

Manager

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY - AUGUST 25, 1997**

- I. Call to order at the Cumberland Municipal Center at 7:00 pm.
- II. Workshop on policy regarding tax acquired property.
- III. Approval of Minutes
~~a July 28, 1997~~
- IV. Manager's Report
- V. Public Discussion
- VI. Legislation and Policy
 - 97-102 To hold Public Hearing to consider and act on acceptance of \$10,000 planning grant (growth assessment) and matching funds of \$3,000.
 - 97-103 To authorize Town Manager to execute grant documents.
 - 97-104 To award Drowne Road sewer bid.
- VII. Correspondence
- VIII. New Business
- 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

NOTICE:

A Special Town Council meeting will be held at the Chebeague Island Hall Community Center on August 26, 1997, at 7:00 pm to discuss the revaluation process and transportation issues.

COUNCIL MEMORANDUM

AUGUST 25, 1997 MEETING

Item 97-102 - Please refer to the grant information in your packet.

Item 97-103 - This is self-explanatory.

Item 97-104 - I have furnished you with the recommendations from Squaw Bay to award this to the low bidder. I have also checked on the reputation of the bonding company and found it to be very satisfactory.

On a different subject, I would ask the Nominating Committee to take action to appoint the Personnel Appeals Board as called for by the Town Charter. I will be glad to discuss this with the members of the Nominating Committee and the Chairman of the Council at the end of the meeting in an informal setting.

Councilors should plan to be at the Town Office by 5:45 pm on Tuesday, or at the Tuttle Road Church by 6:00 pm, to make the trip to Chebeague. We will be returning from the Island on the 8:45 pm boat.

**PLEASE DON'T HESITATE TO CALL IF YOU HAVE ANY QUESTIONS
REGARDING THIS MATERIAL.**

**TOWN OF CUMBERLAND
MINUTES OF THE MEETING OF THE TOWN COUNCIL
AUGUST 11, 1997**

Present: John Lambert, Mark Kuntz, Harland Storey, Peter Bingham,
Philip Gleason

Absent: Josiah Drummond, James Phipps - both excused

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

II. Approval of Minutes
a. July 28, 1997

Councilor Bingham moved to approve the minutes of the July
28, 1997 meeting as written.

Councilor Storey seconded. Vote: Unanimous (5)

III. Manager's Report

The Manager encouraged the Council to take a look at the
Blackstrap overpass with the completed byways. He also
informed the Council that the work at Twin Brook is going
very well.

IV. Public Discussion
none

V. Legislation and Policy

97-94 To hear report of Assessor and Vision Appraisal
regarding revaluation process.

Assessor, Paula Jansmann reported that approximately
10% of properties were reviewed with adjustments
made to approximately 73%. Ms. Jansmann stated that
the results of the review hearings will be sent to
the property owners by August 19th.

The Council directed Ms. Jansmann to run an
advertisement in the local papers encouraging
residents to review the information they received
from the revaluation process to assure its accuracy.

It was agreed to take the next item out of order.

- 97-99 To set date for Special Council meeting to be held on Chebeague Island.

Councilor Gleason moved to hold a Special Meeting on Chebeague Island on August 26, 1997 to discuss the revaluation.

Councilor Bingham seconded. Vote: Unanimous (5)

- 97-95 To award bids for new Town Office construction.

The Manager reviewed the bid information presented to the Council and explained that the Building Committee voted unanimously to approve the recommendations.

Councilor Bingham moved to award the Phase II bid for construction of the new Town Office in the amount of \$1,358,319.60 as presented.

Councilor Gleason seconded. Vote: Unanimous (5)

- 97-96 To authorize Town Manager to award bid for sewer construction on Drowne Road.

Councilor Gleason moved to authorize the Town Manager to award the contract for sewer construction on Drowne Road to the lowest bidder, providing it is a contractor the Manager is satisfied with.

Councilor Bingham seconded. Vote: Unanimous (5)

- 97-97 To set date for Public Hearing to consider and act on status of paper streets.

Donna Larson, Town Planner, explained that the Town needs to take action regarding its paper streets prior to September 29, 1997 or the public's right to the streets will be terminated. The Town's options are to accept, revoke, or extend its time to act on them for 20 years.

Councilor Gleason moved to hold a public hearing on September 22, 1997, to consider and act on status of paper streets in Cumberland.

Councilor Bingham seconded. Vote: Unanimous (5)

- 97-98 To set date for Public Hearing to consider and act on acceptance of \$10,000 planning grant - growth assessment.

Town Planner Donna Larson explained that this money would be used to study how to pay for growth while at the same time preserving opportunities for low and moderate income households.

Councilor Gleason moved to hold a public hearing on August 25, 1997 to consider and act on acceptance of a \$10,000 planning grant.

Councilor Bingham seconded. Vote: Unanimous (5)

- 97-100 To set date for Public Hearing to consider and act on adoption of B.O.C.A. Code.

Councilor Storey moved to hold a Public Hearing on September 8, 1997 to consider and act on adoption of B.O.C.A. Code.

Councilor Kuntz seconded. Vote: Unanimous (5)

- 97-101 To consider and act on application for Victualer's License.

Councilor Bingham moved to approve a Victualer's License for the Cumberland Cafe, subject to passing all required inspections.

Councilor Kuntz seconded. Vote: Unanimous (5)

VI. Correspondence

County Commissioners - re: Budget Advisory Committee
MDOT - re: Route 100 speed limit
Lands Committee Memo - re: Twin Brook celebration schedule
Forest Board minutes for 8/7/97
Building Inspector Report - July 1997
So.Me. Agency on Aging - re: Tax & Rent Program
Farmer's Market Notice

VII. New Business

Councilor Kuntz asked that MDOT be requested to place a traffic light at the Route 100 and Blackstrap Road intersection.

Councilor Gleason asked Councilors to encourage people to attend the celebration of Twin Brook. He also informed them that he has been appointed to a subcommittee of the MMA Legislative Policy Committee, which is to study growth and tax issues.

Councilor Bingham stated that a new business manager has been hired by SAD 51 - Shawn Poulin. He also stated he would be meeting with the Planning Board Chairman to discuss the Comprehensive Plan.

Councilor Lambert stated he and Councilor Phipps met with representatives from the Department of Transportation regarding the Chebeague Island transportation issue. He also spoke with Rep. Taylor regarding this issue and Rep. Taylor will monitor progress. He also stated that he spoke with Rep. Taylor regarding the possibility of legislation that would allow communities flexibility in assessing agricultural land.

VIII. Adjourn

The meeting was adjourned at 8:10 pm.


Charlene A. Doyle
Council Secretary

Community Planning Application: Town of Cumberland

Overview

The Town of Cumberland is grappling with the cost of growth. Extensive residential development has placed a significant burden on both physical infrastructure and municipal/school services. While every town experiencing such growth must come to terms with the various fiscal solutions for these new demands, the Town of Cumberland seeks to develop solutions that minimize the impact on low and moderate income households. The Town is seeking funds to study how they can pay for growth, while preserving opportunities for low and moderate income households.

Problem

Cumberland is facing the age old issues of growth management. While many communities in Southern Maine faced these issues during the boom period of the late 1980's, Cumberland lagged behind. During the last decade, Cumberland grew at just over half the rate of its fellow suburban communities, and about a quarter of the rate of the rural communities in the County. However, during the 1990's, Cumberland is experiencing significant residential growth. During the 1990's communities in Cumberland County have experienced residential permitting at about 60% of the rate of the 1980's. Cumberland is permitting at a rate of 133% -- the highest permitting rate of any community in Cumberland County (1990 to 1995 compared to 1980 to 1989).

While many communities in this region were using the 1990's as a breathing period to recover from the rapid growth of the 1980's, Cumberland is experiencing:

- growth in areas not currently served by public water and sewer
- expanded fire protection needs, possibly requiring the conversion from a voluntary fire department to a full time force
- well contamination from septic systems
- the use of portable classrooms
- increased municipal staffing, and
- the need for a new town office.

The problem for the Town of Cumberland is how to pay for the needed improvements without driving out the small minority of low and moderate income residents. No matter what mechanism is chosen for paying for this growth spurt, low and moderate income households will be dramatically affected.

While all communities are concerned about such impacts, the Town of Cumberland has more at stake than most. The Town is the wealthiest community in State according to the 1990 census. They have the lowest percentage of low and moderate income residents in Cumberland County. **The Community must ensure that this latest boom and its municipal costs do not force out this small minority of residents.**

Identification of Problem

The rapid growth in school population and the increased activity in subdivisions were key factors in the Town's awareness of growing pains. To get a better sense of residential patterns, the town undertook a major evaluation of the types of residential units, their locations, costs and whether or not they took place in subdivisions. Contrary to popular belief, a significant portion of the residential activity was taking place outside the subdivision process; and, therefore, was not subject to some of the traditional growth management tools.

This knowledge made the search for financial solutions more complex. Simple impact fees associated with subdivisions might not be the appropriate tools given that over 40% of the growth is taking place outside the subdivision process. Traditional property tax increases could drive up the cost of housing making Cumberland even more inhospitable to low and moderate income households.

Community Impacts

The cost of this growth spurt on the Town of Cumberland impacts the community in very specific ways:

- property values have already been driven up in the rural areas causing large lot owners, in particular, local farmers, to sell off their land
- increased property values have driven up the cost of housing in general
- increased property taxes to pay for the service and infrastructure improvements will only serve to further exacerbate the loss of large lot owners and the already high cost of housing.

The most significant result of these rising costs will be **the loss of socio-economic diversity** within the town. There will be few options for the existing low and moderate income households, and there will certainly be no options for new low and moderate income households.

Past Efforts

The Town of Cumberland is a leader in the County in its attempts to address affordable housing issues. The Town:

- adopted cluster requirements for subdivisions in rural areas
- decreased road frontage requirements for subdivisions
- agreed to hold a silent second mortgage for qualified buyers in a 49 lot affordable housing subdivision, and is
- currently participating in the development of an assisted living facility on Chebeague Island.

All of these actions were taken to address the housing affordability crisis in Cumberland. These actions show a true commitment on the part of the community to retain socio-economic diversity.

These latest growing pains are threatening the economic diversity again. The Town must find away to pay for needed services without driving out the low and moderate income households.

Impacts on Low and Moderate Income Persons

This current period of growth is forcing the town to a new level of municipal development which may require significant expenditures. How these costs are allocated have a much more direct impact on low and moderate income households in Cumberland. Since they are clearly in the minority, the Town must take great care in assessing the impacts on this population of the various revenue sources. It cannot simply look at the "average" citizen in Cumberland.

Within the Town there are just over 1,000 people classified as low or moderate income individuals. These individuals are concentrated in two significant groups -- the elderly population and the year-round population of Chebeague Island. Sixty seven percent (67%) of the island population is low to moderate income according to the 1990 census. The majority of these residents are homeowners that will be dramatically affected by the choices that the Town makes to pay for growth.

Strategy

To address the problem of maintaining economic diversity while paying for growth, the town plans to commission an analysis of the impacts of various revenue sources on people with low and moderate incomes. This study will evaluate any and all strategies for the Town including tax increases, impact fees, capital recovery fees, user fees, etc. The main emphasis of this study will be on the equity of such approaches and the specific impacts on Cumberland's low/mod population.

In addition to the analysis of the various revenue options for the town, the study will identify any potential CDBG housing or infrastructure projects that could directly assist low and moderate income households and assure economic diversity within the community. Such projects might include well improvements to address contamination, septic system replacements, energy related improvements and many others. Infrastructures improvements that benefit low and moderate income households will also be evaluated. In particular, the island community will be assessed, given its high percentage of low and moderate income households. The study will identify the projects and provide general cost assessments needed to apply for additional CDBG funds.

A project committee will be developed to oversee the community planning grant. This committee will work with a planning consultant and Town staff to develop a working plan for paying for growth while retaining economic diversity in its residents.

The Town Council will take a leadership role in setting the guidelines for the committee and in continuing to sponsor community workshops. They have already scheduled a general workshop on growth management for April 14th.

The \$10,000 in Community Planning funds will be matched by an additional \$3,000 in cash and \$2,000 of in-kind contribution for this project. The project will entail:

- Hiring a consultant to perform the initial revenue analysis and impacts on low and moderate income households/individuals in Cumberland

- Having the consultant work directly with the project committee and the Town Council to develop a ranking of potential revenue sources, and
- Developing a plan for specific housing/infrastructure improvements needed to support low/moderate income households

The consultant will be an expert in analyzing both the various sources of funds for municipal improvements (impact fees, user fees, capital recovery fees etc.) and the impacts of such strategies on different socio-economic groups. The consultant will be using specific scenarios of infrastructure and service improvements provided by the Town.

This study will help the Council select both the level of improvements needed by the town and the most equitable way of paying for these improvements. This will benefit low and moderate income households by ensuring that their voice is heard as the Town grapples with the costs of growth. Without such an analysis, the Council may not have the information needed to understand the specific impacts on its poorest citizens.

Low and moderate income households will also benefit by the Town identifying specific housing and infrastructure improvements that could be funded through the CDBG program. To-date, the Town has not made use of CDBG funds to provide direct assistance to low and moderate income households.

The proposed budget is as follows:

Mailings, report productions and distribution:	\$ 200
Consultant services:	\$11,500
Additional Technical Assistance (Council of Governments):	\$ 500
Community Workshops (Town Staffing)	\$ 500
Mapping Impacts (Town GIS Production)	\$ 1,700
<u>Committee Meetings</u>	<u>\$ 600</u>
Total Costs	\$15,000

The \$10,000 Community Planning funds will be used as part of the Consultant services. The Town's GIS program will be available to the consultant as part of his/her analysis.

As an additional benefit, the Town will be asking the consultant to provide a tutorial on the analysis so that it can be duplicated by other communities in similar situations. The consultant will be asked to present the findings in a regional meeting to assist other communities.

Project Leverage

The Town of Cumberland will be making both a cash match and an in-kind donation of staff time to the project. The Greater Portland Council of Governments has also committed \$500 in staff time to assist with technical analysis. As illustrated below, the Town of Cumberland has secured a 50% match to the \$10,000 Community Planning Grant.

Sources of Funds Include:

In kind (staff time):	\$ 1,500 (10%)
Greater Portland Council of Governments:	\$ 500 (3%)
Cash Match from Town:	\$ 3,000 (20%)
CDBG Grant:	\$10,000 (67%)
Total	\$15,000 (100%)

Citizen Participation

Equity is a major issue for Cumberland citizens in assessing the costs of growth. In December, a joint workshop between the Cumberland Town Council, the School Board of SAD 51 and the Board of Selectpeople from North Yarmouth focused on growth management. During this meeting, the Town Planner presented the results of the residential analysis and some potential school forecasts. This discussion lead to the realization that the town must examine how it will pay for needed improvements for the school as well as for other municipal expansions.

In addition to the joint workshop, the Town of Cumberland has received both calls and letters from citizens concerned with the cost of growth and the loss of rural character.

As a result of the citizen concerns about the potential costs of growth, the Town Council has deemed this a top priority issue. The Council has taken two major steps in addressing these issues. First they have put the adoption of the revised comprehensive plan on hold while they take an in-depth look at the cost of growth. Second, they have sponsored a Growth Management Workshop on April 14th to begin the process of a detailed look at equitably managing the costs of growth. This application is an outgrowth of the Council's focus on alternatives and implications of paying for needed municipal and school improvements.

In association with this grant, the Town Council will be taking a leadership role in the issues of growth management. There will also be a separate committee that will oversee the narrower focus of this grant -- the impact on low and moderate income households. This separate committee will include representation from the council, planning board and low/mod households. In particular, the island community and the elderly will be represented on the committee.

E. Requirement of 24 CFR, Part 85

Code of Standards of Conduct

Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments makes it mandatory that recipients of CDBG funds maintain a written Code of Standards of Conduct governing the performance of their employees engaged in the award and administration of contracts. You will need to submit a Code of Standards of Conduct that has been officially adopted by your local governing body. If your municipality has already adopted such a code, please submit it for review. A sample Code of Standards of Conduct is contained in Appendix E.

F. Requirement of 24 CFR, Part 570 (CDBG State Rules)

Affirmatively Furthering Fair Housing

The Fair Housing Act prohibits discrimination in the sale or rental of housing on the basis of race, color, religion, sex, national origin, familial status and handicap. This Act requires HUD and OCD to administer the CDBG programs in a manner which will affirmatively further fair housing. Each municipality receiving CDBG funds must certify that it will affirmatively further fair housing. One certification will suffice for all 1997 CDBG Projects. Two tasks necessary to comply with requirements are:

Adoption of Fair Housing Resolution (adopt a sample resolution)

Your community will need to formally adopt a Fair Housing Resolution. This resolution must state that the programs to be implemented provide for equal opportunity in housing. This adopted resolution must be contained in the Phase II submissions. A sample resolution for your use is contained in Appendix E.

Fair Housing Self-Assessment (complete questionnaire)

Your community must complete the Fair Housing Self-Assessment contained in Appendix E. This self-assessment must be signed by the appropriate municipal official and submitted with the Phase II materials.

SECTION 10 ANTI-DISPLACEMENT PLAN

A. Introduction

Displacement is caused when any family, individual, business, non-profit organization or farm moves from real property or moves personal property from real property as a result of the grantee acquiring property in whole, or in part, to implement a CDBG program. The grant recipient should understand its legal obligations to displaced persons as stated in the Anti-Displacement Plan.

B. Legal Obligations

The Department of Housing and Urban Development requires ALL recipients of CDBG funds, REGARDLESS OF THEIR ACTIVITIES, to certify that they will not displace people without just cause. THIS INCLUDES COMMUNITIES THAT DO NOT ANTICIPATE DISPLACING PERSONS. ALL CDBG grant recipients must adopt an Anti-Displacement Plan and include it as part of their Phase II materials.

The intention of the Anti-Displacement Plan is to minimize affects on displaced persons. When displacement is unavoidable, all displacees will receive fair and just compensation under the Federal Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) as amended.

C. The Plan

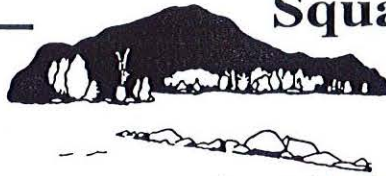
The Anti-Displacement Plan has six parts:

- Purpose
- Compliance Measures
- Assistance to Persons Displaced
- Definitions
- Agency Responsibilities
- Certifications

The Anti-Displacement Plan form to be adopted is in Appendix F. The municipality must be sure to include appropriate information, have it reviewed by the local CDBG Advisory Committee, and adopted by the local governing body.

One Anti-Displacement Plan will be sufficient to fulfill this requirement for all CDBG Programs.

Council
8-25-97



Squaw Bay Corp

Consulting Engineers &
Land Surveyors

Principals:

W. Scott Decker, P.E.
John R. Kennedy, P.E.
Peter B. Tubbs, P.E., P.L.S.
David W. Young, P.E., P.L.S.

August 21, 1997

Mr. Robert Benson
Town of Cumberland
P.O. Box 218
Cumberland, ME 04021

RE: Drowne Road Sewer Project
Award Of Construction Contract

Dear Mr. Benson:

On August 20, 1997 eight bids were received for construction of the Drowne Road sewer project ranging from \$56,275 to \$97,555. The second and third low bids were \$56,916 and \$63,485 respectively which indicates the low bid is within a reasonable range for the scope of work. A tabulation of all bids received is enclosed.

The low bidder, St. Laurent & Son's Excavation of Lewiston, has furnished several references from past and present projects who were contacted by phone. These include the City Engineers from Lewiston and Auburn and the Superintendent of the Auburn Sewer & Water District where St. Laurent has traditionally done most of their work. We also contacted the Town Manager of Oakland where St. Laurent is currently installing a sewer project designed by Woodward & Curran Engineers who we contacted as well. The Oakland project appears to be St. Laurent's first project outside of the Lewiston area.

All of the references contacted have been quite positive regarding the performance of St. Laurent & Son's Excavation. Generally the references have indicated that St. Laurent performs good quality work, within schedule, and communicates well with all parties concerned. All references also indicated that St. Laurent is cooperative when changes in the scope of work are necessary and in responding to the requests of the owner and engineer.

Based on the response of all references contacted we recommend that the Drowne Road Sewer Project be awarded to St. Laurent & Son's Excavation.

Sincerely;

SQUAW BAY CORP

David W. Young, P.E.

DWY/
encl.

Squaw Bay Corp
Consulting Engineers



TOWN OF CUMBERLAND
DROWNE ROAD SEWER PROJECT
BID TABULATION
8/21/97

em No.	Item Description	Quant.	Unit	St. Laurent & Sons		A.H. Grover Inc.		Dugas Trucking & Excavating		Shaw Brothers Construction, Inc.		L.P. Murray & Sons, Inc.		R.J. Grondin & Sons, Inc.		Gorham Sand & Gravel		Fournier Construction, Inc.	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	8" PVC SANITARY SEWER	900	LF	\$32.00	\$28,800.00	\$35.00	\$31,500.00	\$43.00	\$38,700.00	\$42.00	\$37,800.00	\$50.00	\$45,000.00	\$54.00	\$48,600.00	\$50.00	\$45,000.00	\$66.00	\$59,400.00
2	4' DIAMETER MANHOLES	3	EA	\$2,050.00	\$6,150.00	\$2,150.00	\$6,450.00	\$1,850.00	\$5,550.00	\$3,000.00	\$9,000.00	\$2,000.00	\$6,000.00	\$1,900.00	\$5,700.00	\$1,900.00	\$5,700.00	\$2,800.00	\$8,400.00
3	SELECT OR GRANULAR BACKFILL	100	CY	\$8.00	\$800.00	\$0.01	\$1.00	\$10.00	\$1,000.00	\$8.50	\$850.00	\$10.00	\$1,000.00	\$17.00	\$1,700.00	\$11.00	\$1,100.00	\$22.00	\$2,200.00
4	8"X6" SERVICE WYES OR TEES	3	EA	\$175.00	\$525.00	\$45.00	\$135.00	\$150.00	\$450.00	\$100.00	\$300.00	\$150.00	\$450.00	\$35.00	\$105.00	\$30.00	\$90.00	\$60.00	\$180.00
5	6" PVC SERVICE LEADS	95	LF	\$32.00	\$3,040.00	\$32.00	\$3,040.00	\$33.00	\$3,135.00	\$30.00	\$2,850.00	\$20.00	\$1,900.00	\$37.00	\$3,515.00	\$46.00	\$4,370.00	\$45.00	\$4,275.00
6	PERM. BIT. CONCRETE REPAIRS	1,000	LF	\$12.50	\$12,500.00	\$11.25	\$11,250.00	\$9.00	\$9,000.00	\$9.35	\$9,350.00	\$15.00	\$15,000.00	\$14.50	\$14,500.00	\$19.00	\$19,000.00	\$15.00	\$15,000.00
7	TEST PIT EXCAVATION	10	CY	\$10.00	\$100.00	\$1.00	\$10.00	\$25.00	\$250.00	\$10.00	\$100.00	\$30.00	\$300.00	\$30.00	\$300.00	\$25.00	\$250.00	\$40.00	\$400.00
8	CONSTRUCT 4' WIDE BYWAY	260	LF	\$11.00	\$2,860.00	\$10.50	\$2,730.00	\$15.00	\$3,900.00	\$13.00	\$3,380.00	\$22.00	\$5,720.00	\$14.50	\$3,770.00	\$12.00	\$3,120.00	\$16.00	\$4,160.00
9	LOWER EXIST. 18" CMP CULVERT	60	LF	\$25.00	\$1,500.00	\$30.00	\$1,800.00	\$25.00	\$1,500.00	\$30.00	\$1,800.00	\$20.00	\$1,200.00	\$45.00	\$2,700.00	\$47.00	\$2,820.00	\$59.00	\$3,540.00
TOTAL					\$56,275		\$56,916		\$63,485		\$65,430		\$76,570		\$80,890		\$81,450		\$97,555

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

The Board of Cumberland County Commissioners
and the Budget Advisory Committee
will be holding a series of budget meetings
as follows:

Thursday, September 4	6:30 PM
Thursday, September 11	6:30 PM
Thursday, September 18	6:30 PM
Thursday, September 25	6:30 PM
Tuesday, September 30	6:00 PM
Wednesday, October 8	6:00 PM
Thursday, October 9	6:00 PM

All meetings will be held at the Cumberland County Courthouse, 142 Federal Street, Portland. (Use the rear Newbury Street entrance, across from the parking garage.)

For further information, call 871-8380.



LIZ SCHULTZ/Journal Tribune Staff

travel writers and their families off the shore

ourists

Incinerator owner buys Zaitlin & Sons

KTI plans campaign to lock up household recycling business

By **LEE BURNETT**
Journal Tribune Staff Writer

BIDDEFORD — Step aside for the recycling professionals was the message Friday at a press conference announcing a major consolidation of the waste industry in Maine.

KTI, which owns trash incinerators in Biddeford and Orlington, disclosed the purchase of I. Zaitlin & Sons, the Biddeford-based commercial broker of recyclable materials.

That acquisition, combined with KTI's earlier purchase from bankruptcy court of Prins Recycling of Newark, N.J. gives the company the expertise and outlets to go after household recyclables, which are primarily processed and marketed by municipal governments.

"We're making our service available to the state of Maine," Marty Sergi, president of KTI, said at a joint press conference at KTI offices at Saco Island.

Maine's 175,000 tons per year of recyclables are potentially worth hundreds of millions of dollars. Only a fraction of that is currently being collected at municipally-run centers, despite state start-up subsidies and prodding, Sergi said.

"We think we can increase the recycling rate and offer towns substantial savings," said Sergi.

Nowhere is that message likely to stir more controversy than the 29 York and Cumberland County communities that send their trash and recyclables to Regional Waste Systems in Portland. The municipi-

pally-owned RWS is under pressure to cut costs because its member towns pay twice as much for trash disposal as KTI towns. But RWS might resent any KTI overture to handle its recyclables, say those familiar with the situation.

"It's going to be a process," said Samuel Zaitlin, who has been named senior vice president at KTI. Zaitlin said RWS's 3,000 tons of recyclables, while a small part of RWS's overall trash business, is still a "meaningful" volume.

Portland City Manager Robert Ganley, who serves on the 28-member RWS board, was non-committal about any potential KTI overture.

"I'd have to see how everything works. I'd have a lot of questions," Ganley said. "Whether there's bad blood or not, I'm not going to comment on it. Let's just say there's a history there."

Sergi and Zaitlin were vague about savings that towns might achieve, except to say they would be "drastic." They said towns currently pay \$60-70 per ton for the collection and processing of recyclables. By comparison, Boston-area towns pay Prins \$15 per ton to handle their recyclables. In a later conversation, Zaitlin mentioned a price of \$25 per ton, which would include transportation.

Zaitlin and Sergi said they can charge less to process recyclables because Prins' massive, state-of-the-art facility can process huge vol-

■ **ZAITLIN**

Continued on Page A8

undergraduate housing."

Featherman said moving the administrative offices will allow the transformation of Fredrick Hall, now a multi-use building, to student housing. Twenty beds will be added to the university campus in the fall.

The move will also provide more productive space to faculty and staff members who have been cramped at the university campus and will also allow the growth of academic programs, Featherman said.

New programs will be added to the Westbrook campus to increase enrollment. New degree programs include health care management, hospitality/tourism management, rehabilitation therapy, veterinary technology and certification programs in

ternet access.

New computers will be installed in the new computer lab and replace outdated machines now used by the faculty and staff. New equipment will allow students at either school to observe classes occurring outside their campus.

Renovation projects to Proctor Hall and student housing will continue through the summer months at the Westbrook campus. Renovations to the dining hall and a large student lounge have already been completed.

Todd Richardson, a Saco landscape architect, was hired by the University to enhance the Westbrook College campus. Brick and concrete columns, maple trees and lighting will give the campus a new look.

■ ZAITLIN

From Page A1

umes. In addition, existing trucks can do double duty by hauling trash north and recyclables south over the same routes.

"There will be synergies," said Sergi. The savings might finance the development of curbside programs in towns that rely on volunteers to bring materials to centralized sites.

The acquisition cost KTI the equivalent of \$4.8 million. That included \$500,000 cash, the assumption of \$2.3 million in debt, and 200,000 shares of KTI stock, which have been trading for \$9.25. Prins, which has plants in Boston, Newark and Chicago, was acquired for \$13.6 million.

There was both coincidence and irony in Friday's announcement. Coincidence because Zaitlin served on Maine's Board of Environmental Protection when KTI's incinerators were first licensed in the mid-1980s. "My signature is on their license," he said.

There was also irony, because Zaitlin has publicly scorned municipal recycling in the past as a backwater populated by pie-in-the-sky environmental zealots.

"The economics did not necessarily make a lot of sense, but they served political and ideological goals," he said. "The reality is communities are now looking for more efficiencies in their recycling

programs ... These programs are in place, they're part of the infrastructure. There's no point getting hung up on it. The reality is we can improve the efficiency. There's a lot better things to spend tax dollars on."

If all goes according to plan, recyclables would be trucked to Prins' plants in Boston, bound for world markets, primarily in Asia. Prins has two side-by-side plants covering 75,000 square feet.

Its 18,000-ton-per-day capacity residential plant is currently handling only 10,000 tons per day. Its 13,000-ton-per-day commercial plant is handling only 1,500 tons per day. One of Zaitlin's new jobs will be to "keep the plant full" of commercial recyclables.

Prins is a victim of the volatility of markets. An upstart that rode the wave of high prices in the early '90s, it landed in bankruptcy court a few short years later when municipal recycling programs flooded markets before demand could catch up.

Another price crash won't happen again just because Maine brings more materials to market, said Prins Executive Vice President Richard J. Prins.

"This is too small, it absolutely won't flood the market," he said. He said markets are starting to stabilize anyway.

"The markets are starting to really rebound," he said. "But, we're still a few years ago from being a mature industry."

atypical in actually catering to children, points out Bud Phillips, the bartender and "right hand man" at the Rhumb Line.

"You go to the Colony, that's like Grandma's house," he said. "We (Kennebunkport) don't have the facilities for families. Kids need a place to get rid of all their energy."

FAMILY-FRIENDLY

The writers said they had their own measure of what makes a family-friendly place. Esther Thompson of Carrabasset, who used to lead bike trips, said she looks for what teenagers are doing. Stacy Maxwell of Connecticut said she checks the accessibility for strollers and parents with very young children. She also looks for places and times of day for quiet. "A lot of tours are too activity-packed for families," she said. "One activity a day is enough."

The kids, of course, had their own ideas. "I want to go here," pleaded 10-year-old Dana Thompson, gazing wistfully out the window as the intown trolley whizzed by Gooch's Beach. Later, five-year old Craig Marshall tugged at his mother Nancy's arm as she was trying to direct the photographer. "I guess we're going," she called to the photographer as she was dragged away by Craig.

The writers' visit to Kennebunkport was fairly action packed. In half a day, they got a trolley ride

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"I'd rather n I only have 800 said Lisagor. "priced, I'm not saying that. I'd anything and ju things."

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have time to set grateful," said

Charleston. "O invitation. I feel deservedly so. E

I write what I fe writer I am, I'm very upbeat, I w something good

The director c

■ SHUTDOWN

From Page A1

ers with no deadline for arriving at a deal.

Neither Maine Yankee nor PECO would identify a specific issue that led to the breakdown of the talks.

Both parties "converged on a number of issues," said Maine Yankee spokeswoman Maureen Brown, but "there came a point at which they realized they could not come to agreement on this key middle ground on economic issues."

Bill Jones, a spokesman at PECO, said there were several critical financial issues to be resolved and he didn't know if it was one or several of them that caused the effort to fall short.

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Gov. Angus K with plant owner ensure that the c done properly burden on Maine

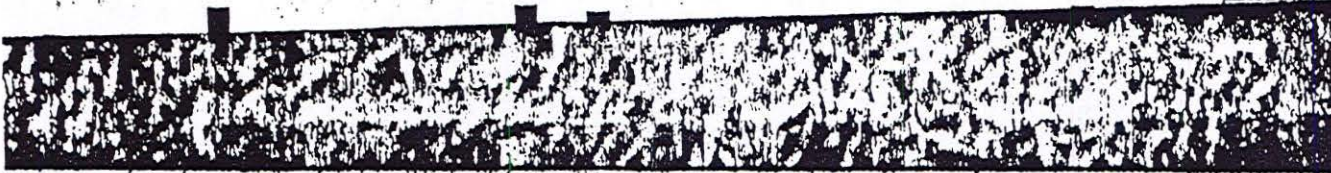
Maine Yanke cumulated \$183 decommissioning missioning cost mated at \$369 m to be higher unde to be completed t

Journal Tribune

AUGUST 6, 1997

The daily newspaper of York County, Maine

WEDNESDAY



LIZ SCHULTZ/Journal Tribune Staff



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■ OOB

Continued on Page 12

Competitors talk trash over merger

By **LEE BURNETT**
Journal Tribune Staff Writer

BIDDEFORD — The trash talking has started in a new competition over the municipal recycling business in Maine.

Managers of the Regional Waste Systems in Portland expressed skepticism and derision Tuesday at any suggestion that their performance could be matched at a lower cost. They were responding to an announcement by Kuhr Technologies Inc. that recent acquisitions gave it the connections and clout to lock up the municipal recycling business in Maine.

"One thing for sure, if someone thinks they are going to make a profit on what we do, either they're going to have to get a municipal subsidy or they're going to have to get the market to go higher and I don't see the market going higher," said Charles Foshay, manager

■ RWS

Continued on Page 12



AP Wirephoto

Air flight 801 prepare victims for transport at

mong those have been sent to Washington for analysis.

Two Navy CH-46 Sea Knight helicopters, with pilots wearing night-vision goggles, rescued survivors, many of them burned.

With the jet still smoldering, Navy Seabees moved in backhoes to crack open the fuselage and try to rescue anyone who might still be alive.

"We were getting there and people were just screaming. We wanted to help everybody but we couldn't," police officer Carlos Roman said.

Later, the Navy began clearing a road to the otherwise inaccessible crash site.

In Seoul, Korean Air began notifying victims' relatives, some of whom collapsed in grief. South Korean President Kim Young-sam said, "I can't suppress the overflowing sorrow."

About 500 relatives gathered at Kimpo International Airport, awaiting word about loved ones. By this evening, many were frustrated by what they considered the airline's ineffective handling of the crash. About 100 of them staged a sit-down on an eight-lane street in front of a Korean Air building, shouting "Korean Air, you swindlers!"

a Maine consultant to be hired will work with the group and will look at ownership issues, resources and the property's historical significance.

"They will be looking at the pros and cons of whether the town would want to take ownership of the property, whether it is better for the owner to retain the property, where the available resources lie, liability issues and federal resources," Creveling said. "There is no doubt the site has historical significance, but it is only a piece of something that was there before, one component of a larger area. What is restored and at what cost are the questions that need answers."

Only one resident, Virginia Spencer, spoke at the public hearing regarding the grant. She asked that

RWS

From Page 1

of RWS, which operates a trash incinerator and recycling programs for 32 communities, including six York County Communities.

KTI, which owns trash incinerators in Biddeford and Orrington, announced Friday the purchase of I. Zaitlin & Sons, a commercial broker of recyclables, and Prins Recycling, a Newark, N.J. company with plants in Boston and elsewhere.

KTI President Marty Sergi said the consolidation gives the company the transportation network, processing facility, and market clout to offer communities "drastic" savings.

Newly installed vice president Samuel Zaitlin said the Portland recycling market was particularly attractive.

Foshay said RWS is the largest recycling program in Maine with 10,000 tons processed each year. He said it costs about \$420,000 per year to process and market the materials, for which the company earned about \$450,000 last year.

"I don't take any person as hostile," said Foshay. "Number one, I'm here to talk to anybody, a business person who can reduce or save us money, I'd entertain them in a moment."

Foshay said the expense would be even less with inmate labor, which the company once had through the Maine Correctional Center in Windham and which it is seeking to recoup by bringing trash to the prison rather than inmates to RWS.

"We do have an advantage in correctional help. I'm working to still to increase the size of the program," he said. He said low-cost labor is crucial for removing contaminants that reduce the value of recycled materials.

"Some would say it's an unfair advantage, and I totally agree," Foshay said.

RWS relies almost exclusively on environmentally conscious residents bringing materials to regional drop-off points. The only RWS towns that offer curbside pickup are Cumberland and Parsonsfield.

"We were cited by the EPA as one of the more efficient drop offs. You can go to curbside, but you don't get what you think you're going to get, not proportional to what it costs you," he said.

Portland Mayor George Campbell, a vocal critic of RWS because of its high debt load and high tipping fees, said he'll keep the pressure on RWS to explore possible cooperation with KTI. Campbell has appointed a task force to examine RWS operations. Campbell said Portland's recycling rate could be substantially improved.

"Our recycling is one of the worst in the region, we need to find a way to do more," said Campbell. He said better recycling performance may be only a small part of improving RWS's overall picture, but "improvement here, improvement there, pretty soon we might have an operating facility we can be proud of."

Campbell said he's aware of past rivalry between RWS and KTI, warning that dispute should not interfere.

"I'm not interested in our citizens subsidizing anyone's dispute," he said.

RWS and KTI competed among the same towns when both were building incinerators in the mid 1980s. More recently, Zaitlin threatened to file a lawsuit against RWS in 1996 when RWS signed up a commercial customer to fill excess capacity.

Eric Root, recycling director for RWS, said he finds it ironic that Zaitlin claims KTI could undercut RWS.

"The last time I saw Sam Zaitlin, he was complaining to my board that we were unfair competition to him," said Root.

He questioned Zaitlin's commitment to providing long-term service to communities handling an array of materials.

Root said a successful recycling program collects materials through boom markets and bust markets. Profit-driven recyclers drop processing when markets are down, he said pointing to Zaitlin's plans three years ago to start a "green for green" recycling program through non-profit agencies. Zaitlin dropped the program when newsprint prices fell.

"There's an opportunity to make a good deal of money or to manage the waste stream, those two goals are not the same," said Root.

RWS process trash and recyclables for 32 towns including six in York County: Hollis, Limington, Waterboro, Ogunquit, Lyman and Parsonsfield.

**TOWN OF CUMBERLAND
MINUTES OF THE MEETING OF THE TOWN COUNCIL
AUGUST 25, 1997**

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

Absent: none

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

II. Workshop on policy regarding tax acquired property.
The Council went into workshop session to discuss tax
acquired property policy.

Councilor Bingham moved to appoint the following residents
to a committee to review and make recommendations regarding
Cumberland's tax acquired property policy: E. Stephen
Murray, Robert E. Harmon, Susan McGinty, Sam Hunter,
William C. Stiles and Daniel Caputo; and to submit a draft
recommendation to the Council by February 1, 1998.

Councilor Storey seconded. Vote: Unanimous (7)

III. Approval of Minutes
a. August 11, 1997

Councilor Storey moved to approve the minutes of the August
11, 1997 Council meeting as written.

Councilor Kuntz seconded. Vote: 5 in favor
2 abstentions (Drummond, Phipps)

IV. Manager's Report

Susan McGinty briefed the Council regarding Regional Waste
System issues.

V. Public Discussion

Robert Vail, Main Street, inquired as to the time-line for
adoption of the Comprehensive Plan. The Chairman explained
that the Council is waiting for input from the ad-hoc
growth committee, which should be submitted this fall.

Mike Adams, Pleasant Valley Rd., stated concern with the value assigned to open land as a result of the reval. The Chairman explained that the Council is aware of concerns and is looking into a legislative change that would allow the Town some discretion regarding assessments.

VI. Legislation and Policy

- 97-102 To set date to hold Public Hearing to consider and act on acceptance of \$10,000 planning grant (growth assessment) and matching funds of \$3,000.

Councilor Drummond moved to hold a public hearing on September 8, 1997 at 7:00 pm to consider and act on acceptance of \$10,000 planning grant (growth assessment) and matching funds of \$3,000.

Councilor Storey seconded. Vote: Unanimous (7)

- 97-103 To authorize Town Manager to execute grant documents.

This item was withdrawn.

- 97-104 To award Drowne Road sewer bid.

The Manager recommended that the bid be awarded to the low bidder, St.Laurent & Sons.

Councilor Bingham moved to award the Drowne Road sewer bid to St.Laurent & Sons for the amount of \$56,275.

Councilor Phipps seconded. Vote: Unanimous (7)

VII. Correspondence

Cumberland County Commissioners - re: Budget meetings
Solid Waste News Articles
SAD 51 News Article

The Manager noted that he has received and responded to several letters concerning Brown Tail Moth problems.

VIII. New Business

Councilor Drummond advised the Council that he will be resigning his position effective September 8, 1997 as he has accepted a position at Gould Academy and is moving there.

Councilor Kuntz stated he received a call from a resident stating concern that The Pochebit Co. was awarded the construction manager position without going through a bid process.

Councilor Phipps stated that the Brown Tail moth is still an issue on Chebeague Island. He also stated that progress is being made regarding the transportation issue.

Councilor Gleason asked that Councilors plan to attend the grand opening celebration of Twin Brook and encourage residents to attend.

Councilor Storey stated concern regarding street names and numbers since the post office delivery for Middle Road has changed.

He also stated some concern regarding the bid process for construction of the new town office, as well as inspection of the construction.

IX. Adjourn

The meeting was adjourned at 8:50 pm.


Charlene A. Doyle
Council Secretary

All present

Town Council 8/25/97
①

Called to order 7 PM

Wkshop tax acquired property

draft for
considerations
Feb 1st '98

Steve Murray
Bob Harmon
Don Caputo
Bill Stiles
Sue McQuinty
Sam Hunter

We have
13 properties
out of over 3500

Minutes

Stoney to accept Aug 11th
2nd time. Yes (5)

2 abst. (Drummond
Phipps)

Agenda

McQuinty - RWS - looking to refinance debt
DEP/RWS negotiations continue
Costs / New Environmental regs

Pub Disc

Bob Vail - time line for adopting comp-plan?

Chair - On hold to await results of Ad-hoc growth committee which
should be completed this fall

Mike Adams - re-val. open land assessment too high.

Agenda Policy

97-102 ^{set aside} To hold PU

Drummond To hold Ptt on 9/8
2nd Stoney. Unanimous (7)

97-103 - ~~tabled~~ withdrawn

97-104 Sewer Bid
RB recommend low bid

Bing To award Drummond Rd sewer project bid to J. Laurent
+ SMS for \$56,275. 2nd Phipps - Unanimous (7)

Corresp

County Budget process
News Articles - Zaitland
Forecaster

RB - have gotten letters re: Brown Tail Moth problems
some request that Town supply manpower to cut moth nests
by hand

New Bus.

J. Drummond - resigning effective Sept 8 - new job
at Gould Head. & will be moving ~~giff~~

Kuntz - call from resident re: Pocketbook getting Const. mgr position
w/out bid process.

Phipps - Brown Tail moth still issue on CT
- Transp issue - progress being made.

Gleason - Twin Brook opening week from this Sat - encourage
people to attend

Stoney - postal change - Middle Rd etc. - private roads need
names + #s assigned before PO will deliver ~~co-ordinate w/ 9/11~~
Donna/Chris/Paula

- Bid process on new T Office /
Bid on package - then #s split out by Pocketbook

RB - reviewed by Bldg Committee

- Who is bldg inspector? - RB - RBL - Stoney is he qualified for
big commercial ~~building~~ ^{building}

- Lambert have much respect for RBL - fully qualified or would
say not comfortable

Adjourn 8:50pm.

(1B)

TIME LINE

SEPTEMBER 15, 1997 - "TAX COMMITMENT"

NOVEMBER 1, 1997 - TAXES DUE

JANUARY 1, 1998 -

APRIL 15, 1998 - TOWN'S COURTESY LETTER

MAY 15, 1998 -

TOWN SENDS 30 DAY LIEN NOTICE

SEPTEMBER 15, 1998 -

OCTOBER 15, 1998 - TOWN FILES THE LIEN

JANUARY 1, 1999

JANUARY 1, 2000

MARCH 15, 2000 - TOWN SENDS FINAL NOTICE

APRIL 15, 2000 - LIEN CONVERTS THE PROPERTY

STATE OF MAINE
NOTICE OF IMPENDING AUTOMATIC FORECLOSURE
TOWN OF CUMBERLAND
(Title 36, M.R.S.A. Section 943)

IMPORTANT!

Do Not Disregard this notice. You will loose your property unless
you pay your 1994 Property Taxes, Interest and Costs.

To: «ACCTNO» «MAP» «LOT»
«OWNER1»
«OWNER2»
«ADDR1»
«ADDR2»
«CITY», «ST» «ZIP»

You are the party named on a **tax lien certificate** filed on August 23, 1995, and recorded in Book 12074, Page _____ in the Cumberland County Registry of Deeds. This filing has created a tax lien mortgage on the real estate described therein.

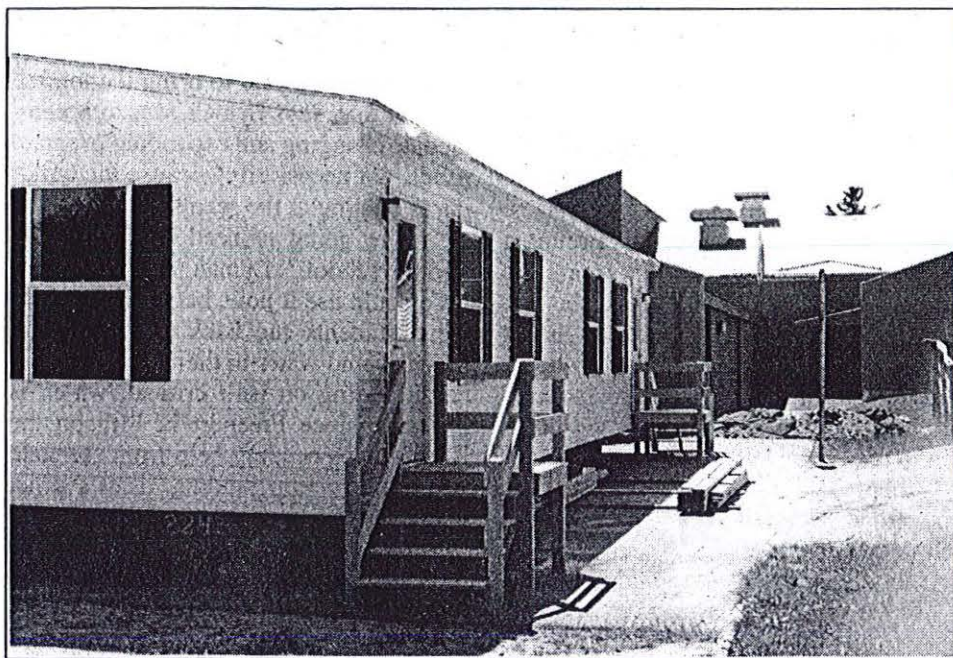
On February 24, 1997, this tax lien mortgage will be foreclosed and your right to recover your property by paying the taxes, interest and costs that are owed will expire.

***IF THE TAX LIEN FORECLOSES, THE MUNICIPALITY
WILL OWN YOUR PROPERTY.***

If you cannot pay the property taxes you owe, please contact me to discuss this notice.

Municipal Treasurer
Town of Cumberland

This notice to be given to the party named on the tax lien mortgage and to each record holder of a mortgage on the real estate at the last and usual place of abode or sent by registered or certified mail, return receipt requested to last known address not more that 45 days nor less that 30 days previous to the automatic foreclosing date. Otherwise, the person not receiving timely notice has 30 days, after notice is given, to redeem the real estate from the tax lien mortgage.



With another one added this year, four portable classrooms now stand outside NYMS's main building.

Leonard photo

enough drivers to fill it, so they'd just park anyplace they saw fit."

Foreign lingo

School year 1997-98 marks the beginning of a three-year procedure toward bringing foreign language instruction into Greely Junior High School. This year's seventh graders will have the option to begin learning either French or Spanish. At the high school, students can choose Latin, French or Spanish.

New faces

Scott Poulin will join the district in place of departing business manager and director of human resources Bruce "Rudy" Rudolph, who resigned his post in June. Poulin formerly served Cape Elizabeth as business manager for both the municipality and the school system. Poulin's experience with both sides of the ledger weighed heavily in making him the search committee's first choice to succeed Rudolph, committee members said.

Because of staff shortages at the superintendent's office, a complete list of new district personnel is not yet available for publication.

New facilities

The Chebeague Island Recreation Center is rapidly moving toward completion. Once the finishing and trim work is done,

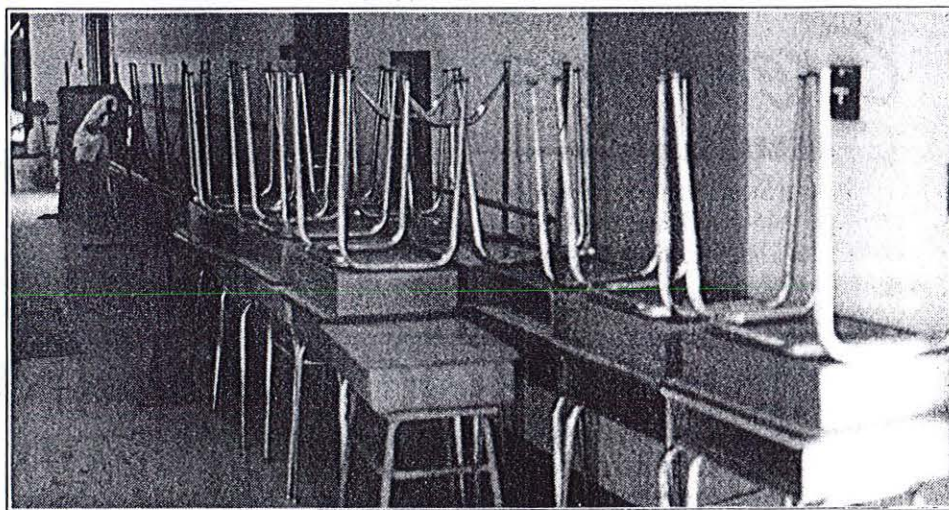
students at Chebeague Island School will use the building in its double-purpose as a gymnasium and fitness facility. Mainland students will have unofficial practice space on Twin Brook's acreage, and cross-country runners will have their first home course in years. Two new multi-purpose fields are nearly done; they are seeded and being watered at present, but they may not see Maine Principal's As-

sociation-sanctioned activity until school year '98-'99. Space for another field will be mowed and likely used for youth soccer or field hockey practice — but not for official games sanctioned by the Maine Principals Association.

"The [cross-country] trails will be used this fall, but we're unsure about the fields," said Greely Athletic Director Jack Hardy. "As far as I know, the third field — which will have its own irrigation system — is scheduled to be under construction either later this fall or early next spring."

When finally playable, Twin Brook should spare fields behind the high school and Wilson school "a lot of use and abuse," Hasson said. Most of the major fall sports schedule — particularly high school soccer and field hockey games and practices — will then be relocated the two miles down Tuttle Road. Then the older, existing baseball and softball diamonds and combination quadrangles can be relaid. Most important, however, peace and quiet will give the sod time needed to take root and repair itself completely and naturally.

Ready for use this fall is a series of cross-country trails woven into Twin Brook's 160 acres. Mackworth Island in Falmouth has been the site of Greely's "home" cross-country meets for the better part of a decade. The Rangers will host their first cross-country meet on new home turf (Friday) September 19.



Desks line the hallways of North Yarmouth Memorial School, waiting for room assignments.

Leonard photo

21 Sweetser Dr., Yarmouth
340 Foreside Rd., Falmouth


Creative Preschool

Songbird
crea... ent...

846-8922
Valerie Estey, Director

Creative Programs for

DIRECTORY

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 a Public Hearing on Monday, August 25, 1997, at 7:00 p.m. at the Cumberland Municipal Center to consider and act on acceptance of \$10,000 from Maine's Community Development Block Grant program to study how the Town can pay for growth while preserving opportunities for low and moderate income households.

For additional information regarding the hearing, contact Donna Larson at the Planning Department, tel. 829-2206. The public is encouraged to attend this hearing.

John Lambert
Chairman

8/12

Joan

Please run one
day - Aug. 14th

PO.# 4188T

Thanks
Shelley