

Manager

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY - DECEMBER 8, 1997**

- I. Call to order at the Cumberland Municipal Center at 7:00 pm.
- II. Approval of Minutes
 - a. November 24, 1997
- III. Manager's Report
- IV. Public Discussion
- V. Legislation and Policy
 - 97-144 To hold Public Hearing to consider and act on application of Cumberland Salvage, Inc. for an Automobile Graveyard and/or Junkyard Permit.
 - 97-145 To hold Public Hearing to consider and act on application of Thomas Greenlaw for an Automobile Graveyard and/or Junkyard Permit.
 - 97-146 To hold Public Hearing to consider and act on amendments to the Shellfish Conservation Ordinance.
 - 97-147 To hold Public Hearing to consider and act on closing Johnson Cove, Chebeague Island, to shellfish harvesting during 1998, for conservation purposes.
 - 97-148 To hold Public Hearing to consider and act on closing Indian Point, Chebeague Island, to shellfish harvesting during 1998, for conservation purposes.
 - 97-149 To receive Shellfish Conservation Commission year-end report.
 - 97-150 To set shellfish license allocations for 1998.
 - 97-151 To appoint Shellfish Warden for 1998.
 - 97-152 To appoint Harbor Master for 1998.
 - 97-153 To consider and act on acceptance of gift of real estate from Edward and Paula Copp - Map R6, Lot 16.
 - 97-154 To award Workers' Compensation Insurance bid.

- - CONTINUED ON BACK - -

CUMBERLAND TOWN COUNCIL AGENDA
DEC. 8, 1997

2.

- 97-155 To consider and act on Swimming Pool License - SAD 51.
- 97-156 To appoint 1998 Budget Chairman.
- 97-157 To authorize Town Manager to borrow \$4,850,000 in Tax Anticipation Notes.
- 97-158 To authorize Town Manager to expend funds in accordance with the Town Charter until the 1998 budget is adopted.
- 97-159 To consider and act on application for Victualer's License - Karen Pote D/B/A Route 9 Junction.
- 97-160 To consider and act on application of Val Halla Golf & Recreation Center for a Liquor License.
- 97-161 Nominating Committee - re-appointments.

VI. Correspondence

VII. New Business

Order Hours - Day after tomorrow - Pay - Union, Non Union, Police

VIII. Adjourn

MEMBERS OF THE TOWN COUNCIL

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

sm - what do you want mark

Leader the S.A.D. & Tennessee County

call J.L. - 1400

**TOWN OF CUMBERLAND
MINUTES OF THE MEETING OF THE TOWN COUNCIL
NOVEMBER 24, 1997**

Present: John Lambert, Stephen Moriarty, 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. Approval of Minutes
a. November 10, 1997

Councilor Gleason moved to approve the minutes of November 10, 1997 as written.

Councilor Bingham seconded. Vote: Unanimous (7)

III. Manager's Report
none

IV. Public Discussion
none

V. Legislation and Policy

97-138 To hold public hearing in regard to Chebeague Recreation Center and to authorize the Town Manager to execute necessary documents.

The Chairman opened the public hearing and explained this item.

There was no public comment.

The hearing was closed.

Councilor Bingham moved to authorize the Town Manager to execute the Landlord's Recognition Agreement and the Collateral Assignment of the Municipal Lease Agreement in regard to funding for the Chebeague Recreation Center.

Councilor Phipps seconded. Vote: Unanimous (7)

97-139 To receive report of Growth Management Committee.

Councilor Gleason moved to receive the report of the Growth Management Committee.

Councilor Phipps seconded, with thanks to the Committee for their work. Vote: Unanimous (7)

It was suggested that the report should be published as an insert in the Falmouth Forecaster the first of January and a workshop will be held with the Planning Board and Growth Committee at Val Halla on January 21, 1998.

- 97-140 To discuss Planning Board recommendation regarding Harris Road access.

Town Planner, Donna Larson, explained the Planning Board's concern regarding Harris Road. The Board feels that access to Route 9 should be a priority due to additional development along the Harris Road.

The Council requested that the residents of Harris Road be polled to determine how they feel regarding access to Route 9.

- 97-141 To endorse Gateway Grant Application.

Town Planner, Donna Larson, explained the nature of this grant.

Councilor Phipps moved to endorse the Gateway Grant Application.

Councilor Gleason seconded. Vote: Unanimous (7)

- 97-142 To set date for Public Hearing to consider and act on application of Cumberland Salvage, Inc. for an Automobile Graveyard and/or Junkyard Permit.

Councilor Storey moved to hold a public hearing on December 8, 1997 to consider and act on application of Cumberland Salvage, Inc. for an Automobile Graveyard and/or Junkyard Permit.

Councilor Moriarty seconded. Vote: Unanimous (7)

- 97-143 To set date for Public Hearing to consider and act on application of Thomas Greenlaw for an Automobile Graveyard and/or Junkyard Permit.

Councilor Storey moved to hold a public hearing on December 8, 1997 to consider and act on application of Thomas Greenlaw for an Automobile Graveyard and/or Junkyard Permit.

Councilor Moriarty seconded. Vote: Unanimous (7)

VI. Correspondence

MMA - re: Tax Revenue Targeting meeting
Kate Hoffner - re: Val Halla Board
Maine Turnpike Authority - re: Transpass meetings
City of Portland - re: County Budget resolution
Building Inspector Reports - Aug., Sept., Oct., 1997

VII. New Business

Councilor Phipps stated he has received calls regarding several public works issues. He also asked the status of the rescue billing issue. The Chairman stated that it will not be considered until January.

Councilor Gleason noted that the volunteer appreciation night went well.

Chairman Lambert stated that an RFP for legal services has been completed and bids are due Dec. 12th. He stated that the process is being done simply to test the market and is not a reflection on Jensen Baird Gardner & Henry, the Town's current legal counsel.

Chairman Lambert asked that Councilors Moriarty, Kuntz and Bingham review the bids and report to the rest of the Council.

VIII. Workshop - Council Goals

The Council went into workshop session to review Council Goals.

IX. Executive Session - Land Acquisition

Councilor Gleason moved to go into executive session to discuss land acquisition at 8:08 pm.

Councilor Bingham seconded. Vote: Unanimous (7)

Councilor Gleason moved to end the executive session at 9:00 pm.

Councilor Bingham seconded. Vote: Unanimous (7)

X. Adjourn

The meeting was adjourned at 9:00 pm.


Charlene A. Doyle
Council Secretary

EILEEN WYATT

Dec. 6, 1997

Mr. Robert Benson
Town of Cumberland, ME
Re: Licensing of Greely Pool

I have inspected the pool, pool area and restrooms on
Dec. 3, 1997.

2:11 Standard First Aid Kit

Lacks a scissors

Adhesive tape (I located some in the cabinet in a
tool box, but it should be in the F.A. kit.

Needed: two more 2" bandage compress units

two more 4" bandage compress units

plain absorbent guaze 3"x 72" 3 units

plain absorbent guaze $\frac{1}{2}$ square yd. 3 units

17.1 The deck near the exit to the north west side has
chipped tile that are quite sharp.

17.3 Continued emphasis on no food or drink in the swimming
area and deck should be made. The water fountain works.

19.1 In the basement area.

The chlorine probe pipe near the north side of the
room is badly corroded. It should be examined as
to deterioration and susceptibility to failure.

In the newly installed sink a garden type hose
end was placed. This hose did not have a visible
back flow devise. The end should not be placed
within the sink without one.

The floor has a large rectangular pit that is
depressed by a 2-3 ft" drop drain area. There is
no grating on this but a temporary blockade which
could easily permit an inatentive person to step
into the hole.

Apparently someone broke into the bulk head and gained
entrance to the basement area. Some of the pool records
are now off premises. Perhaps they could be maintaned
elsewhere on school property. I had a great deal of diffi-
culty accessing them.

The water conditions this year have been much better than
in 1996 and we certainly did have an equally hot summer.

I continue to have concern about the absence of exit route
markings within the the locker rooms. With multiple doors,
half of which are locked, someone could panic in an emergency.
Eileen S. Wyatt Health Officer, Town of Cumberland.

363 TUTTLE ROAD CUMBERLAND, MAINE 04021 207-829-5238



MAINE SCHOOL ADMINISTRATIVE
DISTRICT #51
CUMBERLAND ~ NORTH YARMOUTH

IMMING POOL

Robert G. Hasson, Jr., Ed.D. ~ Superintendent

Scott D. Poulin ~ Director of Finance, Human Resources and Operations

Judith H. True ~ Director of Instructional Support

November 24, 1997

Klara Norton
Cumberland Town Office
Drowne Road
Cumberland, ME 04021

Dear Klara:

In accordance with your request, enclosed please find the District's application to operate a swimming pool for 1998.

If you have any questions or need additional information, please give us a call at 829-4800.

Sincerely,

Scott D. Poulin

M.S.A.D. #51 Superintendent's Office • P.O. Box 6A, Cumberland, ME 04021 • Phone 829-4800 FAX 829-4802

t #51

ool

ne

g fountains, showers,

is section: yes

irements of this section?:

on?: yes

of this section?: yes

tion? yes

tion? yes

tion? yes

tion? yes

Section 11.4: Depth, shallow end: 3.5 feet

Section 12.1: Is depth marked at or above water line surface on vertical wall of Pool? Yes No x;
on edge of deck? Yes x No;
at maximum and minimum points? Yes x No;
at points of break between the depth and shallow portions not more than 25 feet apart? Yes No x;
and at the diving area? Yes No x

TOWN OF CUMBERLAND

APPLICATION TO OPERATE A PUBLIC SWIMMING POOL

Date of Application: 11/30/97

Individual Preparing Application: Scott D. Poulin

Owner of Pool (licensee): ~~Maine School Administrative District #51~~

Premises to be Licensed: Swimming Pool at Greely High School

Location (Street Address): 303 Main Street, Cumberland, Maine

Dimensions of Pool: 75 feet x 35 feet

Pool Volume: 140,000 gallons

Maximum Depth: 10 feet

Brief Narrative Description of Nature of Use of Pool:

Used by M.S.A.D. #51 for physical education and swim teams.

Used by the Town of Cumberland for recreational programs.

Designated Pool Director: Jack Hardy, Athletic Director

Section 8.1: Source of water supply for pool, drinking fountains, showers, etc.:
Town Water

Section 8.2: Does the pool meet the requirements of this section: yes

Section 9.1: Does waste disposal system meet the requirements of this section?:
yes

Section 9.2: Does pool meet the conditions of this section?: yes

Section 10.1: Does pool meet the construction standards of this section?: yes

Section 10.2: Pool Bottom material: Concrete Gunit

Section 10.3: Does pool conform to standards of this section? yes

Section 11.1: Does pool conform to standards of this section? yes

Section 11.2: Does pool conform to standards of this section? yes

Section 11.3: Does pool conform to standards of this section? yes

Section 11.4: Depth, shallow end: 3.5 feet

Section 12.1: Is depth marked at or above water line surface on vertical wall of Pool?
on edge of deck? Yes No x;
at maximum and minimum points? Yes x No;
at points of break between the depth and shallow portions not more than 25 feet apart? Yes No x;
and at the diving area? Yes No x

- Section 12.2 Size (height) of depth marking numerals: Contrasting color to background?
Yes x No
- Section 12.3: Width of lane markings: 6 inches (grandfathered under section 31.1)
- Section 13.1: Does pool conform to standards of this section? yes
- Section 14.2: Bather capacity as computed under the provisions of this section: 97
- Section 15.1 and 15.2: Does pool conform to standards of this section?: yes
- Section 16.1: Does pool conform to standards of this section?: yes (grandfathered under section 31.1)
- Section 16.2: Does pool conform to standards of this section?: yes (grandfathered under section 31.1)
- Section 16.3: Does pool conform to standards of this section?: yes
- Section 16.4: Does pool conform to standards of this section?: yes
- Section 16.5: Does pool conform to standards of this section?: yes
- Section 17.1: Does pool conform to standards of this section?: yes
- Section 17.2: Does pool conform to standards of this section?: yes (grandfathered under section 31.1)
- Section 17.3: Will the pool operator be required to enforce the provisions of this section?: yes
- Section 18.1: Does the pool diving area conform to the requirements of this sections? Yes
Height of diving board(s) in meters: One (1) meter
Depth of water at end of diving board(s) and 12 feet beyond: 10 feet
- Section 18.2: Free and unobstructed headroom above diving board(s): 20 feet
- Section 18.3: Horizontal separation between diving board and sidewalls of the pool: 17 feet
- Section 19.1: Type of disinfectant feeder: Chlorinator
- Section 19.2: (Where applicable):
Are the requirements of Section 19.2 (a) fulfilled? Not Applicable

Does the chlorinating equipment conform to the requirements of Section 19.2 (b)? Not applicable

19.2(c) Is chlorine gas used? If yes, are gas cylinders securely mounted? Is a valve system wrench maintained on or near the chlorine cylinder? Is a valve protection hood provided? Not applicable

19.2(d) In the event of an accident or other drainage to the chlorinating equipment or chlorine supply, would leaking chlorine gas be vented to the out-of-doors? Yes

19.2(e) Does the equipment conform to the provisions of this section? Not applicable

19.2(f) Is a gas mask meeting these standards available? If yes, where? Adjacent metal cabinet

19.2(g) Person responsible for operation and installation of chlorinating equipment: Michael Welch, Pool Operator

Section 20.1: Is underwater lighting used? if yet, intensity of underwater lighting: No

Section 20.2: Does the lighting of the pool area conform to the requirements of this section: Yes

Section 20.3: Does all electrical wiring conform with the National Electrical Code of the National Underwriters Laboratory and all state and local laws and regulations? Yes

Section 20.4: Are the provisions of this section met? Not applicable

Section 20.5: Are the requirements of this section met? Yes

Section 20.6: Are all electrical light fixtures protected as required by this section? yes

Section 20.7: Are the pool, dressing rooms, shower rooms, and toilet spaces adequately ventilated as required by this section? Yes

Section 20.8: Has a directive been issued to the pool director or operators to assure compliance with this section? Yes

Section 21.1: Do the bathhouses (locker rooms) conform to the requirements of this section? Yes

Section 21.2: Do the floors of the locker rooms conform to the requirements of this section? Yes

Section 21.3: Are the requirements of this section met as they apply to the premises to be licensed: Yes (grandfathered under section 31.1)

Section 22.1: Do toilet, lavatory, shower facilities and drinking fountains conform to the schedule contained in this section? Yes

Section 22.2: Does the layout of the bathhouse conform to the requirements of this section? Yes

Section 22.3: Do the showers meet the requirements of this section? Yes

Section 22.4: What action has been taken or is contemplated to comply with the intent of this section? Signs have been posted.

Section 23.1: Is the pool continuously disinfected by a chemical? If yes, what is that chemical? yes, chlorine

Section 23.3: Has a ph testing kit accurate to the nearest 0.2 ph unit been provided for testing purposes? Yes

Section 23.4: Has a total alkalinity test kit been provided for testing purposes? Yes

Section 24.1: How often is visible dirt scheduled to be removed from the pool? Daily

Section 24.2: How often is floating matter regularly scheduled to be removed from the pool? Daily

Section 26.1: Is a telephone for emergency use provided as required by this section? Yes

Section 26.2: Are emergency numbers listed as required? Yes

Section 26.3: How is access to the pool area restricted during non-operating hours? Locked doors

Section 26.5: What life saving equipment is provided at the pool? Two (2) rings, two (2) poles, two (2) ropes, one (1) resuscitator.

Section 26.6: Is a first aid kit meeting the standards of this section readily available? Yes

Section 26.7: Is life saving equipment mounted and distributed as required by this section? Yes

Section 27.1: Has a procedure for record-keeping been established or at least the specific data elements specified by this section? Yes

Section 27.2: Where are/will the public swimming pool records be kept? Pool Operator's Office

Other explanations or information which would be helpful to the Town Council in determining whether or not a license should be granted:

TOWN OF CUMBERLAND, MAINE

Order #97-

- ORDERED: 1. That pursuant to the Charter of the Town of Cumberland and Section 5771 of Title 30-A of the Revised Statutes of Maine of 1964 as amended, and all other authority thereto enabling, the Town Treasurer be and hereby is authorized and empowered to borrow money during the year 1998 in an amount not to exceed \$4,850,000 at any one time outstanding (which amount does not exceed the total tax levy of the year 1998) in anticipation of receipts from taxes for the year 1998 by the issuance of Tax Anticipation Notes of the Town of Cumberland. All of such Tax Anticipation Notes, and any extensions, renewals and replacements thereof shall be signed by the Town Treasurer and countersigned by the Chairman of the Town Council, or, in his absence, by the Vice Chairman of the Town Council, shall be payable on or before December 15, 1998 out of money raised by taxation during the year 1998, shall bear interest payable at maturity at the rate per annum specified by the successful bidder therefor, and shall contain such other terms and provisions, including prepayment provisions, not inconsistent herewith, and be in such form, as shall be approved by the officers signing the same, whose approval shall be conclusively evidenced by their execution thereof.
2. That the \$4,850,000 principal amount of Tax Anticipation Notes described in paragraph (1) of this Order are hereby designated as qualified tax exempt obligations for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, and the Town Treasurer be and hereby is authorized and empowered, on behalf of the Town of Cumberland, to covenant with the purchaser of said Notes and for the benefit of the holders thereof, that the Town will take whatever steps and refrain from taking any action as may be necessary or appropriate to insure that interest on said Notes will remain exempt from Federal income taxes and such officer is authorized and empowered to do or cause to be done all such acts and things and to execute and deliver all such certificates, documents, and information returns as may be necessary or desirable in order to effect the issue and sale of said Tax Anticipation Notes.
3. That the action of the Town Manager in soliciting bids from a selected list of banks and financial institutions for the purchase of the \$4,850,000 principal amount of Tax Anticipation Notes described in paragraph 1 of this Order be and the same hereby is approved, and that the bid of _____ for the purchase of said Tax Anticipation Notes bearing interest at the rate of _____ % per annum, payable at maturity and at a price of \$4,850,000 be and the same hereby is approved and accepted, and said \$4,850,000 principal amount of Tax Anticipation Notes shall be issued and sold to said _____ in accordance with its bid therefor.

SEND IN
4 WEEKS BEFORE
EVENT
*Schedule
12-08-97
T.C. Meeting*

P.O. BOX 128
CUMBERLAND, ME 04021

TOWN OF CUMBERLAND, MAINE
APPLICATION FOR VICTUALERS LICENSE

Business or Trade Name: Route 9 Junction Business Phone: 829-6893
Business Address: 137 MAIN ST, Cumberland ⁻²¹⁷¹
Name of Manager: KAREN A. POTE (message)
Event: Opening December 1997 Dates: _____

Check the proper category for which a license is required:

- (a) Restaurant or Victualer not serving malt beverages on the premises. \$10.00 _____
- (b) Restaurant or Victualer serving malt beverages on the premises. \$10.00 _____
- (c) Class A. Restaurant, as defined by the Revised Statutes ~~and~~ serving both malt liquor and spirituous and vinous liquor. ~~\$10.00~~ _____
- (d) A business establishment such as, but not limited to, retail grocery stores, food storage warehouses, bakeries, delicatessen stores, and dairy product stores where food is stored or is kept for sale and where the total area of the establishment is less than 10,000 square feet. \$10.00 ✓ \$10.00
- (e) Same as (d) but total area of the establishment is more than 10,000 square feet. \$10.00 _____
- (f) Establishment operated by non-profit organization. NO FEE
- (g) Mobile Vending Unit operating at a fair. (\$10.00) _____

Karen A. Pote
Signature of Authorized Person

Enclose check payable to "Town of Cumberland"

FOR TOWN OFFICE USE ONLY:

Municipal Officers:

Approved _____ Application Rec'd 11-97
Disapproved _____ Public Notice Posted _____
Comment _____ Fee Paid \$10

Date Issued _____

Expiration Date _____

Schedule
12-08-97

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Bureau before making any substantial investment in an establishment that now is, or may be attended by a liquor license.



Present License Expires 1-6-28
Department of Public Safety
Licensing and Inspection Unit-Liquor

BUREAU USE ONLY

License No. Assigned	
Class License Assigned	
Deposit Date	
Amount Deposited	

Please Indicate Type of License
BY A CHECK MARK IN PROPER BOXES

INDICATE TYPE OF PRIVILEGE:

☒ MALT

☒ SPIRITUOUS

☒ VINOUS

INDICATE TYPE OF PREMISE:

☐ CLUB

☐ CLUB-ON PREMISE CATERING

☐ HOTEL

☐ HOTEL-OPTIONAL
FOOD

☒ GOLF CLUB

☐ INDOOR ICE SKATING CLUB

☐ INDOOR TENNIS CLUB

☐ RESTAURANT

☐ TAVERN

☐ RESTAURANT/LOUNGE

☐ CLASS A LOUNGE

☐ OTHER

PLEASE REFER TO PAGE 4 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) <u>TOWN OF CUMBERLAND</u> Name(s) in Full <u>P.O. BOX 128</u> <u>DROWNE RD.</u> Applicant(s) Home Address	2. BUSINESS <u>VAL HALLA GOLF AND RECREATION CENTER</u> Business Name, d/b/a, etc. <u>VAL HALLA RD.</u> Location (Do Not Use PO Box Number) <u>CUMBERLAND</u> <u>04021</u> City or Town Zip Code <u>P.O. BOX 128</u> Mailing Address (if different from above) <u>CUMBERLAND</u> <u>MAINE</u> <u>04021</u> City or Town State Zip Code <u>(207) 829-5569</u> Residence Telephone Number <u>01-6000128</u> Federal I.D. #
	<u>829-2225</u> <u>829-2226</u> Business Telephone Number Sellers Certificate Number:

3. If premises is a Hotel, indicate number of rooms available for transient guests: N/A

4. State amount of gross income from period of last license from:

ROOMS \$ N/A FOOD \$ 11,000.00 LIQUOR \$ 11

5. Is applicant a Corporation: YES ☒ NO ☐

If answer is "YES," complete Supplementary
Questionnaire for Corporate Applicants.

6. Do you permit dancing or entertainment on the licensed premises: YES ☒ NO ☐

7. If manager is to be employed, give name ROBERT F. LEIGHTON

8. If business is New or Seasonal, indicate opening date N/A

Requested Inspection date AT YOUR CONVENIENCE (CALL FIRST) Business Hours GOLF SEASON 6:30AM-9PM.

9. Business records are located at TOWN OFFICE

10. Is/Are applicant(s) citizens of the United States? YES ☒ NO ☐

11. Is/Are applicant(s) residents of the State of Maine? YES ☒ NO ☐



CITY OF AUBURN, MAINE

"MAINE'S CITY OF OPPORTUNITY"

45 SPRING STREET • AUBURN, MAINE 04210

OFFICE OF THE CITY MANAGER

IMPORTANT NOTICE of PUBLIC HEARINGS

TO: Maine Town & City Managers and Elected Officials
FROM: Pat Finnigan, City Manager
DATE: December 1, 1997

RE: **Governor's Commission on School Facilities**

As you all know, the State funding for General Purpose Aid to Education has lagged, but from a practical standpoint, unless your district is one of the fortunate few who have approved projects, funding for school construction or major reconstruction has become nearly extinct since there is so little funding available to pay the hefty costs associated with these projects.

As a result of this and the growing concern that the school construction process has gone awry, several months ago the Governor appointed a Commission to conduct a comprehensive review of statewide local school construction and renovation needs and to prepare recommendations for the Governor with respect to a financial plan to meet those needs which will be considered by the Legislature next year.

The Commission will be holding 4 Public Hearings to provide an update of our progress to date and to get feedback from you regarding whether we are on track or whether there are other areas we should address. The public hearings will take place on:

Date	Time	Location
December 3	6:00 p.m.	Winthrop - Middle School Cafeteria
December 4	6:30 p.m.	Bangor - Garland Street Middle School
December 10	6:30 p.m.	Saco City Hall
December 11	6:30 p.m.	Houlton High School

- more -

The Commission has focused on four areas and will discuss these at the public hearings: (1) the need for new construction versus renovations; (2) portable classrooms and leased space (3) funding options; and (4) maintenance and capital improvement plans for school buildings.

The whole issue of school funding and school construction has been very frustrating for municipal officials. Some of the State policies have forced municipalities and school districts to make decisions which did not make sense either financially or providing quality education. Although the Commission has not solved all of those problems, we have identified some areas that we hope will be improvements and result in a more effective use of public funds. Some of the proposals the Commission has considered are controversial and may be opposed by municipal officials. One proposal being considered requires all school districts to have a capital improvement plan for school buildings that must be funded at a state-imposed minimum level. Failure to do so will result in a reduction in State education funding to that school district. I will be sending out a more detailed report in the *MTCMA Newsletter* and the MMA staff will report on this in a future *Legislative Bulletin*.

I hope that you can attend the hearing in your area. If you are unable to, please feel free to call me with your thoughts (786-2634, ext. 214).

Commission Members:

Jim Rier, Chair (also Chair of the State Board of Education)
J. Duke Albanese, Commissioner of Education
Al Bancroft, Pres., Bancroft Contracting Corp. South Paris
Dr. Cynthia Bowman, Chair, MSAD #50 Board (Thomaston)
Janis Cohen, Unum Counsel
Pat Finnigan, City Manager, Auburn
Bill Higbee, Chair, MSAD #70 Board (Topsham)
Charles Jacobs, Deputy Commissioner, Dept. of Adm. & Financial Services
Paul Johnson, Supt., MSAD #60, North Berwick
Jon McLaughlin, Vice Chair, MSAD #29
Ray Poulin, Deputy Commissioner, Dept. of Education

SCHOOL FACILITIES PUBLIC HEARINGS

Winthrop

December 3rd 6:00 p.m.

Middle School Cafeteria

Directions:

From Augusta to Winthrop: Take Rte. 202 West – about 9 miles to Winthrop – veer to the Right then straight through the Town of Winthrop pass Subway on right and Cumberland Farms on left. Proceed through downtown till reaching railroad tracks – at STOP sign turn Left – take 2nd Right onto Charles Street. School is at end of street.

From Lewiston to Winthrop: Take Rte. 202 East – about 22 miles to Winthrop – at blinking light in Winthrop take Left onto Highland Avenue (watch for Winthrop Credit Union on left). Proceed through downtown till reaching railroad tracks – at STOP sign turn Left – take 2nd Right onto Charles Street. School is at end of street.

Bangor

December 4th 6:30 p.m.

***Garland St. Middle School
Auditorium***

Directions:

Take I-95. From I-95, take Exit 46 (Bangor Mall Exit). Turn right off exit, go approximately ¾ mile – you will come to a light – at light, turn right on Mt. Hope Ave. Go approximately 1 mile, you will come to Howard Street, turn left onto Howard Street – go 1 block. You will come to Garland Street – turn right onto Garland Street. Go approximately 100 yards to school. It is on the right. The parking lot is on the left behind the school, there is an entrance there, also.

Saco

December 10th 6:30 p.m.

City Hall

Directions :

From I-95 take EXIT 5. Turn RIGHT onto Main Street. Travel down Main Street passing McDonald's and Thornton Academy. At the intersection (White Church on the left) go through set of lights continuing straight on Main Street. Take the second street on right—Cutts Avenue.

Houlton

December 11th 6:30 p.m.

Houlton High School

Directions :

From I-95 Intersection turn right. At McDonald's take a left onto Washburn Street; then a quick RIGHT onto Highland Avenue. Proceed on Highland Avenue, cross the bridge. At the 4-way STOP sign take a LEFT onto Pleasant Street. Go by the tennis court which is on the right; then take your first left onto Park Street. You will then see the ball park and Houlton High School parking area.

PUBLIC NOTICE OF INTENT TO FILE AND NOTICE OF
PUBLIC INFORMATIONAL MEETINGS

Please take notice that Maritimes & Northeast Pipeline, L.L.C. ("Maritimes"), 1284 Soldiers Field Road, Boston, Massachusetts 02135, telephone number (617) 254-4050, intends to file a Site Location of Development Law permit application pursuant to the provisions of 38 M.R.S.A. §§ 481-490, a Natural Resources Protection Act permit application pursuant to the provisions of 38 M.R.S.A. §§ 480-A through 480-Y, and an application for a section 401 water quality certification pursuant to the Federal Water Pollution Control Act, all with the Maine Department of Environmental Protection, on or about December 15, 1997, and a utility permit application pursuant to the provisions of 38 M.R.S.A. § 685-B with the Maine Land Use Regulation Commission, also on or about December 15, 1997.

These permit applications are to be submitted in connection with a project involving the construction of approximately 336.4 miles of new underground natural gas pipeline and ancillary facilities, and two compressor stations. The mainline pipeline ("Mainline") consists of approximately 197.9 miles of 24-inch diameter pipeline beginning in Westbrook, Maine and continuing to Baileyville, Maine, and an additional approximately 2.2 miles of 30-inch diameter pipeline extending from Baileyville, Maine to the New Brunswick, Canada, side of the St. Croix River across from Baileyville, Maine. The Mainline goes through the following towns and unorganized towns:

Westbrook; Falmouth; Cumberland; North Yarmouth; Pownal;
New Gloucester; Durham; Lewiston; Lisbon; Sabattus;
Bowdoinham; Bowdoin; Richmond; Pittston; Whitefield; Windsor;
Somerville; Washington; Liberty; Montville; Appleton; Searsmont;
Morrill; Waldo; Brooks; Swanville; Monroe; Frankfort;
Winterport; Orrington; Bucksport; Dedham; Holden; Eddington;
Clifton; Osborn; Mariaville; Aurora; Princeton; Baileyville; T28,
T34 and T35 in Hancock County; T27, T36, T37 and Plantation 21
in Washington County; and Hibberts Gore in Lincoln County.

A proposed alternative, referred to as the "Northern Alternative," to approximately 40 miles of the Mainline is also being considered. The Northern Alternative goes through the following towns: Augusta; Chelsea; Farmingdale; Litchfield; Wales; West Gardiner; Sabattus; and Windsor.

The project also involves the construction of four lateral pipelines. The Skowhegan lateral consists of approximately 39.0 miles of 4-, 6- and 8-inch diameter pipe beginning in Windsor, Maine and terminating in Skowhegan, Maine, and includes two spurs terminating in Winslow and Waterville, Maine. The Skowhegan lateral, including spurs, goes through the following towns: Windsor; China; Albion; Winslow; Benton; Clinton; Skowhegan; and Waterville. The Bucksport lateral consists of approximately 8.3 miles of 6-inch diameter pipe beginning in Orrington, Maine and terminating in Bucksport, Maine. The Millinocket lateral consists of approximately 85.1 miles of 4-, 6- and 10-inch diameter pipe beginning in Orrington,

Maine and terminating in Millinocket, Maine, and includes four spurs terminating in Brewer, Old Town, Lincoln, and East Millinocket, Maine. The Millinocket lateral, including spurs, goes through the following towns and unorganized towns: Orrington; Brewer; Eddington; Bradley; Old Town; Milford; Greenbush; Passadumkeag; Enfield; Lincoln; Chester; Medway; East Millinocket; Millinocket; and T2R9, T2R8, TRA7, and Mattamiscontis township (T1R7 NWP) in Penobscot county. The Woodland lateral consists of approximately 4.3 miles of 4-inch diameter pipe, and begins and terminates in Baileyville, Maine. The two compressor stations are proposed to be located in Richmond, Maine and Baileyville, Maine.

A public informational meeting on the project will take place from 5:00 p.m. to 7:00 p.m. at the following locations and on the dates indicated: (1) December 10, 1997, at the Slovak Catholic Association, 26 Avery Street, Lisbon Falls, Maine; (2) December 10, 1997, at the Council Chambers, Community Center, 53 North Brunswick Street, Old Town, Maine; (3) December 11, 1997, at the Center Building, Main Street, Waterville, Maine; and (4) December 11, 1997, at the Woodland Baptist Church, South Princeton Road, Woodland, Maine. All interested persons are encouraged to attend.

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over these applications must be received by the Department of Environmental Protection ("Department"), in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. Maritimes anticipates that the Department will find the application to be complete and accept it for processing on or about December 15, 1997. A public hearing may or may not be held at the discretion of the Commissioner or the Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application.

The application will be available for public inspection at the Department of Environmental Protection's regional office in Portland, 312 Canco Road, during normal working hours, and the Maine Land Use Regulation Commission office in Augusta, beginning on or about December 15, 1997. A copy of the application may also be seen at the municipal offices located in each of the towns identified above, and in the county commissioners' office in Hancock, Lincoln, Penobscot and Washington counties.

Written public comments and/or a request for the Department of Environmental Protection to hold a public hearing may be sent to the Department of Environmental Protection, Bureau of Land and Water Quality, 312 Canco Road, Portland, Maine 04103, Attention: Ms. Linda Kokemuller.

Written comments or requests for the Maine Land Use Regulation Commission to hold a hearing should be sent to the Maine Land Use Regulation Commission, Department of Conservation, State House Station 22, Augusta, Maine 04333, within two weeks of the filing of the application to receive consideration. For additional information concerning the portion of the project within the jurisdiction of the Maine Land Use Regulation Commission, please contact the Maine Land Use Regulation Commission staff by calling (207) 287-2631 or, toll free from within Maine, by calling 1-800-452-8711.



12-5-97
RJ
+ post

December 1, 1997

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

Dear Mr. Benson:

Maritimes & Northeast Pipeline, L.L.C. (Maritimes) will be hosting an Open House in Yarmouth at the High School on Tuesday, December 9, 1997 from 7:00 p.m. to 9:00 p.m. Company representatives from Land, Engineering, Construction, Environmental, Legal and Community Relations Departments will be in attendance. Route maps and extensive background information will be available.

Maritimes hopes you will be able to attend to learn more about the proposed project and to express to the company concerns you may have. We believe this Open House will provide residents with the most up to date and accurate information about the proposed project.

In addition, on November 21, 1997, Maritimes filed a letter with the Federal Energy Regulatory Commission (FERC) indicating that the proposed in-service date of the Cousins Island Lateral for November of 1998 is no longer appropriate given the timetable for the sale of Central Maine Power utility assets in Maine, including Wyman Station. Therefore, we have informed FERC our target in-service date for the proposed lateral is now November of 1999.

This additional year should provide citizens and the community time to develop and express concerns about the pipeline alignment, the right-of-way and construction impacts on Cousins Island. Furthermore, it allows time for increased dialogue between Maritimes' representatives and representatives of the community.

Maritimes hopes you will find the Open House useful and looks forward to seeing you then. Thank you for your consideration.

Sincerely,

Brian J. Prenda
Manager, Public & Government Relations

Kennebec Centre
565 Western Ave.
Rt. 2, Box 1850
Manchester, ME 04351
(207) 622-0073
Toll Free: 1 (888) 876-4080
Facsimile: (207) 622-3452

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

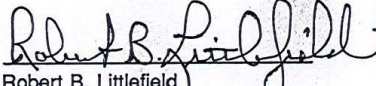
November 1997 Building Permits

DATE	PERMIT	Map/Lot	LOCATION	OWNER	IMPROVEMENT	EST. COST	FEE
11 -4	188-97	I04/32	589 Capps Rd	W. & R. Houghton	Garage	\$35,000	\$47.00
11 -4	189-97	U14/66	33 Woodside Dr	David Beseda	Renovation	\$2,000	\$6.00
11 -4	190-97	I04/28	South Rd	Sandra Rice	Addition	\$40,000	\$52.00
11 -5	191-97	R02C/U1-1	#1 Brentwood Condo	E. & S. Bachofner	Renovation	\$40,000	\$104.00
	192-97	used to replace first use of permit number 162-97					
11 -10	193-97	R08/66D	315 Blanchard Rd	D. & D. Twomey	Addition	\$40,000	\$52.00
11 -10	194-97	R08A/35	47 Valley Rd	M. Normandeau	Finish second floor	\$8,250	\$18.00
11 -10	195-97	R06A/23	5 Wood Circle	Ernest Jackson	Addition	\$6000	\$14.00
11 -12	196-97	R04/11A	221 Tuttle Rd	Alex & Michelle Lange	Addition	\$70000	\$82.00
11 -12	197-97	R02/42	272 Middle Rd	Rocky Cianchette	Greenhouse	\$3600	\$10.00
11 -13	198-97	I06/31A	Schoolhouse Rd	Chebeague Recreation	Swimming pool	\$120,000	NA
11 -17	199-97	U6A/16	26 Ledge Rd	Paul Michaud	Addition	\$5,000	\$12.00
11 -17	200-97	U6A/2	4 Ledge Rd	Charles Edgar	Renovation	\$19,000	\$31.00
11 -17	201-97	R08A/15D	12 Homestead Ln	Hildreth & White	House	\$100,000	\$112.00
11 -19	202-97	R06/6B	279 Greely Rd	Gary Davis	Addition	\$4,500	\$11.00
11 -20	203-97	R01/F4B	106 US Route One	Glenn Porter	House	\$131,200	\$143.00
11 -24	204-97	U01/16	8 Spruce Ln	Peter & Valerie Kyros	Addition	\$3,200	\$16.00
11 -24	205-97	U20/77	187 Gray Rd	Copp Motors	Demolish office	NA	\$1.00
11 -24	206-97	R2B/27	39 Friar Ln	Greg Jewell	Renovation	\$4,275	\$22.00
11 -24	207-97	R08/66D	315 Blanchard Rd	Derrill & Deborah Twomey	Garage	\$40,000	\$52.00
11 -24	208-97	R06/56	82 Blanchard Rd	Elizabeth Moody	House	\$160,000	\$172.00
						\$832,025	\$957.00

BUILDING PERMITS SUMMARY:

	<u>November, 1997</u>			<u>YEAR TO DATE</u>		
	Number	Cost	Fees	Number	Cost	Fees
New Houses	3	\$391,200.00	\$427.00	42	\$7,202,054	\$8,614.00
Renovations	4	\$65,275.00	\$163.00	29	\$550,175	\$853.00
Alterations	1	\$8,250.00	\$18.00	3	\$16,550	\$39.00
Additions	7	\$168,700.00	\$239.00	37	\$2,550,882	\$1,488.00
Porches	0	\$0.00	\$0.00	5	\$27,500	\$173.00
Garages	2	\$75,000.00	\$99.00	23	\$461,685	\$730.00
Foundation	0	\$0.00	\$0.00	3	\$36,051	\$50.00
Access. Struct.	0	\$0.00	\$0.00	34	\$111,075	\$212.00
Temp. Struct.	0	\$0.00	\$0.00	0	\$0	\$0.00
Antenna	0	\$0.00	\$0.00	0	\$0	\$0.00
Pools	1	\$120,000.00	\$0.00	7	\$202,100	\$201.00
Retaining Wall	0	\$0.00	\$0.00	0	\$0	\$0.00
Demolitions	1	\$0.00	\$1.00	10	\$2,506	\$10.00
Commercial	1	\$3,600.00	\$10.00	6	\$204,100	\$264.00
TOTALS:	20	\$832025.00	\$957.00	202	\$11,364,672	\$12,634.00
OTHER :	0	\$0	\$0.00	1	\$30,000.00	\$1,789.00

	No vember	Year to Date
ELECTRICAL PERMITS: Number:	13	160
Fees:	\$1670.00	\$3,442.00
PLUMBING PERMITS: Number:	14	148
Fees:	\$813.00	\$7486.00


Robert B. Littlefield
Building Inspector

TOWN OF CUMBERLAND

TOWN FOREST BOARD

November 6, 1997

Walt Dunlap, Chairman, called the meeting to order at 7:00 p.m.

Attending were Jennifer West, Sally Stockwell, Bob Wood,

Paul Gianas, George Hyde and Betty Surgi.

Items under discussion:

- Need to review management plan, goals, and incentives.
- Scouts recent successful campout and their plans to construct 3 new bridges - one with handrail.
- Formulate stewardship plan and explain to various town groups the need to go ahead with conservation easement - again invite their members to attend our meetings for more information to take back to their membership.

The meeting was adjourned at 8:30 p.m.

NEXT MEETING - DECEMBER 4 - 7:00 p.m.

Betty Surgi

Secretary

Town of Cumberland Forest Board

Walt Dunlap 829-4200	Draft Proposal for Conservation Easement	11/20/97
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John Eldredge 829-4540	The Forest Board, in its role as stewards of the town forest land, the Drowne Road parcel, proposes that the remaining undisturbed land be placed under conservation easement to the Cumberland Mainland & Islands Trust (CM&IT).	
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Anne Maher 829-4683	We feel strongly that the natural assets of the remaining land deserve to be protected from further developmental erosion. Presently the Town has about 20 acres of the original 100 acres in intensive use, including ball fields, the school building, the landfill and the new town hall.	
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Sally Stockwell 829-3201	The remainder, known as the "town forest", is wooded, largely due to the efforts of Ernest Rand, who implemented a reforestation plan in the 1920's and carried it forward into the 1950's. This forest offers unique educational and recreational values to all the community and is especially accessible to the Town center. The Board has been implementing a forest management plan drafted in 1988 to ensure a diverse and healthy forest environment for so called "passive" recreation. This includes a selective harvest by low-impact logging to thin and cull areas that deserve attention and it includes leaving a sizable acreage uncut in the near term in order to demonstrate different management techniques. The Board has also supervised the creation of a 1 mile self-guided trail to provide access to the many forest types and to educate the users about forest ecology and management. The Board expects these efforts to continue to involve more elements of the community in the enjoyment of the town forest, especially students of the new school.	
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Elizabeth Surgi 829-5983	The proposed conservation easement is not unprecedented in Cumberland County. Several towns have granted such on their lands. We feel that this town ought also to demonstrate its commitment to open space and the preservation of its rural character by enlisting the cooperation of the CM&IT, whose mission is exactly that.	
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Jennifer West 829-3994	Specifically we wish the easement to protect the unique nature of this historic and scenic property and by doing so to preserve the diverse forest, conserve its watershed, encourage passive recreation and provide educational opportunities.	
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Bob Wood 829-3261	We wish to protect the remaining undisturbed areas forever. We propose the area to be used under the terms of a stewardship plan to be written under the auspices of the Town. The plan will serve as a guide to the CM&IT in its efforts as trustee of the easement.	
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We wish to reserve any disturbance of vegetation or timber to be limited to the recommendations of a current forest management plan, developed by a professional forester under the auspices of the Town. We expect areas to be actively managed for timber production, wildlife protection, passive recreation, education and water quality protection. Some areas will be manged for several of these facets at the same time, such that a trail may be altered to pass near a recent timber harvest, for example.

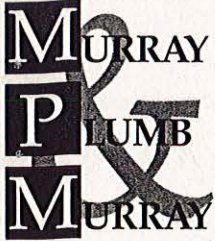
The Board is unanimous in this recommendation.

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	223.52	181.40	160.51	173.25
August	249.42	224.45	175.55	180.63	192.70	241.07
September	196.76	193.89	247.89	195.58	191.69	206.89
October	300.20*	343.81*	260.72*	256.73*	265.17*	303.33*
November	203.80	172.94	185.99	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



Attorneys At Law

December 2, 1997

RECEIVED BY

DEC 08 1997

LAMBERT, COFFIN
RUDMAN & HOCHMAN

John Lambert, Jr., Esq.
Black, Lambert Coffin & Rudman
P.O. Box 15215
Portland, ME 04112-5215

RE: Town of Cumberland Committee to Study Disposition of Tax
Acquired Property

Dear John:

The subject Committee had its first meeting on Monday night,
December

At the meeting, at least one member was of the impression that the
Committee was not only charged with developing and recommending a policy
for the Town Council as to how tax acquired property should be dealt with but
also with reviewing the Town's policy of acquiring property by tax liens.

It was not my impression that the Committee is being asked to review
the Town's method of acquiring property, i.e., the tax lien process. Frankly, I
don't know what other alternative the Town has. State statute seems to provide
for one other method, i.e., suing the delinquent taxpayer, with the result that if
the Town is successful the Town still ends up owning the property. I have no
idea whether the Town is free to develop yet another procedure.

I would like clarification from the Council as to just exactly what this
Committee is being charged with doing.

We will continue to meet but I would like to hear from the Council as
soon as reasonably possible.

Sincerely,

E. Stephen Murray

E. Stephen Murray
Peter S. Plumb
John C. Lightbody
Linda A. Monica
Thomas C. Newman
John C. Bannon
Susan D. Thomas
Drew A. Anderson
Richard L. O'Meara
Barbara T. Schneider
Christopher B. Branson
Charles P. Piacentini, Jr.
Michael D. Traister
Rita S. Saliba

Counsel:

Peter L. Murray
Charlton S. Smith

75 Pearl Street
Post Office Box 9785
Portland, Maine
04104-5085

Telephone:
207.773.5651

Facsimile:
207.773.8023

E-Mail:
info@mpmlaw.com

WWW:
mpmlaw.com

ESM:mjr

George N. Campbell, Jr.
Mayor



City of Portland
Office of the Mayor and Council
Portland, Maine

Councilors

George N. Campbell, Jr.
Philip John Dawson
Karen A. Geraghty
Charles W. Harlow
Tom V. Kane
Cheryl A. Leeman
Nicholas M. Mavodones, Jr.
John F. McDonough
Peter M. Rickett

INVITATION

FROM: Mayor George N. Campbell, Jr., City of Portland

**Review and Discussion of Maine's Strategic Passenger Transportation
Draft Plan with MDOT Commissioner John Melrose.**

Date: Monday December 15th

Time: 12:30 p.m.

Place: Portland International Jetport
Conference Room

A light lunch will be served.

Please respond by Thursday, December 11th
to Madelyn Day at 773-1613.

City and Town Managers are asked to please invite their respective
mayor, council chair, or 1st selectperson to attend.

COUNCIL MEMORANDUM**DECEMBER 8, 1997 MEETING**

Items 97-144 & 145 - This is the annual licensing of the Junkyards. Code Enforcement Officer Robert Littlefield will be present with his recommendations regarding these licenses.

Please review the information in your packets relating to the Shellfish items on the agenda. Harbor Master Ted Curtis and members of the Shellfish Conservation Commission will be present to answer questions relating to the next 5 items.

Item 97-146 - The Shellfish Conservation Commission is recommending four amendments to the Shellfish Ordinance: 1) the restriction that anyone holding a recreational shellfish license in another community would not be eligible for a Cumberland recreational license; 2) to provide an additional month in which to obtain a monthly license; 3) the addition of a new category of recreational license - daily licenses - which would be available for the months of June through September; 4) simply adds the statement that license holders should have their license with them when harvesting shellfish. The first three amendments are all intended to provide additional availability of shellfish harvesting licenses. These proposed amendments have been reviewed by Ken Cole.

The motion for this item should make the amendments effective Jan. 1, 1998 and subject to approval by the Maine Department of Marine Resources.

Items 97-147 through 150 - These items are self-explanatory.

- Item 97-151 - This is an annual appointment of Chief Charron as the Shellfish Warden.
- Item 97-152 - This is the annual appointment of Ted Curtis as Harbor Master.
- Item 97-153 - This subject was reviewed earlier with the Council. I expect to get a report from the Conservation Commission for you on Monday. Donna Larson, Adam Ogden and Phil Wentworth have looked at this property and since it provides access to other Town owned property and will probably provide tie-ins for trail systems, we should accept this with a grateful thank-you to Edward and Paula Copp.
- Item 97-154 - The Council has authorized me to go out to bid for the Town insurances. We have already bid the liability part of it and this is the Workmans' Compensation bid. I will have a recommendation for you, which at this time appears to be the low bidder, Maine Municipal Association. However, we are still gathering information on this subject.
- Item 97-155 - We will have the Health Officer's recommendation regarding the swimming pool license on Monday night.
- Item 97-156 - this is self-explanatory.
- Item 97-157 - please refer to the enclosed motion. This is an annual event and I will have the bids for you on Monday with a recommendation.
- Items 97-158 through 161 - these items are self-explanatory.

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

M E M O

TO: Bob Benson
FROM: Klara Norton
DATE: December 1, 1997
RE: New Town Office Hours

I want to put into writing my ideas and concerns with regard to the new Town Office hours.

As of today, option "A" has won the consensus in our town-wide survey for new Town Office hours ("A" = Monday thru Wednesday 8:00 am to 5:00 pm, Thursday 8:00 am to 6:00 pm and Friday 8:00 am to Noon.) The tally numbers are: 35 for current hours, 106 for option "A" and 96 for option "B".

I would like to propose to begin this new schedule on January 1, 1998. The beginning of a year is always a good time frame to begin something new. Otherwise, we will be faced with the typical confusion of moving, PLUS also remembering to post notices for the public as to the new office hours. It will be confusing enough for people who may miss the notice that the Town Office has moved, let alone changed its hours!!

Another reason to begin the new hours soon is that people have been voting on these new proposed hours for quite a while now, and are beginning to call the office asking if they are in effect yet. Waiting another three or four months will only add to the confusion.

Otherwise, with the old hours, I am concerned with the winter weather and the staff getting home late Monday nights, especially this winter which I think will be a harsh one. It certainly makes a long, tiring week for everyone as three of them can't go home for a true supper break because they live too far away. (Cheryl, Winnie and Debbie).

Thank you for your consideration of these ideas!!



TOWN OF CUMBERLAND

Town Office Building
P.O. Box 128
12 Drowne Road
Cumberland, Maine 04021
(207) 829-5559

December 11, 1996

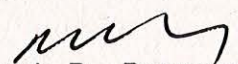
Sandra Doughty
79 Schooner Ridge
Cumberland Foreside, ME 04110

Dear Sandra:

At its meeting of December 9, 1996, the Cumberland Town Council voted to re-appoint you to the Cumberland Housing Authority. Your term will expire December 31, 1999.

On behalf of the Council, I would like to thank you for your willingness to continue to serve on this important committee.

Sincerely,



Robert B. Benson
Town Manager

RBB/cd

pc: Donna Larson

TOWN OF CUMBERLAND

Town Office Building
P.O. Box 128
12 Drowne Road
Cumberland, Maine 04021
(207) 829-5559

December 11, 1996

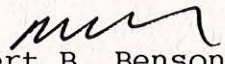
Joyce Frost
33 Old Gray Road
Cumberland, ME 04021

Dear Joyce:

At its meeting of December 9, 1996, the Cumberland Town Council voted to re-appoint you to the Cumberland Housing Authority. Your term will expire December 31, 1999.

On behalf of the Council, I would like to thank you for your willingness to continue to serve on this important committee.

Sincerely,



Robert B. Benson
Town Manager

RBB/cd

pc: Donna Larson

TOWN OF CUMBERLAND

Town Office Building
P.O. Box 128
12 Drowne Road
Cumberland, Maine 04021
(207) 829-5559

December 11, 1996


Harriet Hutchison
Bar Point Road
Chebeague Island, ME 04017

Dear Ms. Hutchison:

At its meeting of December 9, 1996, the Cumberland Town Council voted to re-appoint you to the Islands Committee and the Long Range Planning Committee. Your terms will expire December 31, 1999.

On behalf of the Council, I would like to thank you for your willingness to continue to serve on these important committees.

Sincerely,


Robert B. Benson
Town Manager

RBB/cd

pc: Donna Larson

TOWN OF CUMBERLAND

Town Office Building
P.O. Box 128
12 Drowne Road
Cumberland, Maine 04021
(207) 829-5559

December 11, 1996

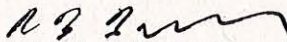
George Turner
4 Carriage Road
Cumberland Foreside, ME 04110

Dear George:

At its meeting of December 9, 1996, the Cumberland Town Council voted to re-appoint you to the Board of Adjustment and Appeals. Your term will expire December 31, 1999.

On behalf of the Council, I would like to thank you for your willingness to continue to serve on this important committee.

Sincerely,


Robert B. Benson
Town Manager

RBB/cd.

pc: Donna Larson

TOWN OF CUMBERLAND

Town Office Building
P.O. Box 128
12 Drowne Road
Cumberland, Maine 04021
(207) 829-5559

December 11, 1996

Ronald Copp
33 Skillins Road
Cumberland, ME 04021

Dear Ron:

At its meeting of December 9, 1996, the Cumberland Town Council voted to re-appoint you to the Board of Adjustment and Appeals. Your term will expire December 31, 1999.

On behalf of the Council, I would like to thank you for your willingness to continue to serve on this important committee.

Sincerely,



Robert B. Benson
Town Manager

RBB/cd

pc: Donna Larson

TOWN OF CUMBERLAND

Town Office Building
P.O. Box 128
12 Drowne Road
Cumberland, Maine 04021
(207) 829-5559

December 11, 1996

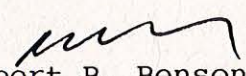
Jeff Daigle
11 Glenview Road
Cumberland, ME 04021

Dear Mr. Daigle:

At its meeting of December 9, 1996, the Cumberland Town Council voted to re-appoint you to the Planning Board. Your term will expire December 31, 1999.

On behalf of the Council, I would like to thank you for your willingness to continue to serve on this important committee.

Sincerely,



Robert B. Benson
Town Manager

RBB/cd

pc: Donna Larson

TOWN OF CUMBERLAND

Town Office Building
P.O. Box 128
12 Drowne Road
Cumberland, Maine 04021
(207) 829-5559

December 11, 1996

Philip Hunt
250 Main Street
Cumberland, ME 04021

Dear Mr. Hunt:

At its meeting of December 9, 1996, the Cumberland Town Council voted to re-appoint you to the Planning Board. Your term will expire December 31, 1999.

On behalf of the Council, I would like to thank you for your willingness to continue to serve on this important committee.

Sincerely,


Robert B. Benson
Town Manager

RBB/cd

pc: Donna Larson

**TOWN OF CUMBERLAND
MINUTES OF THE MEETING OF THE TOWN COUNCIL
DECEMBER 8, 1997**

Present: John Lambert, Stephen Moriarty, 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. Approval of Minutes
a. November 24, 1997

Councilor Phipps moved to approve the minutes of the November 24, 1997 meeting as written.

Councilor Kuntz seconded. Vote: Unanimous (7)

III. Manager's Report

The Chairman introduced Adam Ogden, Public Works Administrator, to the rest of the Council and welcomed Mr. Ogden as an employee of the Town of Cumberland. Mr. Ogden thanked the Council and stated that the Public Works staff has been receptive and that Phil Wentworth has been very supportive.

The Manager informed the Council that he will set-up a tour of the new Town Office Building for the Council in January.

IV. Public Discussion
none

V. Legislation and Policy

97-144 To hold Public Hearing to consider and act on application of Cumberland Salvage, Inc. for an Automobile Graveyard and/or Junkyard Permit.

Code Enforcement Officer Robert Littlefield stated he made a site inspection of the Cumberland Salvage, Inc. facility and found it to be in compliance with Town Ordinances and State Law; and recommended its approval for a permit for 1998.

The Chairman opened the public hearing.
There was no public comment.
The hearing was closed.

Councilor Bingham moved to grant an Automobile Graveyard and/or Junkyard Permit to Cumberland Salvage, Inc.. for 1998.

Councilor Storey seconded. Vote: Unanimous (7)

- 97-145 To hold Public Hearing to consider and act on application of Thomas Greenlaw for an Automobile Graveyard and/or Junkyard Permit.

C.E.O. Robert Littlefield stated that during his inspection of the Greenlaw facility on December 2, 1997 he found the following violations: 1) Left side of entry gate open; 2) Section on left side of entry gate is unfinished; 3) Metal tube and tarpaulin canopy had been erected without a permit. Must be removed; 4) Junked vehicles visible from Harris Road in area beyond fencing; and 5) No containers noticeable for storage of used motor oil and anti-freeze. He recommended this item be tabled until the January 12, 1998 Council meeting.

The Chairman opened the public hearing.

Mr. Greenlaw stated that he has already corrected several of the violations noted by Mr. Littlefield and is working on the rest.

There was no other public comment.
The public hearing was closed.

Councilor Moriarty moved to grant a temporary Automobile Graveyard and/or Junkyard License to Thomas Greenlaw, which will be valid until January 13, 1998, and requested Mr. Littlefield to make subsequent inspection and report to the Council at its January 12, 1998 meeting.

Councilor Storey seconded.

Councilor Bingham stated concern that this facility is consistently found to be in some type of violation each time it is inspected for licensing.

Vote on motion: Unanimous (7)

- 97-146 To hold Public Hearing to consider and act on proposed amendments to the Shellfish Conservation Ordinance.

Harbor Master Ted Curtis and members of the Shellfish Conservation Commission were present to review the amendments and answer questions from the Council and the public.

The Chairman opened the public hearing.

George Hyde, Lantern Lane, asked if the license fees are set in the Ordinance. He was informed that they are.

The public hearing was closed.

Councilor Gleason moved to adopt the following amendments to the Shellfish Conservation Ordinance:
Section 108.3 - last sentence extended to read ..., or a recreational license issued by any other municipality.;
Section 108.3.c - amended accordingly to add month of September;
Section 108.3.d - new language to read: Daily Recreational Shellfish Licenses: This license is available only during the months of June, July, August, and September, and is valid only for the day for which it is issued. Daily Recreational Shellfish Licenses will be sold commencing on the first day of the month during which the day for which it is valid occurs. Only one license will be available for each day of the month and only one daily license per month may be issued to any one person.;
Section 108.3 - old subsection d. changed to e. and new subsection f. to read as follows: Shellfish License must be on your person when harvesting shellfish.;
Section 109 - new item 6. Daily Shellfish License resident and non-resident \$5.00, Over age 62 free; with said amendments effective January 1, 1998 and subject to approval of the Maine Department of Marine Resources.

Councilor Bingham seconded. Vote: Unanimous (7)

It was agreed to consider the following two items together.

- 97-147 To hold Public Hearing to consider and act on closing Johnson Cove, Chebeague Island, to shellfish harvesting during 1998, for conservation purposes.
- 97-148 To hold Public Hearing to consider and act on closing Indian Point, Chebeague Island, to shellfish harvesting during 1998, for conservation purposes.

The committee explained that these recommendations were the result of surveys conducted in these areas.

The Chairman opened the public hearing.
There was no public comment.
The hearing was closed.

Councilor Moriarty moved to follow the recommendations of the Shellfish Conservation Commission and close Johnson Cove and Indian Point on Chebeague Island to shellfish harvesting for 1998, for conservation purposes.

Councilor Storey seconded. Vote: Unanimous (7)

- 97-149 To receive Shellfish Conservation Commission year-end report.

The Chairman thanked the Shellfish Conservation Commission for their work.

Councilor Bingham moved to receive the year-end report from the Shellfish Conservation Commission.

Councilor Phipps seconded. Vote: Unanimous (7)

- 97-150 To set shellfish license allocations for 1998.

Councilor Moriarty moved to approve the following shellfish license allocations for 1998, as recommended by the Shellfish Conservation Commission:

10 Commercial Licenses - 9 resident at \$50.00 each and 1 non-resident at \$100.00, which will be valid only for harvesting on Great Chebeague Island during the month of March and, if the resource is sufficient, the month of April; 230 Resident Recreation at \$15.00 each; 23 Non-resident Recreational at \$30.00 each; 15 Monthly Recreational Licenses available each month, June through September, (14 resident licenses at \$10.00 each and 1 non-resident at \$20.00); Daily Recreational Licenses - one available each day of the month, for the months of June through September.

Councilor Kuntz seconded. Vote: Unanimous (7)

- 97-151 To appoint Shellfish Warden for 1998.

Councilor Storey moved to appoint Police Chief Charron as the Shellfish Warden for 1998.

Councilor Moriarty seconded. Vote: Unanimous (7)

- 97-152 To appoint Harbor Master for 1998.

Councilor Storey moved to appoint Edgar "Ted" Curtis as Harbor Master for 1998.

Councilor Kuntz seconded. Vote: Unanimous (7)

- 97-153 To consider and act on acceptance of gift of real estate from Edward and Paula Copp - Map R6, Lot 16.

The Manager stated that the site had been inspected by the Conservation Commission, Planner and Public Works Director, all of whom felt it to be a desirable property.

Councilor Moriarty moved to accept the gift from Mr. & Mrs. Edward Copp of approximately 10 acres of land, with an assessed value of \$29,800, located off the Greely Road Extension and designated as Lot 16 on Assessor's Map R6; and to abate the taxes owed for 1997 in the amount of \$536.40.

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

The Council thanked Mr. & Mrs. Copp for their generosity.

- 97-154 To award Workers' Compensation Bid.

The Manager stated that three bids were received and recommended it be awarded to the low bidder, Maine Municipal Association.

Councilor Bingham moved to award the bid for Workers' Compensation Insurance for 1998 to the Maine Municipal Association in the amount of \$28,168.00.

Councilor Kuntz seconded. Vote: 4 in favor
3 abstentions (Moriarty, Gleason, Phipps)

- 97-155 To consider and act on Swimming Pool License - SAD 51.

Councilor Storey moved that a swimming pool license be granted to SAD 51 for 1998, and that the Health Officer's recommendations be forwarded to the proper school authorities.

Councilor Bingham seconded. Vote: Unanimous (7)

- 97-156 To appoint 1998 Budget Chairman.

Councilor Gleason moved to appoint Councilor Bingham as the 1998 budget chairman.

Councilor Moriarty seconded. Vote: 6 in favor
1 abstention (Bingham)

- 97-157 To authorize Town Manager to borrow \$4,850,000 in Tax Anticipation Notes.

The Manager reported that 4 bids were received with the lowest being Peoples Heritage Bank at 3.97%.

Councilor Phipps moved the following:

ORDERED: 1. That pursuant to the Charter of the Town of Cumberland and Section 5771 of Title 30-A of the Revised Statutes of Maine of 1964 as amended, and all other authority thereto enabling, the Town Treasurer be and hereby is authorized and empowered to borrow money during the year 1998 in an amount not to exceed \$4,850,000 at any one time outstanding (which amount does not exceed the total tax levy of the year 1998) in anticipation of receipts from taxes for the year 1998 by the issuance of Tax Anticipation Notes of the Town of Cumberland. All of such Tax Anticipation Notes, and any extensions, renewals and replacements thereof shall be signed by the Town Treasurer and countersigned by the Chairman of the Town Council or, in his absence, by the Vice Chairman of the Town Council, shall be payable on or before December 15, 1998 out of money raised by taxation during the year 1998, shall bear interest payable at maturity at the rate per annum specified by the successful bidder therefor, and shall contain such other terms and provisions, not inconsistent herewith, and be in such form, as shall be approved by the officers signing the same, whose approval shall be conclusively evidenced by their execution thereof.

2. That the \$4,850,000 principal amount of Tax Anticipation Notes described in paragraph (1) of this Order are hereby designated as qualified tax exempt obligations for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, and the Town Treasurer be and hereby is authorized and empowered, on behalf of the Town of Cumberland, to covenant with the purchaser of said Notes and for the benefit of the holders thereof, that the Town will take whatever steps and refrain from taking any action as may be necessary or appropriate to insure that interest on said Notes will remain exempt from Federal income taxes and such officer is authorized and empowered to do or cause to be done all such acts and things and to execute and deliver all such certificates, documents, and information returns as may be necessary or desirable in order to effect the issue and sale of said Tax Anticipation Notes.

3. That the action of the Town Manager in soliciting bids from a selected list of banks and financial institutions for the purchase of \$4,850,000 principal amount of Tax Anticipation

Notes described in paragraph (1) of this Order be and the same hereby is approved, and that the bid of Peoples Heritage Bank for the purchase of said Tax Anticipation Notes bearing interest at the rate of 3.97% per annum, payable at maturity and at a price of \$4,850,000 be and the same hereby is approved and accepted, and said \$4,850,000 principal amount of Tax Anticipation Notes shall be issued and sold to said Peoples Heritage Bank in accordance with its bid therefor.

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

- 97-158 To authorize Town Manager to expend funds in accordance with the Town Charter until the 1998 budget is adopted.

Councilor Bingham moved to authorize Town Manager to expend funds in accordance with the Town Charter until the 1998 budget is adopted.

Councilor Moriarty seconded. Vote: Unanimous (7)

- 97-159 To consider and act on application for Victualer's License - Karen Pote D/B/A Route 9 Junction.

Councilor Moriarty moved to grant a Victualer's License to Karen Pote, D/B/A Route 9 Junction, subject to passing all required inspections.

Councilor Phipps seconded. Vote: Unanimous (7)

- 97-160 To consider and act on application of Val Halla Golf & Recreation Center for a Liquor License.

Councilor Storey moved to grant a liquor license to Val Halla Golf & Recreation Center.

Councilor Bingham seconded. Vote: Unanimous (7)

- 97-161 Nominating Committee re-appointments.

Councilor Bingham moved to re-appoint the following to the respective committees: PLANNING BOARD - Martha Porch, Sam Hunter; BOARD OF ADJUSTMENT AND APPEALS - James Fortin, Scot Wyman; BOARD OF ASSESSMENT REVIEW - Stan Furrow; VAL HALLA BOARD OF DIRECTORS - Brian Walsh; RECREATION ADVISORY BOARD - Connie Sweetser; RECYCLING COMMITTEE - Jennifer McAdoo; SHELLFISH CONSERVATION COMMISSION - Jim Higgins, Tom Peterson; COASTAL WATERS COMMISSION - John Williams; LANDING COMMITTEE - Robert White,

Donna Damon, Lindy Smith; ISLANDS COMMITTEE -
Michael Porter, Marjorie Munroe; TOWN FOREST BOARD -
Elizabeth Surgi, Walt Dunlap; and CUMBERLAND HOUSING
AUTHORITY - Richard Foote.

Councilor Kuntz seconded. Vote: Unanimous (7)

VI. Correspondence

City of Auburn -re: Governor's Commission/School Facilities
City of Portland - re: Passenger Transportation plan
Maritimes & Northeast - Notice of intent to file
Maritimes & Northeast - Notice of meetings
E. Stephen Murray - re: Tax Foreclosed Property Committee
Forest Board minutes - 11/6/97
Building Inspector Report - Nov. 97
Solid Waste Report - Nov. 97

VII. New Business

Councilor Moriarty inquired about the search for a new
librarian. The Manager stated that interviews were
conducted today and more are scheduled for tomorrow.

Councilor Gleason stated concern that the Forest Board not
get ahead of the Council regarding any easement on the Town
Forest land, as that is a policy decision that would be
made by the Council.

It was agreed to hold a workshop with the Forest Board on
January 12, 1998.

Councilor Gleason also noted that his law firm held its
holiday party at Val Halla and the facility was received
very well by the attendees.

The Manager informed the Council that the poll of residents
regarding office hours shows a strong desire for a change
in hours - of the 237 votes only 35 want to keep the
current hours, with the most popular hours being Mon.-Wed.
8:00 am to 5:00 pm; Thurs. 8:00 am to 6:00 pm and Friday
8:00 am to Noon. The Council agreed that these hours should
be put into effect at the time of the move to the new
office building with the appropriate notice and publicity
between now and the move.

Councilor Moriarty moved to cancel the second regular
December meeting of the Town Council.

Councilor Storey seconded. Vote: Unanimous (7)

VIII. Adjourn

The meeting was adjourned at 8:45 pm.


Charlene A. Doyle
Council Secretary

Absent: None

Opened 7 PM

Minutes
11/24/97

Phipps to approve

2nd Kuntz

Unan (?)

Mug. Rpt

Chairman introduced new Public Works Admin.

Adam Ogden - crew receptive, PW very supportive

RB will set up tour for Council of new Town of
in January

Pub Disc None

Leg. Policy

97-144 - Comb Salv. Permit

RBL - site inspection made + site found in

compliance w/ Town Ord + State Law - all tires

are in process of being removed - recommend approval

Chair opened pub hear.

no public comment

Closed Ptt

B to approve . . .

2nd Storey. Unan (?)

97-145 Greenlaw Permit

RBL - inspection on 12/2 found following violations:

① Gate open ② Section of gate unfinished ③ Metal tube + tarp.

Canopy erected between Rd + Yard . . . see ^{RBL} Memo

RBL recommend Table to Jan 12th

- Pub Hear Opened -

Mr. Greenlaw stated he did more vehicle visible from Street - + is working on making site more presentable.

- No other comment -
- Pub Hear closed -

M to grant ^{Temp} ~~conditional~~ permit to 1/13/98
+ to hear again from RBL at 1/12/98 meeting.
2nd Storey Uman (7)

97-146 Shellfish Ord Amendments

W. Smith - S.C.C. - reviewed proposed amendments

Pub Hear @ opened

G. Hyde - fees set in ord? - Yes
Closed

Pg to adopt amend
2nd B Uman (7)

ST re: monthly

97-147 Johnson Cove

97-148 Indian Point

M to close both 1998
2nd Storey Uman (7)

PH opened W Smith due to survey results
no pub comment
closed

97-149 Yreud Rpt

Chair Thanks to Comm. for their work
B to receive report
2nd Phipps Uman (7)

97-150 Shellfish Alloc.

SM Move to allocate the following SLic for 1998
as rec. by SCC.
2nd Kuntz Uman (7)

97-151 Sullfish Warde
Storey to appt Chief Chavren
2nd SM Unan (?)

97-152 HMaster
HS to appt. T. Curtis
2nd MK Unan (?)

97-153 Copp Property - Taxes / Deed

Sm to accept gift of land
2nd HS @ 6 min favor 1 abst. (Kuntz)
Thank-you to Mr + Mrs. Copp

97-154 W. Crump Bid

RB 3 bids - MMA low bidder \$28,168
B move to award W. Crump bid to MMA for 1998 m amount of
2nd MK 4 yes 3 abst M, J + P

97-155 Swim Pool Lic

HS to grant lic w/ recomm. given to
proper school Auth.
2nd B Unan (?)

97-156 Budget Chair

J motion to appt P.B as 98 Budget Chair
2nd M ~~Unan~~ 6 yes 1 abst (B)

97-157 TAN

RB - 4 bids - Peoples 3.97 lowest rate

Purps motion as printed. awarded to Peoples at 3.97
2nd SM 6 yes 1 abst J

97-158 To aut TM to expnd funds

B to move
2nd SM Unan (?)

TC (4)
12/8/97

- 97-159 Victualers Lic
SM move to approve subject to all inspections & approvals
2nd Phipps - Uman (?)

- 97-160 Liquor Lic
HS to approve
PB 2nd Uman (?)

Budget
Wkshop
Schedule

- 97-161 Nom Comm - re appointments
B motion to re-appoint
2nd K Uman (?)

Growth
Comm.
Jan 21st

Corresp:
City Port Re: meeting -
Strategic passenger transport plan

New Bus

SM - Librarian Search? RB - int. today & Wed.

Phipps - transportation info for Town

Geason - concern that Forest Bd not get ahead of
Council re: easement on Town Forest Land

- Should meet w/ Forest Board to discuss -

Lambert see easement as policy ^{issue} ~~action~~ to be
^{made} ~~handled~~ by the Council

SM - workshop may be more appropriate

Workshop Jan 12th w/ Forest Board

Geason - firm held holiday party at VH - facility
was received very well

RB - Office Hours = at Time of Move - Post now

SM motion to cancel 2nd reg Council Meeting for Dec
2nd HS Uman (?)

Close 26th of Dec. -

Adjourn 8:45

COUNCIL MEMORANDUM**DECEMBER 8, 1997 MEETING**

Items 97-144 & 145 - This is the annual licensing of the Junkyards. Code Enforcement Officer Robert Littlefield will be present with his recommendations regarding these licenses.

Please review the information in your packets relating to the Shellfish items on the agenda. Harbor Master Ted Curtis and members of the Shellfish Conservation Commission will be present to answer questions relating to the next 5 items.

Item 97-146 - The Shellfish Conservation Commission is recommending four amendments to the Shellfish Ordinance: 1) the restriction that anyone holding a recreational shellfish license in another community would not be eligible for a Cumberland recreational license; 2) to provide an additional month in which to obtain a monthly license; 3) the addition of a new category of recreational license - daily licenses - which would be available for the months of June through September; 4) simply adds the statement that license holders should have their license with them when harvesting shellfish. The first three amendments are all intended to provide additional availability of shellfish harvesting licenses. These proposed amendments have been reviewed by Ken Cole.

The motion for this item should make the amendments effective Jan. 1, 1998 and subject to approval by the Maine Department of Marine Resources.

Items 97-147 through 150 - These items are self-explanatory.

Item 97-151 - This is an annual appointment of Chief Charron as the Shellfish Warden.

Item 97-152 - This is the annual appointment of Ted Curtis as Harbor Master.

Item 97-153 - This subject was reviewed earlier with the Council. I expect to get a report from the Conservation Commission for you on Monday. Donna Larson, Adam Ogden and Phil Wentworth have looked at this property and since it provides access to other Town owned property and will probably provide tie-ins for trail systems, we should accept this with a grateful thank-you to Edward and Paula Copp.

Item 97-154 - The Council has authorized me to go out to bid for the Town insurances. We have already bid the liability part of it and this is the Workmans' Compensation bid. I will have a recommendation for you, which at this time appears to be the low bidder, Maine Municipal Association. However, we are still gathering information on this subject.

Item 97-155 - We will have the Health Officer's recommendation regarding the swimming pool license on Monday night.

Item 97-156 - this is self-explanatory.

Item 97-157 - please refer to the enclosed motion. This is an annual event and I will have the bids for you on Monday with a recommendation.

Items 97-158 through 161 - these items are self-explanatory.

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

MEMORANDUM

DATE: December 3, 1997
TO: Thomas Greenlaw
FROM: Robert Littlefield, Building Inspector
RE: Junkyard violations

Based on my inspection on December 2, 1997 the following violations were observed:

Should be kept closed

1. Left side of entry gate open
2. Section on left side of entry gate is unfinished.
3. Metal tube and tarpaulin canopy has been erected without a permit. This must be removed. *will be taken down*
4. Junked vehicles can be observed from Harris Road in area beyond *car moved?* fencing.
5. No containers noticeable for storage of used motor oil and anti-freeze.

If you have any questions please contact me at 829 - 2207 before 3:00 pm Friday, December 5, 1997. If I am unavailable please leave a message with Ms. Carol Tukey.

OK

*Site visit 12/8/97
not corrected*

**SHELLFISH CONSERVATION
ORDINANCE**

98 amendments
as adopted
3

SECTION 108. DESIGNATION, SCOPE AND QUALIFICATIONS

1. COMMERCIAL LICENSES

a. Resident Commercial Shellfish License: This license is available to residents and/or taxpayers of the Town of Cumberland and entitles the holder to dig and take one (1) bushel of shellfish per tide from the shores and flats of this municipality and reciprocating municipalities.

b. Non-Resident Commercial Shellfish License: This license is available to non-residents of this municipality and entitles the holder to dig and take one (1) bushel of shellfish per tide from the shores and flats of this municipality.

2. Qualifications Specific to Commercial Shellfish Licenses:

a. The Shellfish Conservation Commission may specifically designate the period of validity as well as the areas open to commercial harvesting each year.

b. Commercial Shellfish License holders are supplied with, and required to keep, a Shellfish Harvesting Log which must be submitted to the Town Clerk no later than November 15th of each year. The Log will include the license holder's name and address and will show the date, location, and number of bushels harvested during each tide. Commercial License holders who do not submit Harvesting Logs, as required, will not be eligible for a Commercial License during the next period of issuance of Commercial Licenses.

3. RECREATIONAL SHELLFISH LICENSES: A person holding a recreational shellfish license may not engage in the wholesale or retail sale of any shellfish harvested under that license. Recreational shellfish licenses are not available and not valid for a person who holds a shellfish license issued by the Commissioner of Marine Resources, or a recreational license issued by any other municipality.

a. Resident Recreational Shellfish License: This license is available to residents and/or taxpayers of the Town and entitles the holder to dig and take no more than one peck of shellfish per tide for the use of himself and his immediate family.

b. Non-Resident Recreational Shellfish License: This license is available to non-residents of the Town and entitles the holder to dig and take no more than one peck of shellfish per tide for the use of himself and his immediate family; for purposes of this subsection 3 only, taxpayers shall not be considered non-residents.

c. Monthly Recreational Shellfish License: This license is available only during the months of June, July, and August, and

September. A specific number of licenses will be available for issuance during each of the ~~three~~ **four** months and will be valid only for the month in which it is issued. (For example - If ten licenses are available for the month of June they will not be sold before June 1st and, regardless of the day of the month they are sold, they will expire at midnight on June 30th.) It entitles the holder to dig and take no more than one peck of shellfish per tide for the use of himself and his immediate family.

d. Daily Recreational Shellfish Licenses: This license is available only during the months of June, July, August and September, and is valid only for the day for which it is issued. Daily Recreational Shellfish Licenses will be sold commencing on the first day of the month during which the day for which it is valid occurs. Only one license will be available for each day of the month and only one daily license per month may be issued to any one person.

e. At no time shall any recreational license holder and guests be allowed to harvest a combined total that exceeds one peck of shellfish per license/per tide.

f. Shellfish License must be on your person when harvesting shellfish.

4. Volunteer Program:

a. Should any volunteer participate in ten (10) or more hours of Shellfish Conservation Commission activities in a calendar year, that person will be assured a recreational or commercial license, applied for in the following year (cost of license responsibility of applicant and based on availability of Commercial Licenses).

b. Volunteer hours are to be recorded by a member of the Shellfish Conservation Commission present for that activity in which the volunteer has participated.

SECTION 109. FEES

1. Resident Commercial Shellfish License \$50.00.
2. Non-Resident Commercial Shellfish License \$100.00.
3. Resident Recreational Shellfish License \$15.00 -
over age 62, free.
4. Non-Resident Recreational Shellfish License \$30.00 -
over age 62, free.
5. Monthly Recreational Shellfish License
Resident - \$10.00
Non-Resident - \$20.00
over age 62, free
6. **Daily Recreational Shellfish License \$5.00**
over age 62 free

**SHELLFISH CONSERVATION
ORDINANCE**

*Draft 28
proposed 98
Amendments*
3

SECTION 108. DESIGNATION, SCOPE AND QUALIFICATIONS

1. COMMERCIAL LICENSES

a. Resident Commercial Shellfish License: This license is available to residents and/or taxpayers of the Town of Cumberland and entitles the holder to dig and take one (1) bushel of shellfish per tide from the shores and flats of this municipality and reciprocating municipalities.

b. Non-Resident Commercial Shellfish License: This license is available to non-residents of this municipality and entitles the holder to dig and take one (1) bushel of shellfish per tide from the shores and flats of this municipality.

2. Qualifications Specific to Commercial Shellfish Licenses:

a. The Shellfish Conservation Commission may specifically designate the period of validity as well as the areas open to commercial harvesting each year.

b. Commercial Shellfish License holders are supplied with, and required to keep, a Shellfish Harvesting Log which must be submitted to the Town Clerk no later than November 15th of each year. The Log will include the license holder's name and address and will show the date, location, and number of bushels harvested during each tide. Commercial License holders who do not submit Harvesting Logs, as required, will not be eligible for a Commercial License during the next period of issuance of Commercial Licenses.

3. RECREATIONAL SHELLFISH LICENSES: A person holding a recreational shellfish license may not engage in the wholesale or retail sale of any shellfish harvested under that license. Recreational shellfish licenses are not available and not valid for a person who holds a shellfish license issued by the Commissioner of Marine Resources, or a recreational license issued by any other municipality.

a. Resident Recreational Shellfish License: This license is available to residents and/or taxpayers of the Town and entitles the holder to dig and take no more than one peck of shellfish per tide for the use of himself and his immediate family.

b. Non-Resident Recreational Shellfish License: This license is available to non-residents of the Town and entitles the holder to dig and take no more than one peck of shellfish per tide for the use of himself and his immediate family; for purposes of this subsection 3 only, taxpayers shall not be considered non-residents.

c. Monthly Recreational Shellfish License: This license is available only during the months of June, July, ~~and August,~~ and

**SHELLFISH CONSERVATION
ORDINANCE**

4

September. A specific number of licenses will be available for issuance during each of the ~~three~~ four months and will be valid only for the month in which it is issued. (For example - If ten licenses are available for the month of June they will not be sold before June 1st and, regardless of the day of the month they are sold, they will expire at midnight on June 30th.) It entitles the holder to dig and take no more than one peck of shellfish per tide for the use of himself and his immediate family.

d. Daily Recreational Shellfish Licenses: This license is available only during the months of June, July, August and September, and is valid only for the day for which it is issued. Daily Recreational Shellfish Licenses will be sold commencing on the first day of the month during which the day for which it is valid occurs.

Only one license will be available for each day of the month and only one daily license may be issued to a person per day.

d e. At no time shall any recreational license holder and guests be allowed to harvest a combined total that exceeds one peck of shellfish per license/per tide.

f. Shellfish License ^{must} be on your person when harvesting shellfish.

4. Volunteer Program:

a. Should any volunteer participate in ten (10) or more hours of Shellfish Conservation Commission activities in a calendar year, that person will be assured a recreational or commercial license, applied for in the following year (cost of license responsibility of applicant and based on availability of Commercial Licenses).

b. Volunteer hours are to be recorded by a member of the Shellfish Conservation Commission present for that activity in which the volunteer has participated.

SECTION 109. FEES

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2. Non-Resident Commercial Shellfish License \$100.00.
3. Resident Recreational Shellfish License \$15.00 -
over age 62, free.
4. Non-Resident Recreational Shellfish License \$30.00 -
over age 62, free.
5. Monthly Recreational Shellfish License
Resident - \$10.00
Non-Resident - \$20.00
over age 62, free
6. *Dead*

SECTION 110. SIGNATURE ON LICENSE

The licensee must sign the shellfish license to make it valid.

SECTION 108. DESIGNATION, SCOPE AND QUALIFICATIONS

1. COMMERCIAL LICENSES

a. Resident Commercial Shellfish License: This license is available to residents and/or taxpayers of the Town of Cumberland and entitles the holder to dig and take one (1) bushel of shellfish per tide from the shores and flats of this municipality and reciprocating municipalities.

b. Non-Resident Commercial Shellfish License: This license is available to non-residents of this municipality and entitles the holder to dig and take one (1) bushel of shellfish per tide from the shores and flats of this municipality.

2. Qualifications Specific to Commercial Shellfish Licenses:

a. The Shellfish Conservation Commission may specifically designate the period of validity as well as the areas open to commercial harvesting each year.

b. Commercial Shellfish License holders are supplied with, and required to keep, a Shellfish Harvesting Log which must be submitted to the Town Clerk no later than November 15th of each year. The Log will include the license holder's name and address and will show the date, location, and number of bushels harvested during each tide. Commercial License holders who do not submit Harvesting Logs, as required, will not be eligible for a Commercial License during the next period of issuance of Commercial Licenses.

3. RECREATIONAL SHELLFISH LICENSES: A person holding a recreational shellfish license may not engage in the wholesale or retail sale of any shellfish harvested under that license. Recreational shellfish licenses are not available and not valid for a person who holds a shellfish license issued by the Commissioner of Marine Resources, or a recreational license issued by any other municipality.

a. Resident Recreational Shellfish License: This license is available to residents and/or taxpayers of the Town and entitles the holder to dig and take no more than one peck of shellfish per tide for the use of himself and his immediate family.

b. Non-Resident Recreational Shellfish License: This license is available to non-residents of the Town and entitles the holder to dig and take no more than one peck of shellfish per tide for the use of himself and his immediate family; for purposes of this subsection 3 only, taxpayers shall not be considered non-residents.

c. Monthly Recreational Shellfish License: This license is available only during the months of June, July, ~~and~~ August, and

September. A specific number of licenses will be available for issuance during each of the ~~three~~ **four** months and will be valid only for the month in which it is issued. (For example - If ten licenses are available for the month of June they will not be sold before June 1st and, regardless of the day of the month they are sold, they will expire at midnight on June 30th.) It entitles the holder to dig and take no more than one peck of shellfish per tide for the use of himself and his immediate family.

d. Daily Recreational Shellfish Licenses: This license is available only during the months of June, July, August and September, and is valid only for the day for which it is issued. Daily Recreational Shellfish Licenses will be sold commencing on the first day of the month during which the day for which it is valid occurs. Only one license will be available for each day of the month and only one daily license per month may be issued to any one person.

e. At no time shall any recreational license holder and guests be allowed to harvest a combined total that exceeds one peck of shellfish per license/per tide.

f. Shellfish License must be on your person when harvesting shellfish.

4. Volunteer Program:

a. Should any volunteer participate in ten (10) or more hours of Shellfish Conservation Commission activities in a calendar year, that person will be assured a recreational or commercial license, applied for in the following year (cost of license responsibility of applicant and based on availability of Commercial Licenses).

b. Volunteer hours are to be recorded by a member of the Shellfish Conservation Commission present for that activity in which the volunteer has participated.

SECTION 109. FEES

1. Resident Commercial Shellfish License \$50.00.
2. Non-Resident Commercial Shellfish License \$100.00.
3. Resident Recreational Shellfish License \$15.00 -
over age 62, free.
4. Non-Resident Recreational Shellfish License \$30.00 -
over age 62, free.
5. Monthly Recreational Shellfish License
Resident - \$10.00
Non-Resident - \$20.00
over age 62, free
6. **Daily Recreational Shellfish License \$5.00**
over age 62 free

**TOWN OF CUMBERLAND
SHELLFISH CONSERVATION COMMISSION
1997 ANNUAL REPORT**

We would like to recognize the Police Department along with the Harbor Master for their enforcement efforts and the water sampling volunteers for their continuing dedicated service.

The activities of the Shellfish Conservation commission for the 1997 calendar year have included formal and informal field surveys of our shellfish resources, shoreline surveys, and planning meetings coordinated with the Maine Department of Marine Resources (DMR). These activities are summarized below:

Enforcement:

The Police Department, including the Chebeague Island Officer, in coordination with the Harbor Master continued to provide effective enforcement of the shellfish regulations and led to the issuance of three summons.

Field Surveys:

Commission members, volunteers, and the Harbor Master conducted approximately 20 informal, non-quantitative surveys of Great Chebeague Island shoreline, on 4 on Sturdivant Island and 24 along the mainland shore, from April to October this year.

Planning meetings:

The Commission held three meetings during the course of the year. The following issues were discussed:

1. Management goals for shellfish areas.
2. Continuing the volunteer water quality-sampling program.
3. Scheduling shoreline surveys as required by DMR.
4. Maintaining effective enforcement of the shellfish regulations.
5. Continuation of the volunteer program to assist with shellfish conservation projects.

Coordination with Maine DMR:

The Shellfish Commission met with, Don Card, Maine Department of marine Resources biologist, and worked with the department on water quality sampling, shoreline surveys, and shellfish surveys.

SHELLFISH CONSERVATION COMMISSION 1997 ANNUAL REPORT

Water Quality Sampling Program:

As a result of the commission's coordination with, Laura Livingston, biologist, of Maine Department of Marine Resources, as well as the availability of willing and able volunteers, the Town of Cumberland is currently providing state-approved water samples in accordance with state regulations and rigid sampling schedule. Dick Peterson of the Shellfish Commission, and Gail Worthen-Todd continued to collect samples along the mainland shore, Sturdivant Island, and Great Chebeague Island. Harbor master, Ted Curtis, is state certified and continues to assist when needed. All the water samples are delivered to the DMR lab in Boothbay Harbor for timely scientific analysis.

Water Quality Sampling Schedule – 1997

May 22nd	Aug 21st
Jun 19 th	Sep 25 th
Jul 21 st	Oct 16 th

This summary is respectfully submitted on behalf of the Cumberland Shellfish Conservation Commission.

Ted Curtis
Harbor Master

The Shellfish Conservation Commission makes the following recommendations for management of the Town's shellfish resources for 1998:

1. The Commission recommends that last years limited commercial harvesting activity (one month) be continued on Great Chebeague Island and possibly expanded to two months. Informal surveys and frequent observations by Commission members and the Harbor Master, coupled with our previous years' quantitative surveys and recommendation of our biologist, Don Card, indicate that adequate stock is available for harvesting on Great Chebeague Island. The Mainland stock is still insufficient to withstand commercial harvesting at this time. The recommendation is to issue 10 (ten) commercial licenses, which would be valid on Great Chebeague Island for the month of March, and possibly continued through the month of April.
2. The Commission recommends that the cove defined by Indian Point (peninsula North of the Chebeague Yacht Club) be closed to all shellfish harvesting for conservation reasons. The Commission also recommends the Johnson Cove conservation closure be continued an additional year.
3. The Commission recommends the following fees and number of licenses to be issued:

<u>License Type</u>	<u>Fee</u>	<u>Number to be issued</u>
Resident Commercial	\$ 50.00	9
Non-resident Commercial	\$100.00	1
Resident Recreational	\$ 15.00	230
Non-resident Recreational	\$ 30.00	23
Monthly Rec. (June, July, Aug, Sep)	\$ 10.00	14 /month
Non-res, Recreational Monthly	\$ 20.00	1 /month
Daily Rec. (June. July, Aug, Sep)	\$ 5.00	30 /month
		30-31/mo

4. The Commission will continue to work with the Maine Department of Marine Resources. We will continue to build and train a volunteer team to assist in the management of our valuable resource.

Respectfully submitted on behalf of the Shellfish Conservation Commission.

Ted Curtis
Harbor Master / Shellfish Warden

SHELLFISH WARDEN'S YEAR END REPORT 1997

Shellfish Enforcement	596 hours
Shellfish Conservation	48
Shellfish Administration	75
A. Training	30
Total	<u>749</u>
Shellfish Patrol Checks	445
Estimated pecks harvested	300 pecks
Estimated harvest value	\$ 9,000.00

1.	Amount of shellfish checked	192 pecks
2.	Number of harvests checked	192 pecks
	A. Short clams	0
3.	Violations encountered	
	A. Action taken	
	1. Warnings	4
	2. Posting closed areas	0
	3. Educational	10
	4. Informational	7
	5. Summons	3

SHELLFISH LICENSE ALLOCATION

1.	Recreational Licenses	230
2.	Commercial Licenses	10
3.	Monthly Recreational Licenses	30
	Total	<u>270</u>

LICENSES SOLD

Resident Commercial	0	\$ 400.00
Resident Recreational	225	3,375.00
Resident Recreational (Sr. Citizen)	56	0
Resident Recreational Monthly	24	210.00
Resident Recreational Monthly (Sr.)	17	0
Non-Resident Commercial	0	0
Non-Resident Recreational	28	750.00
Non-Resident Recreational (Sr. Cit.)	0	0
Non-Resident Recreational Monthly	3	60.00
Non-Resident Recreational Monthly (Sr.)	0	0
Total	<u>353</u>	\$ 4,795.00

*Last yearly
recreational
license sold
May 15th*

SHELLFISH WARDENS

Joseph J. Charron
Lawrence E. Goff

Thomas Burgess
Jeffery M. Soper

Ted Curtis

GHA

GLOBAL HEALTH ALTERNATIVES

TELEFACSIMILE TRANSMISSION COVER SHEET

TO: Town of Cumberland FAX #:
ATTN: Bob Benson RE: Draft McKernan Letter
FROM: John Eldredge cc: Donna Larson
DATE: December 8, 1997 Rob Craig
Ellen Hoffman

PAGES FOLLOWING COVER: 1

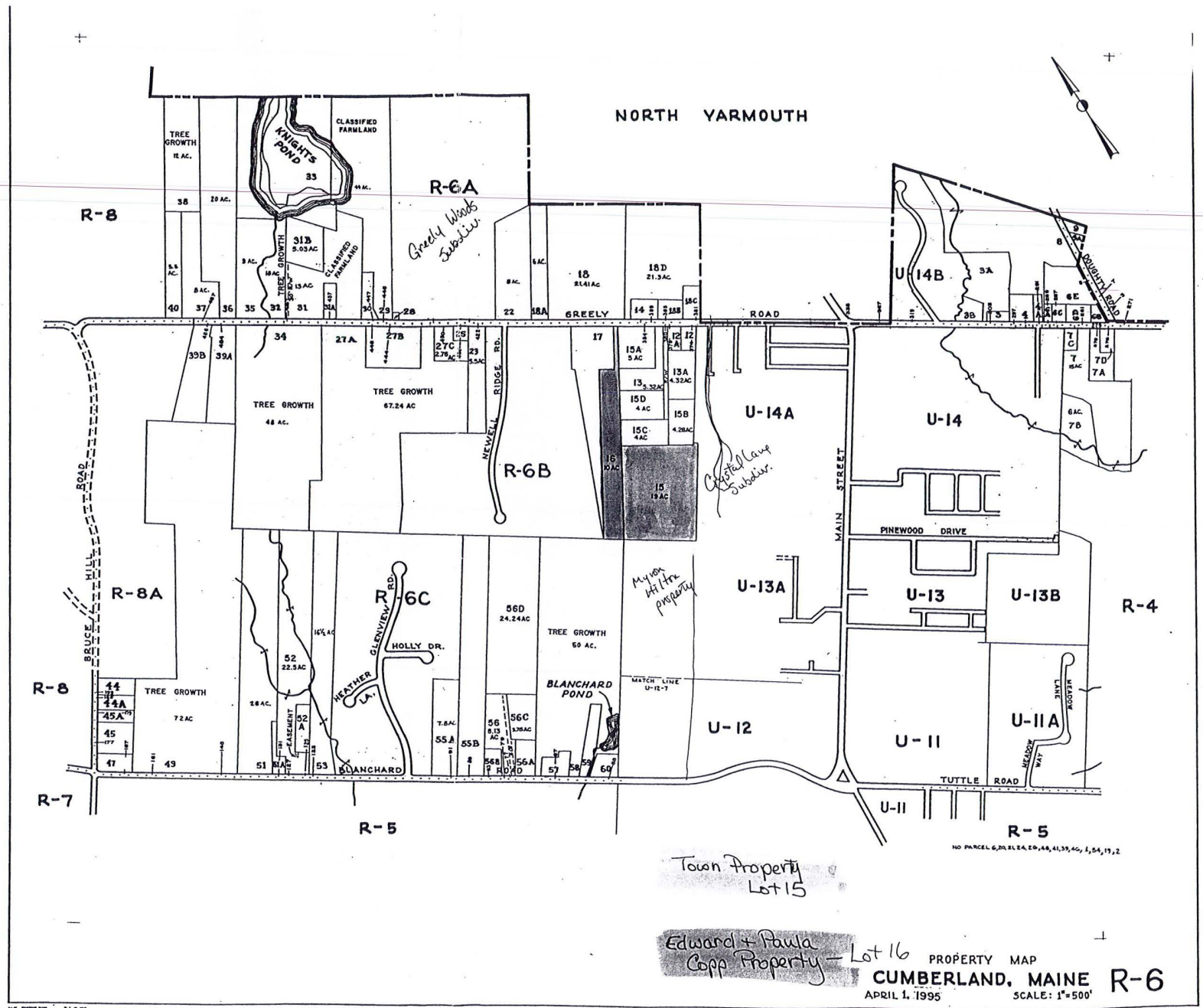
If you do not receive all pages of this fax, please call 207-772-7234

Bob -

Rob Craig and I, representing the Conservation Commission, inspected Lot 16 on tax map R-6B this past Saturday. This 10 acre lot has narrow frontage on the south side of Greely Road Extension and extends southward, where it abuts the Town-owned lot 15.

In our view, the Town should accept the transfer of ownership of this land as it will serve as valuable access to the now landlocked piece the Town currently owns. Looking ahead, it appears possible, but difficult, to establish a trail from Greely Road Extension along a narrow corridor that would provide access to lot 15. However, it would be easier and more desirable to see if a public easement could be granted along the existing snowmobile trail that crosses lots 13 and 15D. Please let us know if this might be possible. Thanks,
Bob,





12/08/97

1998 WORKERS COMPENSATION BIDS

CLARK ASSOCIATES.....\$34,717.00
MORSE, PAYSON AND NOYES.....\$35,639.00
MAINE MUNICIPAL ASSOC.....\$28,168.00 *

1997 - 34,031

1998 T.A.N. BIDS 4,850,00 0

BANK	RATE
KEY BANK	4.26
PEOPLES BANK	3.97 *
FLEET BANK	4.00
STATE STREET BANK	4.089

DEC. 8, 1997

THE FOLLOWING COMMITTEE MEMBERS HAVE STATED AN INTEREST
IN BEING RE-APPOINTED FOR ANOTHER TERM ON THEIR RESPECTIVE
COMMITTEE OR BOARD:

(RE-APPOINTMENTS TO BE MADE EFFECTIVE AS OF JAN. 1, 1998)

PLANNING BOARD - Martha Porch, Sam Hunter

BOARD OF ADJUSTMENT AND APPEALS - James Fortin, Scott Wyman

BOARD OF ASSESSMENT REVIEW - Stan Furlow

VAL HALLA BOARD OF DIRECTORS - Brian Walsh

RECREATION ADVISORY BOARD - Connie Sweetser

RECYCLING COMMITTEE - Jennifer McAdoo

SHELLFISH CONSERVATION COMMISSION - Jim Higgins, Tom Peterson

COASTAL WATERS COMMISSION - John Williams

LANDING COMMITTEE - Robert White, Donna Damon, Lindy Smith

ISLANDS COMMITTEE - Michael Porter, Marjorie Munroe

TOWN FOREST BOARD - Elizabeth Surgi, Walt Dunlap

CUMBERLAND HOUSING AUTHORITY - Richard Foote

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

TOWN OF CUMBERLAND

TOWN COUNCIL

PUBLIC HEARINGS

The Town Council of Cumberland will hold the following Public Hearings on December 8, 1997, at 7:00 p.m. at the Cumberland Municipal Center:

- 1) to consider and act on application of Cumberland Salvage, Inc. for an Automobile Graveyard and/or Junkyard Permit;
- 2) to consider and act on application of Thomas Greenlaw for an Automobile Graveyard and/or Junkyard Permit;
- 3) to consider and act on amendments to the Shellfish Conservation Ordinance;
- 4) to consider and act on closing Johnson Cove, Chebeague Island, to shellfish harvesting during 1998, for conservation purposes;
- 5) to consider and act on closing Indian Point, Chebeague Island, to shellfish harvesting during 1998, for conservation purposes.

11/25/97

Joan -

John Lambert
Chairman

Please run one
day - Nov. 28th

PO # 4312 T
Thanks,
Shelley Doyle