorses the recommendation of the independent consultant to add a travel lane in each direction between milepost 12 in York and milepost 42 in South Portland.

Urges the Governor and Legislature to enact a law providing for a public referendum in November of 1997 on the question of whether a travel lane should be added to the 30-mile section of roadway between York and South Portland.

MEMORANDUM

TO: Town Council
FROM: JFL
DATE: 7/24/97
RE: '97-'98 Goals and Councilors assigned

Based on our workshop of July 14, I have listed the following goals and councilors responsible for shepharding us to them.

1. Finalize the new town hall and Drowne Road School - the entire council
2. resolve the Chebeague Island Ferry situation - Phipps/Lambert
3. growth management review - Gleason
4. contact and develop a dialogue with large land owners - Lambert/ Benson
5. explore ways to cut costs - the entire council and Benson
6. dialogue with N. Yarmouth and SAD re shared goals - Lambert
7. finalize the Comprehensive Plan and see that it is implemented - Bingham
8. explore possibility of shared services with Yarmouth - Lambert
9. explore possibility of another elderly housing project - Phipps/Benson
10. continue planning for Twin Brooks - Gleason, Lands Committee
11. more grants for bike paths - Benson/Larson
12. RFP for legal services - Drummond
13. establish a hunting policy for Twin Brooks - Storey/Lambert
14. reorganize and simplify the Towns' Boards - Benson
15. local access for TV for public meetings- deferred to new twon hall completed
16. move municipal election date to November - Gleason/Benson
17. Cumberland home page on the WWW - Gleason
18. possible site for habitat for humanity - Bingham
19. help the Cemetary Association - Storey
20. fees for rescue services - town council/ Benson
21. motivate the development of Dalgren property - Drummond
22. Mark Kuntz's separate list of West Cumberland projects - Kuntz /Benson

SOLID WASTE TO R.W.S.

YEAR MONTH	1995	1996	1997	1992	1993	1994
January	184.90	179.89	204.61	157.40	148.01	162.95
February	144.88	154.08	152.55	128.78	119.67	133.78
March	177.17	148.88	164.92	150.12	166.45	177.88
April	291.90*	347.03*	233.12*	260.45*	305.24*	322.18*
May	219.80	200.44	175.02	185.51	170.80	190.18
June	215.15	190.25	201.01	207.76	194.82	212.22
July	208.09	232.78		181.40	160.51	173.25
August	249.42	224.45		180.63	192.70	241.07
September	196.76	193.89		195.58	191.69	206.89
October	300.20*	343.81*		256.73*	265.17*	303.33*
November	203.80	172.94		168.32	181.55	214.61
December	168.69	194.62		186.44	182.40	197.50
Total	2,560.76	2,583.06		2,259.12	2,279.01	2,535.84

NOTE: All Measurements in tons

* Bulky Waste Pick-up week included

**TOWN OF CUMBERLAND
MINUTES OF THE MEETING OF THE TOWN COUNCIL
JULY 28, 1997**

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

Absent: Philip Gleason, excused

I. The meeting was called to order by the Chairman at 7:05 pm at the Cumberland Municipal Center.

II. Approval of Minutes.
a. July 14, 1997

Councilor Bingham moved to approve the minutes of the July 14, 1997 meeting as written.

Councilor Storey seconded. Vote: Unanimous (6)

III. Manager's Report
none

IV. Public Discussion
none

V. Legislation and Policy

97-88 To hear report of Recycling Committee.

Several members of the Recycling Committee were present and Jennifer McAdoo reviewed the Committee's report and answered questions from the Council. It was agreed that the Committee will continue working on information gathering for recommendations to the Council and that the Committee meet with the Council again in October.

The Council thanked the Recycling Committee members for their report and the time and energy they have donated to this issue.

97-89 To hold Public Hearing to consider and act on Mass Gathering Permit Application to hold annual Downeast Street Rods Assoc. meeting on August 14 through 17, 1997 at the Cumberland Fairgrounds.

The Chairman opened the public portion of the hearing.

There was no public comment.

The public hearing was closed.

Councilor Storey moved to grant a Mass Gathering Permit to the Downeast Street Rods Assoc. to hold their annual meeting at the Cumberland Fairgrounds on August 14 through 17, 1997.

Councilor Kuntz seconded. Vote: Unanimous (6)

- 97-90 To hold Public Hearing to consider and act on Mass Gathering Permit Application by the Cumberland Farmers' Club to hold the Cumberland Fair on September 21 through 27, 1997, at the Cumberland Fairgrounds.

The Chairman opened the public portion of the hearing.

There was no public comment.

The public hearing was closed.

Councilor Storey moved to grant a Mass Gathering Permit to the Cumberland Farmers' Club to hold the Cumberland Fair on September 21 through 27, 1997, at the Cumberland Fairgrounds.

Councilor Kuntz seconded. Vote: Unanimous (6)

- 97-91 To consider and act on application of Chebeague Island Hall Community Center for a Bottle Club Liquor License.

The Manager stated this a renewal license and he is not aware of any problems associated with the Hall.

Councilor Bingham moved to grant a Bottle Club Liquor License to the Chebeague Island Hall Community Center.

Councilor Storey seconded. Vote: 5 in favor
1 abstention (Kuntz)

- 97-92 Council Appointments.

The following Council appointments were agreed upon for 1997/1998:

ARCHANGEL COMMITTEE - Robert Humphreys

C.I. LIBRARY BOARD OF TRUSTEES - Jim Phipps

COUNTY BUDGET COMMITTEE - Josiah Drummond

CUMB/YARM JOINT STANDING COMMITTEE - John Lambert,
James Phipps (Steve Moriarty-advisory)

G.P.C.O.G. - James Phipps

PRINCE MEM. LIBRARY ADVISORY BD - Josiah Drummond

NOMINATING COMMITTEE - John Lambert(CH), Peter
Bingham, Harland Storey

REC/COMM. EDUC. ADVISORY BD - Phil Gleason

REGIONAL WASTE SYSTEMS BD - Susan McGinty,

Alternate R. Benson
VAL HALLA BD OF TRUSTEES - Phil Gleason
LIAISON TO BOARD OF APPEALS - John Lambert
LIAISON TO CONSERVATION COMM. - Mark Kuntz
LIAISON TO FAL/CUMB CHAMBER OF COMMERCE - P. Bingham
LIAISON TO PLANNING BD - Peter Bingham
LIAISON TO RECYCLING COMM - Phil Gleason
LIAISON TO CHAT (SAD 51) - Josiah Drummond
LIAISON TO LANDING COMMITTEE - James Phipps
LIAISON TO ISLANDS COMMITTEE - James Phipps

- 97-93 To authorize Town Manager to accept payment of
foreclosed taxes and issue a quitclaim deed.

Councilor Storey moved to authorize the Town Manager
to accept payment of foreclosed real estate taxes
and to issue a quitclaim deed.

Councilor Phipps seconded. Vote: 5 in favor
1 abstention (Drummond)

VI. Correspondence

Richard Blanchard - re: Revaluation concerns
Alan Blanchard - re: Revaluation concerns
Council Chairman Lambert's response to Richard & Alan
Blanchard letters.
Maine Turnpike Authority - re: widening of turnpike
Town Council goals '97/'98
Denise Macaronas - re: informational meeting-browntail moth
Solid Waste report June '97

VII. New Business

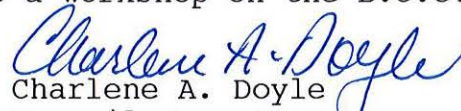
Councilor Phipps stated that Chebeague Island residents are
very concerned with the browntail moth problem and would
like the Council to reconsider concerted action.

Robert Harmon, Orchard Road, stated concern with "mistakes"
made during the appraisal process including type of siding,
type of heating system, wetlands, etc.
The Council agreed to request a report from the Assessor at
the next Council meeting regarding the revaluation appeals
process.

Councilor Kuntz stated he would like to see the Town
provide "local" tax assistance to disabled veterans.

VIII. Adjourn

The meeting was adjourned to a workshop on the B.O.C.A.
Code at 8:25 pm.


Charlene A. Doyle
Council Secretary

Absent - Gleson

7/28/97
Town Council ①

Opened 7:05 pm

Minutes

B to approve
2nd Storey Unan (6)

Mary Rph
Done

Pub Disc - none

RB - see JT
re: Twin Brook
Sept. 6th

Leg + Policy

97-88 - Recyc Comm.

J. Babcock, J. McAdoo, Hope Foster, Janet Hotham - Recyc Comm.

J. McAdoo - reviewed report

- Stickers / Info in School newsletters / Education
~~Agenda~~ - Agenda again Oct - Plan from here

97-89 Mass Gath. - Street Roads

Pub Portion opened

No Pub Comment

Closed

Storey to grant

2nd Kintz Unan (6)

97-90 Cuss Fair - Mass Gath.

Pub Portions

No Pub Comment

Closed

Str moved to grant
2nd Kintz Unan (6)

TC (2)
7/28/97

97-91 C&H Hall

RB recumm. approval

B move to grant B&C's lic.

2nd Storey ~~board~~ 5 yes 1 abst - Kuntz

97-92 Council Appts.

see list

Storey move slate

2nd B Union (6)

97-93 Foreclosed Taxes

Storey. - - - -

2nd Phipps ~~board~~ 5 yes 1 abst - Drums

Corresp.

R. Blanchard re: revaluation concerns

A. Blanchard re: "

Main Turnpike Auth - re: widening

Council Goals list

Denise Macaronas re: informational meeting - broontail moth

Solid Waste report June 97

* RB Agenda item after Labor Day

* Agenda Item

New Bus.

* Paula - Vision App. report @ next meeting on appeals process

Harmon appeals process - "mistakes" made in

appraisal - siding, heating system, etc. wetlands

* Appeals process Summary of issues

* reasons for changes

Made in reconsideration

Kuntz - additional ^{disabled} local Vet's assistance w/ Prop Taxes

* Paula - when will final figures be ready? RB
* Cost of appraisal? - 150,000 RB

Adjourn to workshop on BOCA Code 8:25 pm

Browntail Moth Informational Meeting

Falmouth and the surrounding communities experienced a very itchy and annoying summer due to the browntail moths. Dick Bradbury from the Maine Forest Service will tell us what to look for in the coming year and how to reduce our chances of coming in contact with these pests. This program is free to those who pre-register before September 19 (phone registrations accepted): 781-5253. Registrations after September 19 will be \$1.00 and subject to seating availability.

Speaker: Dick Bradbury

Monday September 22

7:00 - 9:00 pm Falmouth High School

FREE with pre-registration before September 19, \$1.00 after that date.

To: "I-95" group

From: Denise Macaronas

If you think this would be of interest to your residents, please feel free to put on


Community Bulletin Board page or

wherever - I know Falmouth &

Cumbehead Foreside, Cousins Island

& coastal areas of Freeport were hit

hard in '97. Registrations only through FCP
EDH...

Post-it* Fax Note 7671		Date 	# of pages 1
To Joan Wogaman	From Shelley Doyle		
Co./Dept. legal Ad -PPH	Co. Town / Cumberland		
Phone #	Phone # 829 5559		
Fax # 791-6910	Fax # 829-2214		

**TOWN OF CUMBERLAND
TOWN COUNCIL
PUBLIC HEARING**

The Town Council of Cumberland will hold the following Public Hearings on July 28, 1997, at 7:00 p.m. at the Cumberland Municipal Center:

1) to consider and act on the application of Downeast Street Rods Association for a Mass Gathering Permit to hold their annual meeting on August 14 through 17, 1997 at the Cumberland Fairgrounds;

2) to consider and act on the application of the Cumberland Farmers' Club to hold the Cumberland Fair on September 21 through 27, 1997 at the Cumberland Fairgrounds.

John Lambert
Chairman

7/15/97

Joan

Please run one
day - July 18th

PO # 4157 T

Thanks
Shelley Doyle