

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
WEDNESDAY, May 23, 2001**

6:00 pm Council Subcommittee Meeting to discuss recreational land use policy

- I. Call to order at the Cumberland Town Council Chambers at 7:00 p.m.
- II. Manager's Report
- III. Public Discussion
- IV. Legislation and Policy
 - 01-29 To set date to hear presentation on final plans for Blanchard Road reconstruction and to consider taking action
 - 01-30 To hold a Workshop on Impact Fees
- V. Correspondence
- VI. New Business
- VIII. Adjourn

J.C. Committee on 5 AD NY

MEMBERS OF THE TOWN COUNCIL

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

Town of Cumberland web site: www.cumberlandmaine.com

27 April 2001

Oak Street
Cumberland, Maine 04021

Dear Mr:

This is to notify you that the basketball hoop and stand, with concrete blocks, located in the town's right of way (Oak Street) is considered an obstruction and a nuisance in accordance with 23 M.R.S.A. § 3452 and must be removed.

The Town of Cumberland may be liable for injuries caused by the placement of the basketball hoop and stand in the town way. If the hoop and stand is not removed immediately, the Town will remove it.

The basketball hoop and stand must not be located within the right of way, which is 50 feet wide. Such obstructions are deemed nuisances by the town and state law, specifically, 23 M.R.S.A. § 3452 and 3453.

Locating a hoop and stand within the right of way provides an attractive nuisance that could endanger the welfare of persons playing basketball in the road.

Please remove the basketball hoop and stand immediately. If you have any questions or require additional information please call me.

Sincerely,

Adam J. Ogden
Director of Public Works

CC: Robert B. Benson, Town Manager
Kenneth M. Cole III, Town Attorney

April 11, 2001

Board of Selectmen
Town of Cumberland
Town Hall, 290 Tuttle Road
Cumberland, ME 04021

Attention: Adam Ogden, Town Engineer

Subject: Blanchard Road Reconstruction

Dear Members of the Board:

We are writing to comment on the Blanchard Road Reconstruction Project. Although we have mixed emotions about the project, we acknowledge the merits of widening the road and improving the site distances in the vicinity of our homes. We understand that the limited site distances for traffic entering and exiting our driveways is a dangerous situation. An additional danger is the high incidence of vehicles exceeding the 25 mile per hour speed limit as they approach the center of town from the west.

We fear that the widening and improved site distances will make it safer for vehicles to exceed the posted speed limit. We suggest that the project will naturally tend to increase this occurrence. Increasing the police patrols in the area alone will not fully solve or have a lasting effect on the potentially dangerous situation.

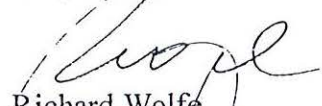
We would like the Town to consider including "traffic calming" measures to increase the awareness of vehicle operators approaching the center of the speed limit transition to 25 miles per hour several hundred yards west of our properties. The traffic calming could be done by:

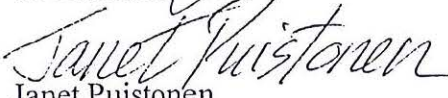
- Changing the geometry (i.e. islands, speed tables or narrowing the pavement),

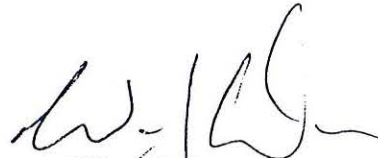
- a blinking yellow light,
- periodical rental of a radar controlled warning sign,
- painting a warning on the pavement or
- increased "*Speed Limit*" and "*Caution - Thickly Settled*" signage (oversized and on both sides of the street).

Thank you for your consideration in this matter. We applaud the Town's focus on making this section of Blanchard Road safer for traffic, bicyclists and pedestrians.

Respectfully,


Richard Wolfe
43 Blanchard Road


Janet Puistonen
43 Blanchard Road


William J. Dawson
42 Blanchard Road


Pamela Rand Dawson
42 Blanchard Road

Rev 6 5/14/01
Council
5-23-01
RJS

May 11, 2001

Town Council
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Dear Town Council Members

As a 30 plus year resident of the Town of North Yarmouth and a lifetime member of the North Yarmouth Fire and Rescue Company I feel the need to respond to the Cumberland Town Council regarding the recent criticism that has appeared in the Portland Press Herald, Falmouth Forecaster and Shopping Notes. The articles appearing in all three papers allege that North Yarmouth either does not have a Fire or Rescue Service or provides an inadequate service without the support of the Town. Depending on the readers knowledge or lack of familiarity with the area it could easily be construed as the services being non-existent. The one constant is the fact that this misleading information appears to come from the Cumberland Town Council. As with any governmental entity, especially faced with such an important decision, I am sure some politics plays a part on both sides. Personally, I have not reached a preference for either site. Both have advantages and disadvantages. More study appears to be necessary.

My concern is with the comments made indicating that the Town of North Yarmouth and its Fire and Rescue Services are not adequate to support this school. Completely ignored in all the articles is the fact that we already support the North Yarmouth Memorial School and have successfully for many years. The school is totally backed by all Town services and is protected by a fully certified sprinkler system fed by a more than adequate water supply. North Yarmouth Fire and Rescue have promptly responded to many Fire and Rescue situations at the school at all times of day and night. Support and support services for the school have never wavered.

I take umbrage at Jeff Porters comments regarding the inadequacy of the North Yarmouth Fire and Rescue Service and feel that his comments amount to a personal insult to each and every hard working, dedicated member of the Fire and Rescue Service. I find his comments unprofessional, unaware and degrading. If our services are inadequate it is interesting to note that we have responded to Cumberland, both Fire and Rescue, on many mutual aid calls and will continue to do so whenever requested. Cumberland has a very fine Fire and Rescue organization and should be applauded for their achievements especially in light of rapidly expanding growth. North Yarmouth is also expanding. For your information North Yarmouth Fire and Rescue have received complete support from both the Town and its residents. Having lived in three states I can say without reservation that the support provided by the Town and its residents has been solid and rewarding. Our fire/rescue equipment consists of three class "A" engines, a 2000 gallon tanker, a

support/forest squad truck and rescue vehicle. Our rescue vehicle is scheduled to be replaced next year. The station is located close to the proposed school site ensuring a prompt response. The Deputy Fire Chief is a full time employee of the Town and responds on all fire calls with the backing of Town Management. The department consists of 30 members including many with Firefighter I designations and several holding EMT licenses. EMT/Firefighters also respond on medical calls.

Our Rescue Chief is also an employee of the Town and responds five days a week on all day calls, again, fully supported by Town Management. She also holds an Enhanced Intermediate license. The Rescue Department consists of 20 members, two being Licensed Paramedics, three have Enhanced Intermediate Licenses plus many are basic EMTs'. The Rescue Unit is equipped to the Paramedic level.

I apologize for the wordiness of this letter but thought the misleading information provided to all the local papers had to be addressed. As such, I believe the Cumberland Town Council owes a public apology to the North Yarmouth Fire and Rescue Service.

Respectfully,

A handwritten signature in cursive script that reads "Norman L. Magoon". The signature is written in dark ink and is positioned above the printed name.

Norman L. Magoon



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

May 1, 2001

Cumberland Mutual Fire Insurance Company
C/O Mary Goodall
11 Liberty Rd
Falmouth, ME 04105

Dear Mary,


This is to acknowledge the very generous gift of \$30,000 that the Cumberland Mutual Fire Insurance Company gave the Town of Cumberland.

As you know, the Town Council publicly thanked Don Smith and Bill Stiles at one of their regular council meetings for this gift. We want you to have a written record of the Council's appreciation which is the purpose of this letter.

I think you'll be interested to know that the \$30,000 was spent as part of an overall improvement project for the Twinbrook Recreation Area. It was an enormous benefit to the town as part of the National Guard effort which resulted in major improvements to the Twinbrook Recreation Area.

Again, on behalf of the Cumberland Town Council, I wish to thank you and all those associated with the Cumberland Mutual Fire Insurance Company for your gift.

Sincerely,


Robert Benson
Town Manager

RB/lmb

Minutes of the April 17, 2001 meeting of the Cumberland Planning Board, related to food carts

Members Present: Phil Hunt, Martha Porch, Tom Powers, Terry Turner, Steve Sloan, Beth Howe and Joe Taylor

Beth gave a short presentation that summarized what was in the memo she had given to the Board. She said that in addition to the input from the Planning Board, the LRPC wanted to have a meeting on food carts on the Island, to get more public input, and asked that we be given until after May 10 to prepare a more detailed proposal.

Bob Vail was the only member of the public to speak. He argued strongly against allowing food carts. He said that this issue has been before the Board and the Council several times and had not been adopted. Comments from Falmouth and Freeport at some earlier time when the issue was considered had indicated that no public good is served by the carts. Chebeague is part of the Town and their should not be an ordinance just for it. Most important, Cumberland is a community of homeowners and business in Cumberland owners own their business properties and have an investment in the Town. They should not have to face competition from businesses that can come from other communities and set up a cart and do not have to own land or pay taxes. He is a member of the Lions' Club which would like to have a cart at Twin Brooks. He thinks it is not as bad to have local non-profits operate carts, but even so, he thinks it is not a good idea.

Jonathan KomLosy was not present.

Steve Sloan said it would be a good idea to have a public hearing on the subject. He thought it would be ok to have non-profits at Twin Brooks.

Terry Turner asked if Bob was aware of a bill in the State Legislature that would allow golf courses like Valhalla and the Chebeague course to have carts that would provide food to their golfers. Bob said he was not aware of this idea. It would be better, since the golf course would have its own employees do the cart selling. But he thought that on Chebeague it would not be a good idea for the Golf Course to be able to sell from the seventh tee at the Stone Wharf. He said it would be especially unfair to other

Marty Porch said that as a business owner, she agreed with Bob about competition from food carts. Businesses pay taxes and workmen's compensation and the Town should protect them from businesses that don't have to.

There was some discussion in here about having a hearing on food carts. There was confusion about whether the Planning Board or the Council should hold it. Beth said that the LRPC's idea of a meeting was not a formal hearing. There would be several other items on the agenda and that the discussion might well be somewhat unstructured.

Tom Powers said he thought this was not an issue for the Planning Board at all. Beth said that if adopted, it would involve a change in the zoning ordinance. He said that in that case the Planning Board should refer the issue to the Council and let them decide about the peddler's ordinance and

then send the issue back to the Planning Board in relation to any zoning changes that would be needed.

Phil Hunt agreed with Powers – the Council should do this; it is not primarily a zoning issue or a matter for the Planning board. Any ordinance should also should be town-wide. He is not in favor of outside, for-profit organizations doing it, though he thinks that local non profits would be good to have. We already permit things throughout the Town – at the High School the booster club has a food booth at the ballfield, and there is a t-shirt seller, as well Also there are ice cream trucks that come around. There are also out of town vendors that come for the Cumberland Fair and the Craftsmen's show. Are there permits for that – are they included in a "mass gathering" permit?

Jeff Porter, Council member, he thought those did come under the mass gathering permit and they also have to have victualer's licenses. He said he did not think that the other things like the Boosters' Club and the ice cream trucks are licensed by the Town, but he wasn't quite sure. Marty Porch said she thought that ice cream trucks are not legal in Cumberland. Several other people said that whatever the law is, the operate here.

Joe Taylor asked whether it would be counterproductive to just send the issue back to the Council. They had sent it to us. Phil Hunt said there was no reason not to send it back. The Planning Board had considered it, referred it to the Chebeague Long Range Planning Committee and, after getting their report, decided that the Council should deal with it.

Joe Taylor moved to send the minutes of this meeting to the Council and refer the issue back to them. Seconded by Martha Porch. The motion passed 6 to 0, with Terry Turner abstaining.

April 16, 2001

To: Cumberland Planning Board

From: Chebeague Long Range Planning Committee

Re: Peddler's Ordinance and Food Carts

In December, 2000 Jonathan KomLosy of Chebeague Island wrote to Bob Benson to ask for a zoning change so that he could operate a food cart on the Island. In its Draft Long Range Plan for Chebeague the LRPC had made a recommendation that legislation allowing food carts be considered for the Island. Kom Losy's letter was referred to the Planning Board at its meeting of February 20. It was referred to the LRPC to develop a specific proposal and to report within 60 days.

Allowing Food carts on Chebeague, or, indeed, anywhere in the Town not only requires changes in zoning district requirements, but also requires the Town to adopt a Peddler's Ordinance.

Action by the LRPC on this referral has been slowed because of the Building Cap issue. However, the LRPC met on April 14 to discuss a variety of options in a draft proposal on food carts. The options that were discussed were laid out in a memo in your packet for this meeting. The present memo summarizes the particular elements that the LRPC decided to include in a more specific proposal. At the April 14 meeting the issues of whether to allow food carts, and if allowed, what kind and where turned out to be controversial. So the Committee would like to ask the Planning Board to give us some additional time to have a public meeting on the Island to get input on this issue. The meeting has been scheduled for on May 10 at 7:00 at the Island Hall.

LRPC Proposal on a Peddler's Ordinance:

This proposal applies only to Chebeague Island. If there is interest in having food carts on the mainland, as well, policy and language for that would have to be developed as well.

The Committee agreed that since we have little idea of how food carts would actually work on Chebeague, we should initially adopt an ordinance that would allow for a one-year trial period. At the end of the year, we could evaluate the experience and decide whether to continue, to make changes or to not go forward. So for the experimental year we propose that:

The Peddler's Ordinance would apply only to Town-owned property.

The Committee agreed that the ordinance should designate sites where carts would be allowed. There are only a limited number of public sites that would have enough foot traffic to be feasible sites for a food cart: Chandler's Cove Wharf, Chandler Cove Field, the Schoolhouse, the Firehouse, and the Stone Wharf. The Stone Wharf is too crowded with multiple uses already, and a food cart at the Firehouse might interfere with emergency response. Several other sites may also have problems. Chandler's Cove Wharf may be the most realistic public site.

Only small "push cart" type carts (maximum size 6' x 4' x 6'(tall) be allowed..

Two carts would be allowed on Chebeague.

It seemed better to have two than one, so as not to give a monopoly to one operator.

However, the LRPC did not work out what would happen if there were only one public site.

The Town would develop an application form. Applications would be due at the Town Office on April 1. The licenses would be available on a first come/first served basis, that is, the order in which applications were submitted would determine priority. The applications would be reviewed by Town staff for compliance with the ordinance. Licenses would be granted by the Town Council at its second meeting in April. The license would run from May 1 to April 30.

With input from the Planning Board tonight, and from Island residents on May 10, the outline of the food cart policy can be developed into a draft peddler's ordinance. There are a number of specifics that an ordinance would have to address, such as regulations about the appearance and signage of the carts, that have not yet been worked out in detail here.

Minutes of the meeting of the Chebeague Long-Range Planning Committee, April 14, 9:00 at Sunset House B&B.

Members present: Jim Phipps, Sam Ballard, Donna Damon, Sylvia Ross, Mabel Doughty, Martha Hamilton, Beth Howe, Leland Hamilton, Jane Frizzell, Jean Dyer Al Traina
Absent: Phil Jordan, Ann Thaxter, Ernie Burgess, Nancy Adams, Carol White, Michael Porter.
Others: Jonathan KomLosy, Banu KomLosy, Wink Houghton, Robert Libby and Ted(?) Houghton

Beth opened by explaining that in December 2000 Jonathan KomLosy had written to the Town asking for a change in the Zoning Ordinance to allow him to operate a food cart on Chebeague. In its draft Plan the LRPC had supported the idea of allowing food carts. Johathan's letter was referred to the Cumberland Planning Board's February 20 meeting. The Planning Board, in turn, referred it to the LRPC for consideration and for a report within 60 days. She said that initial feedback indicated that there was some opposition to having food carts at all, so the Committee should discuss how they might work and whether they would be a good idea.

Leland said he thought they would not benefit the Island. They would result in traffic congestion, and if allowed at the Stone Wharf would result in a crowd of boats. There would also be trash. Sam said that his experience with people visiting Indian Point is that they did not make a mess. In its original deliberations the LRPC had wanted to help local business. Carts would not be allowed in the road – only where there would be adequate parking. He thought they should only be allowed on Town-owned property which might include only the Stone Wharf, the School, the Firehouse, and the Wharf and beach at Chandler's Cove

Jean supported the idea of a food cart at Chandler Cove Wharf to serve passengers of the Casco Bay Lines. There had been a shop there in earlier years.

Al suggested having a cap on the number of sites. But he also suggested considering private sites such as the Rec Center, the Historical Society museum. Jim and Donna explained that there would need to be a separate ordinance for peddling on private land.

Mabel said she would not like to have a food cart at Chandler Cove field. She and Sanford did not place any restriction on this when they sold the land to the Town, but they specified that the land should be kept in its natural state.

Sylvia suggested that food carts be allowed on a trial basis for a year. She also said that there is demand for a fishermen's lunch boat.

Leland asked Jonathan where he wanted to have the cart. Jonathan welcomed everyone to Sunset House and said he welcomed the group consultation on this issue. [He had given everyone at the meeting a memo on his plans and a picture of his cart which is a small push-cart.] He explained

that when the store on the Stone Wharf was demolished he asked to be able to have a food cart there and was told that it would not be allowed. He also asked the organizers of the Cumberland Fair if he could have a food cart there and was told no. Donna said that the fair is run by the Cumberland Farmer's Club, a private organization, not by the Town. Jonathan said that was outraged that he could not sell food at either place. He said that if he had the cart at the Stone Wharf he would make sure that the wharf area was kept clean of trash. He said that his idea was to have the cart at the Stone Wharf for the morning boats, locating the cart at the far end of the wharf, beyond the parking and the CTC boat. Then he would take it down to Chandler's Cove for the 11:30 Casco Bay Boat. He explained that in the future tourism is going to have a larger impact on Chebeague. Portland is building a cruise ship pier and many of those visitors will take the Casco Bay Lines to see the islands. The Casco Bay Lines terminal is being enlarged and ultimately may have as many as 1 million passengers in a summer. His idea is to cook local food – lobsters and clams – on the cart. For the Casco Bay Boat he would take orders by cell phone before the boat arrived and have the lobsters ready and cracked when people arrived.

He said that he was in favor of having a one-year trial of the food cart idea. He would also like to be able to move the cart from one site to another during the day. He said he was disappointed that the meeting today was not given more publicity – he had hoped for a larger public meeting. Beth said that if the LRPC proposes an ordinance, it will probably have a hearing at the Planning Board and certainly will have one at the Town Council. Jim said he felt uncomfortable debating Jonathan's livelihood at a public meeting. He would ask for a hearing on Chebeague.

Jim also said that Town had decided in 1990 that the multiple uses on the Stone Wharf made it not useful to have the store there. Since the lease was up, they did not renew it and tore it down. They would not want to have another commercial use on the wharf.

Jonathan said that having the cart on the Stone Wharf was not absolutely necessary. What he would really like to do is to have a restaurant in his field by Aaron's Wharf. After the Martindales' experience with the Nellie G, he wanted to start small by operating the cart in the field with picnic tables and then work up to a restaurant. He said that Chebeague had always had many stores that catered to tourists in the past. Leland said that was true, but that the recent growth on the Island makes the Island quite a different place from what it was like when they existed. Jean said this would be a local business, and Sylvia asked whether we want to preserve or promote Chebeague. Jonathan said he wants to support what is here already.

Sam asked whether a temporary permit for Chandler's Cove Wharf only would be ok. Jon said that it might be but that being able to have the cart at the Stone Wharf would be useful. Sylvia asked about having it at Sunset House instead. Jonathan said he did not want to do that.

Donna said that we need to take a more global perspective and not just discuss what would work for Jonathan. There is a need for this and we should ask how many carts could the Island support.

Beth asked whether the group had decided that carts would be useful and should we talk about what kind? Donna said we had not settled whether to have carts or not, but that the group should work through the various issues about what kind and where and see where that led. Al suggested having a subcommittee to work out the sites and details. He also asked whether the ordinance would be only for Chebeague. Are there carts in Cumberland mainland. Donna said she thought not. Wink asked whether Jon needs an ordinance to have a food cart on his own property. Jim said yes. Could the Golf Club lease land to Jonathan? Beth said they could only if the Town had an ordinance covering peddlers on private property.

Leland and Donna said that, given the heated discussion in this meeting, there needs to be a public meeting on the Island on this. Jonathan also needs to get support for his idea. She suggested having a facilitator to make sure that some conclusions come out of the meeting. Jim said that when the Council comes out they want to get whatever range of opinion there is on an issue. Sam said that if there is a public meeting on the food cart issue it might drive out any attention to other important issues the LRPC is dealing with like pumping septic tanks. Beth suggested having a public meeting on several issues – food carts, septic tanks and home heating oil replacement program. It was decided to have the meeting on May 10 at 7:00 at the Hall. It will be noticed in the Calendar.

Wink said that there are many pros and cons on the issue, but we don't know how it would work out. Maybe a cart on the Stone Wharf would be ok. There should be a trial period of a year. Jim agreed but said he still thought the Council would not be likely to approve a cart at the Stone Wharf.

Banu said she wanted to support Jonathan and felt that she and he were being unfairly restricted. Her restaurant permit is being challenged by her neighbors. Jonathan would have a clean food cart and should be allowed to be a pioneer for this service. There should be some other site than the Stone Wharf.

Donna said that there are some other public sites that had not been mentioned such as Waldo Point, Division Point Beach and the transfer station, but none would be very likely for a cart. Jim said SAD 51 is quite proprietary about the school land. Donna said there are other good sites, but they aren't public – the Nellie G is a good site for lobstermen or commuters to get coffee early in the morning. The Historical Society museum would be good. She would like to have a cart at her house. Leland said he thought carts should only be allowed on private property. They would cause less trouble in terms of traffic congestion and litter than they would at places like the wharves. Sam said he thought it would be a disaster to allow carts on private sites– they might be anywhere. Beth said that it could only be with the consent of the owner, but it would require a separate ordinance and the Town would have somewhat less control over where they would be. Donna asked whether we could ask Ken Cole if an ordinance about public sites could also allow carts on sites owned by non-profit organizations, if they agreed.

Beth asked what size of carts did people want to allow in the experimental year? There are three

sizes: small push carts, larger carts pulled by a truck where the vendor could stand and serve from inside, and motorized carts, where the vendor serves from inside. Mabel said we should start with only small carts. Donna said that we should allow large ones to see if anyone would do that. Sylvia asked about a motorized cart, could someone stop it on the road to buy some food. Beth said they would be limited to specific sites. Jonathan said he wanted to have a small one to encourage pedestrian traffic. Robert Libby asked whether if motorized carts were allowed, could someone bring one out from the mainland. Beth said yes, if they had a place to store it at night. Robert said he thought this was intended for Island businesses and thought someone from the mainland would not be a good idea.

A straw vote was taken on size and the majority wanted only small push carts for the first year.

Leland asked whether the cart permits could be restricted to Chebeague residents. Robert and Beth said no, given the experience with the building cap. Jim said they could not, but a lower fee could be charged to residents of the Town. Donna asked how we avoid the problem that we might allow two carts on Chebeague and designate two sites, but the licenses might go to people from the mainland. Also, would summer people be eligible for cart permits. Donna said they are eligible for clam licenses.

Beth asked if the sense of the meeting was that the pilot year should only allow Town-owned sites and that Chandler Cove Wharf was the only logical public site? Jonathan said he thought Chandler Cove field might be a site. He had only thought of it for the July 4 picnic, but given the problems of drinking parties there, having a food cart might be a good idea – it would give the people some food, would provide a place for trash disposal and would mean that there would be an adult there in a supervisory capacity. He would also like to be able to have the cart on private property – his field at Aaron's Wharf.

Jim said that in terms of public and private sites, if we want to get the proposal adopted quickly, for this year, it would be easier to do it just on public land. We can consider whether it would be possible to have a reasonable ordinance dealing with private land later. Also he wanted to know more about Mabel's desire not to allow a cart at Chandler Cove field. Is it an issue of the area not being paved, or that there might be a risk of fire? Mabel and Donna said that the original intent was to have the field as a natural rather than a commercial site. Mabel said that carts are not covered in the restrictions on the land, but that was because this was not thought of – if this is allowed, what more could come.

Beth said she thought the discussion indicated that the pilot year should only have sites on public land. Al said he thought it was unfair to Jon to do that. Beth said she thought he was in the minority. Leland said again that he thought carts on public property would have more negative impact on the public than carts on private land. Jim said that may be true but on Town property the carts could be more thoroughly regulated.

Beth asked how many carts should be allowed? Jean said two. Jim agreed that it should be at

least two so that no single person would have a monopoly.

Beth asked how the application process should be handled? Someone suggested first come/first served. Leland said that had created real conflicts over commercial clam licenses and they had changed to a lottery. Jim pointed out that the lottery might result in non-Chebeaguers getting the permits.

Someone said what do they do when the permits are given out if there are two permits but only one site? Jonathan said with 300 people on the Casco Bay boat there would be business for two carts. Beth said there might not be enough room for two. Jim said he thought the Town might not want to have two at one site. This issue was not settled.

The timing of the application process was discussed. It was agreed that applications would be due at the Town Office on April 1. They would be reviewed by Town staff and the Council would act on them at its second meeting in April. They would begin on May 1.

Beth said she would do a revised draft of the ordinance with these specifics in it. She and Martha will write a piece for the Calendar saying that there will be a meeting on May 10 that will deal with food carts, septic tank pumping and the home heating oil tank program. Beth and Mabel asked Jim about people who do not take up their one-time offer of a growth permit. He said he had talked to one person at some length who was concerned about that.

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #51
CUMBERLAND / NORTH YARMOUTH**

P. O. Box 6A

Cumberland Center, ME 04021

Web site: www.msad51.org - Phone: 829-4800

Board of Directors

Agenda

**Workshop/Planning Session: Public invited to attend
joint meeting of the Board, Steering,
Middle School Building and Site Selection Committees
to discuss proposals for new middle school site.**

Saturday

May 5, 2001

8:30 AM to Noon

Greely High School Auditorium

-
- 1. Call To Order - by MSAD #51 Board of Directors Chairperson, Mary Schendel**
 - 2. Workshop/Planning Session**
 - 3. Adjourn Meeting _____ PM**

MSAD #51 Mission

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

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

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

Board Goals for 2000-2001

1. Support the District's work in curriculum, assessment, instruction and professional development through:
 - Promoting educational programming based on student learning needs;
 - Measuring the District's progress towards achieving our mission, including the certification that all students meet the State's Learning Results by 2003; and
 - Effectively communicating the results of our District's work.
2. Execute the Resolution on Facilities Planning by ensuring the timely completion of the Charges made to the Building Committees, and support measures to relieve constraints due to conditions created by our current facilities.
3. Promote sound resource management through:
 - Supporting measures to use time more effectively, such as one or more measures identified in the Time Task Force Report;
 - Developing long-term strategies to ensure that future leadership and personnel needs are met;
 - Involving the Board in the budget planning process; and
 - Effectively communicating to the public the District's resource needs.

MSAD #51 Board of Directors

John Aromando	829-6861	jaromando@pierceatwood.com
Maryellen Fitzpatrick	829-4657	efitzpa486@aol.com
Polly Haight Frawley	657-2373	PHFraw@aol.com
Audrey Lones	829-4171	audrey@alum.mit.edu
Henry Kennedy	829-6979	hrk@kieve.org
Mary Schendel	781-3787	mlschendel@unum.com
Kim True	829-3209	ktrue1@maine.rr.com
Bob Vail	829-5393	

Upcoming Meetings/Events

5/2/01 – Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM

5/2/01 – College Information Night, GHS, 7:00 PM

5/5/01- Workshop/Planning Session – Joint Meeting of BOD, Steering Comm., Middle School Comm., Site Selection Comm. and Residents of North Yarmouth & Cumberland, GHS Auditorium, 8:30 AM to no later than Noon

5/6/01 – 5/12/01 – Teacher Appreciation Week

5/7/01 – Teacher Appreciation Day, MIW

5/7/01 – AP Exam Week – GHS

5/8/01 – Teacher Appreciation Day, NYMS/DRS

5/8/01 – PTO meeting, MIW

5/9/01 – Teacher Appreciation GJHS

5/9/01 – MIW Art Show

5/9/01 – Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM

5/9/01 – Art Show/Inkwell, GHS, 5:30 PM

5/9/01 – Evening of Excellence, GHS, 6:30 PM

5/10/01 – Middle School Building Comm., GJHS Library, 7:00 PM

5/10/01 – Teacher Appreciation Day, GHS

5/10/01 – Spring Concert, GHS

5/11/01 – Teacher Appreciation Day, CIS

5/12/04 – Bogie Ball

Next Board Meeting:

- May 7, 2001, Board of Directors Meeting at Cumberland Town Hall Council Chambers
7:00 PM

MAINE SCHOOL ADMINISTRATIVE DISTRICT #51
CUMBERLAND / NORTH YARMOUTH

P. O. Box 6A

Cumberland Center, ME 04021

Web site: www.msad51.org - Phone: 829-4800

Board of Directors

Agenda

MSAD #51 Public Vote on 2001-2002 Budget

Thursday

May 3, 2001

7:00 PM

Greely High School Auditorium

1. Call To Order - by MSAD #51 Board of Directors Chairperson, Mary Schendel
2. Election of Moderator
3. District Budget Meeting – Public Vote
4. Adjourn Meeting _____PM

MSAD #51 Mission

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

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

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

Board Goals for 2000-2001

1. Support the District's work in curriculum, assessment, instruction and professional development through:
 - Promoting educational programming based on student learning needs;
 - Measuring the District's progress towards achieving our mission, including the certification that all students meet the State's Learning Results by 2003; and
 - Effectively communicating the results of our District's work.
2. Execute the Resolution on Facilities Planning by ensuring the timely completion of the Charges made to the Building Committees, and support measures to relieve constraints due to conditions created by our current facilities.
3. Promote sound resource management through:
 - Supporting measures to use time more effectively, such as one or more measures identified in the Time Task Force Report;
 - Developing long-term strategies to ensure that future leadership and personnel needs are met;
 - Involving the Board in the budget planning process; and
 - Effectively communicating to the public the District's resource needs.

MSAD #51 Board of Directors

John Aromando	829-6861	jaromando@pierceatwood.com
Maryellen Fitzpatrick	829-4657	efitzpa486@aol.com
Polly Haight Frawley	657-2373	PHFraw@aol.com
Audrey Lones	829-4171	audrey@alum.mit.edu
Henry Kennedy	829-6979	hrk@kieve.org
Mary Schendel	781-3787	mschendel@unum.com
Kim True	829-3209	ktrue1@maine.rr.com
Bob Vail	829-5393	

Upcoming Meetings/Events

5/2/01 – Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM

5/2/01 – College Information Night, GHS, 7:00 PM

5/5/01- Workshop/Planning Session – Joint Meeting of BOD, Steering Comm., Middle School Comm., Site Selection Comm. and Residents of North Yarmouth & Cumberland, GHS Auditorium, 8:30 AM to no later than Noon

5/6/01 – 5/12/01 – Teacher Appreciation Week

5/7/01 -- Teacher Appreciation Day, MIW

5/7/01 – AP Exam Week – GHS

5/8/01 – Teacher Appreciation Day, NYMS/DRS

5/8/01 – PTO meeting, MIW

5/9/01 – Teacher Appreciation GJHS

5/9/01 – MIW Art Show

5/9/01 – Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM

5/9/01 – Art Show/Inkwell, GHS, 5:30 PM

5/9/01 – Evening of Excellence, GHS, 6:30 PM

5/10/01 – Middle School Building Comm., GJHS Library, 7:00 PM

5/10/01 – Teacher Appreciation Day, GHS

5/10/01 – Spring Concert, GHS

5/11/01 – Teacher Appreciation Day, CIS

5/12/04 – Bogie Ball

Next Board Meeting:

- May 7, 2001, Board of Directors Meeting at Cumberland Town Hall Council Chambers
7:00 PM

Maine School Administrative District #51
Cumberland/North Yarmouth
Cumberland Center, ME 04021

Board of Directors
Minutes

MSAD #51 Public Vote on 2001-2002 Budget

Thursday
May 3, 2001

7:00 PM

Greely High School Auditorium

Attendance:

Board of Directors: John Aromando, Polly Haight Frawley, Henry Kennedy, Audrey Lones, Mary Schendel, Kim True, Bob Vail

Administrators: Brenda Breton, Wayne Fordham, Don Foster, Suzanne Godin, Jack Hardy, Robert Hasson, Scott Poulin, Susie Robbins, Scott Smith, Judy True, Walter Wallace, Pat Palmer

1. **Call to order** Robert G. Hasson, Jr., Secretary called the budget meeting to order @ 7:04 PM
2. **Article I - Motion by Mary Schendel, Second by Kim True,**
David Champoux was nominated as Moderator of the Meeting.
3. Superintendent, Robert G. Hasson, Jr., administered the oath to Mr. Champoux.
4. Moderator Champoux appointed and administered the oath for the ballot clerks.
5. Moderator Champoux recognized Chairperson, Mary Schendel, who introduced the budget.
6. Chairperson Schendel recognized Henry Kennedy, Chairperson of the Finance Committee, who thoroughly explained the budget.
7. Mary Schendel invited questions from the public through the moderator.

8. The moderator sought a motion on Article II.

Article II - Motion by John Aromando, Second by Kim True,

Moved that M.S.A.D. #51 appropriate \$13,125,879 from the foundation allocation for school purposes and raise \$7,972,168 as the local share of the foundation allocation. (Voted: Unanimous)

9. The moderator sought a motion on Article III.

Article III - Motion by Audrey Lones, Second by John Aromando,

Moved that M.S.A.D. #51 raise \$852,079 for the debt service allocation and raise \$376,863 as the local share of debt service. (Voted: Unanimous)

10. The moderator sought a motion on Article IV.

Article IV - Motion by Kim True, Second by Bob Vail,

Moved that M. S. A. D. #51 raise \$4,819,368 in additional local funds under the provision of 20-A MRSA 15614. (Voted: Unanimous)

11. The moderator sought a motion on Article V.

Article V - Motion by Bob Vail, Second by Audrey Lones,

Moved that M.S.A.D. #51 authorize the Board of Directors to expend \$18,797,326 for the fiscal year beginning July 1, 2001 and ending June 30, 2002 from the State- local allocation, unexpended balances, tuition receipts, local appropriations, state subsidy and other receipts for the support of schools. (Voted: Unanimous)

12. The moderator sought a motion on Article VI.

Article VI - Motion by Henry Kennedy, Second by Polly Haight Frawley,

Moved that M.S.A.D. #51 appropriate \$70,350 for Adult Education and raise \$14,000 as the local share. (Voted: Unanimous)

13. Budget Meeting Adjourned @ 7:31 PM

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #51
CUMBERLAND / NORTH YARMOUTH**

P. O. Box 6A

Cumberland Center, ME 04021

Web site: www.msad51.org – Phone: 829-4800

Board of Directors

Minutes

Workshop/Planning Session: Public invited to attend
joint meeting of the Board, Steering,
Middle School Building and Site Selection Committees
to discuss proposals for new middle school site.

Saturday

May 5, 2001

8:30 AM

Greely High School Auditorium

1. **Call to Order** - by MSAD #51 Board of Directors Chairperson, Mary Schendel at 8:35 a.m.

Attendance:

Board of Directors: John Aromando, Maryellen Fitzpatrick, Polly Haight Frawley, Audrey Lones,
Mary Schendel, Kim True, Bob Vail

Administrators: Robert Hasson, Pat Palmer

2. Workshop/Planning Session

Bart Morrison - Facilitator

3. Adjourn Meeting 11:38 AM

Upcoming Meetings/Events

5/2/01 – Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM
5/2/01 – College Information Night, GHS, 7:00 PM
5/5/01- Workshop/Planning Session – Joint Meeting of BOD, Steering Comm., Middle School Comm., Site Selection Comm. and Residents of North Yarmouth & Cumberland, GHS Auditorium, 8:30 AM to no later than Noon
5/6/01 – 5/12/01 – Teacher Appreciation Week
5/7/01 – Teacher Appreciation Day, MIW
5/7/01 – AP Exam Week – GHS
5/8/01 – Teacher Appreciation Day, NYMS/DRS
5/8/01 – PTO meeting, MIW
5/9/01 – Teacher Appreciation GJHS
5/9/01 – MIW Art Show
5/9/01 – Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM
5/9/01 – Art Show/Inkwell, GHS, 5:30 PM
5/9/01 – Evening of Excellence, GHS, 6:30 PM
5/10/01 – Middle School Building Comm., GJHS Library, 7:00 PM
5/10/01 – Teacher Appreciation Day, GHS
5/10/01 – Spring Concert, GHS
5/11/01 – Teacher Appreciation Day, CIS
5/12/04 – Bogie Ball

Next Board Meeting:

- May 7, 2001, Board of Directors Meeting at Cumberland Town Hall Council Chambers
7:00 PM

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #51
CUMBERLAND / NORTH YARMOUTH**

P. O. Box 6A

Cumberland Center, ME 04021

Web site: www.msad51.org – Phone: 829-4800

Board of Directors

Minutes

5:30 PM - Executive Session

Monday

May 7, 2001

7:00 PM

Cumberland Town Hall Council Chambers

1. Call to Order - by MSAD #51 Board of Directors Chairperson, Mary Schendel at 5:39 p.m.

Attendance:

Board of Directors: Maryellen Fitzpatrick, Polly Haight Frawley, Henry Kennedy, Audrey Lones, Mary Schendel, Kim True, Bob Vail

Administrators: Wayne Fordham, Suzanne Godin, Robert Hasson, Pat Palmer, Scott Poulin

2. Approval of the Minutes – of the Board of Directors meetings held on April 23, 2001.

Motioned 2nded.

Voted: To approve the minutes of the Board of Directors meetings held on April 23, 2001. (Voted: 7-0)

3. Presentations

- a) Chairperson's report
 - Incentive Pay Committee
 - 5/5/01 Site Selection Workshop

4. Committee Reports

- a) Finance Committee
- b) Policy Committee
- c) Negotiation Committee
- d) Design Team
- e) Performance Task Force
- f) Steering Committee
 - Update on middle school and Greely Junior High School renovations

5. Items for Action

- a) Second reading and vote to approve the following policies

Motioned 2nd ed.

Voted: To approve policies. (Voted: 7-0)

IA	Instructional Goals
ICA	School Calendar
IE	Organization of Instruction
IEA	Instructional Strategies
IGA	Curriculum Development and Adoption
IGAD	Arts and Technology Education
IGD	Sunday Events (already approved)
IGDH	Academic Competitions
IHCD	Advanced College Placement
IHCDA	Post Secondary Enrollment
IHD	Student Schedules and Course Loads
IICA	Offsite Learning
IICAA	Non-School Sponsored Trips
IJJ	Instruction and Library Media Selections (Deletes old KLB and KLB-E)
IJJ-E	Request for Review of Instructional and Library Media
IJOC	School Volunteers
IK	Academic Achievement
IKB	Homework
IKE	Promotion, Retention
IKEA	Placement of Students
IKFBA	Graduation Exercises – Prayers
ILA	Tests/Assessments

Carryover J/K Policies:

KHB	Advertising in the Schools (deletes old KJ)
KH	Public Solicitation in the Schools
JJE	Student Fundraising (deleted old IGDF)

The following policies are deleted:

IAB – Self Esteem
IAC – Values Education
IGDC – Student Social Events (redundant)
IGDF – Student Fund-Raising Activities (new JJE)
IGED – Post-graduate students (covered in IHCDE)
IIAA – Textbook Selection (new IJJ)
IIAC – Library Materials (new IJJ)
IIAC-E – Request for Review (see IJJ-E)
IIBG – Computer literacy (covered in Benchmarks and Outcomes)
IKAB – Report Cards (covered in new IK)
IL – Student Assessment (covered in IGA)
KJ, now KHB – Advertising
IGDG, now JJE – Student Fund Raising
KLB, now IJJ – Library
KLB-E, now IJJE – Library

b) Vote to approve continuing teacher contracts

Motioned 2nd ed.

Voted: To approve continuing teacher contracts (Voted: 7-0)

Kevin Aceto	Carol Pappas
Denise Allen	Michael Roy
Susan Beaule	Colleen Staszko
Anna Boll	Gwen Smith
Kimberly Brandt-Payne	Scott Thurston
Jessica Cook	Glenn Tracey
Jennalyn Erskine	Lucy Vaughan
Bonnie Esty	Paul White
Roberta Goodwin	Linda Whittier
Sallie Hunter	Carin Wilson
Marcia Lowery	
Daniel McKeone	
Diane Miller	
Carol Nale	

c) Vote to approve second year probationary teacher contracts

Motioned. 2nd ed.

Voted: To approve second year probationary teacher contracts. (Voted: 7-0)

Stephanie 'Brooke' Axelson	Carrie Gianattasio
Ann Beatty-Rose	Julie Kingsley
Brian Blum	Diane Libby-Rose
Jane Conley	Thomas Madden
Erica Corbett	Kelly Manahan
Morgan Cuthbert	Alison Manion
Douglas Drew	Patrica Mullen
Anne Ervin	Sheila Putnam
Tracey Friend-Moore	Shelley Schweizer
Rebecca Galli	Nancy Simmons
Carrie Hedman	Shelly Simpson

c) Vote to elect NYMS principal

Motioned. 2nd ed.

Voted: To elect NYMS principal, Becky Foley. (Voted: 7-0)

6. Executive Sessions – 5:30 PM

- a) Executive Session – Superintendent Evaluation

Motioned 2nd ed.

Voted: To enter into Executive Session at 5:40 PM. (Voted: 7-0)

Motioned 2nd ed.

Voted: To come out of Executive Session at 6:54 PM. (Voted: 7-0)

7. Communications

- a) Review of Winter Athletic Season – J. Hardy

8. Adjourn Meeting 8:25 PM

Upcoming Meetings/Events

5/5/01- Workshop/Planning Session – Joint Meeting of BOD, Steering Comm., Middle School Comm., Site Selection Comm. and Residents of North Yarmouth & Cumberland, GHS Auditorium, 8:30 AM to no later than Noon

5/5/01 – MSAD #51 GJHS and Elementary Bands in Maine State Parade, Lewiston, Noon (will be televised on Channel 6)

5/6/01 – 5/12/01 – Teacher Appreciation Week

5/7/01 – Teacher Appreciation Day, MIW

5/7/01 – AP Exam Week – GHS

5/8/01 – Teacher Appreciation Day, NYMS/DRS

5/8/01 – PTO meeting, MIW

5/9/01 – Teacher Appreciation GJHS

5/9/01 – MIW Art Show

5/9/01 – Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM

5/9/01 – Art Show/Inkwell, GHS, 5:30 PM

5/9/01 – Evening of Excellence, GHS, 6:30 PM

5/10/01 – Policy Comm. Meeting, Central Office Conf. Room, 4:30 PM

5/10/01 – Middle School Building Comm., GJHS Library, 7:00 PM

5/10/01 – Teacher Appreciation Day, GHS

5/10/01 – Spring Concert, GHS

5/11/01 – Teacher Appreciation Day, CIS

5/12/04 – Bogie Ball

5/13/01 – Mother's Day

5/16/01 - Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM

5/17/01 – Third Grade Parent Information Night at NYMS, 6:30 PM

5/17/01 – GHS All State Music Festival

5/18/01 – GHS All State Music Festival

5/19/01 – GHS All State Music Festival

5/23/01 - Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM

5/24/01 – Policy Comm. Meeting, Central Office Conf. Room, 4:30 PM

5/24/01 – Chebeague Island School Art Night, CIS, 6:00 PM

5/7/01 BOD Minutes

5/24/01 - Volunteer Recognition, GHS Library, 9 – 10 AM
 5/28/01 – Memorial Day
 5/28/01 – Memorial Mile, GHS Memorial Day Parade Performance
 5/30/01 – Full Day of School
 5/31/01 – GJHS Awards Night, 7:00 PM
 5/31/01 – Class Day, GHS, 12:15 PM
 5/31/01 – Chorus/Band Concert, NYMS/DRS
 6/1/01 – GHS Candlelight Ceremony, 8:00 PM
 6/3/01 – GHS Graduation, 2:30 PM
 6/5/01 – PTO Meeting, MIW, 7:00 PM
 6/5/01 – GJHS Renovation, 7:00 PM, GHS Library
 6/6/01 – Staff Recognition, ValHalla, 3:00 PM
 6/6/01 - Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM
 6/8/01 – Full Day of School (no Teacher In-service day)
 6/13/01 – Full Day of School
 6/14/01 – Last Day of School: Early Release, Grades 7-12 @ 11:15 PM, Grades K-6 @ 12:15 PM
 6/15/01 – Teacher In-Service Day
 8/30/01 – Drowne Rd. Multi-age Picnic
 9/5/01 – Grade 4 Open House
 9/6/04 – Grade 6 Open House, 7:00 PM
 9/6/01 – MIW Cookout, 5:30 – 7:00 PM
 9/10/01 – Grade 5 Open House
 9/11/01 – Kindergarten Open House, 6:30 – 8:30 PM
 9/13/01 – Grade 1 Open House
 9/19/01 – Grade 3 Open House
 9/20/01 – GHS Open House
 9/24/01 – Grade 2 Open House
 9/26/01 – GJHS Open House

Remaining Board Meetings:

- **May 21, 2001**, Board of Directors Meeting at
Cumberland Town Hall Council Chambers, 7:00 PM

- **June 4, 2001**, Board of Directors Meeting at
Cumberland Town Hall Council Chambers, 7:00 PM

- **June 18, 2001**, Board of Directors Meeting at
Cumberland Town Hall Council Chambers, 7:00 PM

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #51
CUMBERLAND / NORTH YARMOUTH**

P. O. Box 6A

Cumberland Center, ME 04021

Web site: www.msad51.org - Phone: 829-4800

Board of Directors

Agenda

Monday

May 21, 2001

7:00 PM

Cumberland Town Hall Council Chambers

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

2. Approval of Minutes

3. Presentations

- a) Kathy Leighton, parent volunteer coordinating Project Graduation - presentation
- b) Middle school site selection update and discussion

4. Committee Reports

- a) Finance Committee
 - Pownal Tuition Update
- b) Policy Committee
- c) Negotiation Committee
- d) Design Team
- e) Performance Indicators Task Force
 - Report
- f) Steering Committee

5. Items for Action

- a) Executive Session – Negotiations
- b) Appointment of individuals to teaching positions for the 2001-2002 school year.

6. Communications

7. Adjourn Meeting _____PM

MSAD #51 Mission

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

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

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

Board Goals for 2000-2001

1. Support the District's work in curriculum, assessment, instruction and professional development through:
 - Promoting educational programming based on student learning needs;
 - Measuring the District's progress towards achieving our mission, including the certification that all students meet the State's Learning Results by 2003; and
 - Effectively communicating the results of our District's work.
2. Execute the Resolution on Facilities Planning by ensuring the timely completion of the Charges made to the Building Committees, and support measures to relieve constraints due to conditions created by our current facilities.
3. Promote sound resource management through:
 - Supporting measures to use time more effectively, such as one or more measures identified in the Time Task Force Report;
 - Developing long-term strategies to ensure that future leadership and personnel needs are met;
 - Involving the Board in the budget planning process; and
 - Effectively communicating to the public the District's resource needs.

MSAD #51 Board of Directors

John Aromando	829-6861	jaromando@pierceatwood.com
Maryellen Fitzpatrick	829-4657	efitzpa486@aol.com
Polly Haight Frawley	657-2373	PHFraw@aol.com
Audrey Lones	829-4171	audrey@alum.mit.edu
Henry Kennedy	829-6979	hrk@kieve.org
Mary Schendel	781-3787	mlschendel@unum.com
Kim True	829-3209	ktrue1@maine.rr.com
Bob Vail	829-5393	

Upcoming Meetings/Events

5/17/01 – Third Grade Parent Information Night at NYMS, 6:30 PM
5/17/01 – GHS All State Music Festival
5/18/01 – GHS All State Music Festival
5/19/01 – GHS All State Music Festival
5/21/01 – GHS Band Concert
5/22/01 – NYMS Band Concert, 7:00 PM
5/23/01 - Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM
5/23/01 – Design Team Retreat, 3:15 PM
5/24/01 – Steering Committee, GHS Library, 7:00 PM
5/24/01 – Policy Comm. Meeting, Central Office Conf. Room, 4:30 PM
5/24/01 – Chebeague Island School Art Night, CIS, 6:00 PM
5/24/01 - Volunteer Recognition, GHS Library, 9 – 10 AM
5/28/01 – Memorial Day
5/28/01 – Memorial Mile, GHS Memorial Day Parade Performance
5/30/01 – Full Day of School
5/31/01 – NYMS Chorus Concert, 6:00 PM
5/31/01 – GJHS Awards Night, 7:15 PM
5/31/01 – Class Day, GHS, 12:15 PM
6/1/01 – GHS Candlelight Ceremony, 8:00 PM
6/3/01 – GHS Graduation, 2:30 PM
6/4/01 – Finance Committee, Central Office Conference Room, 5:45 PM
6/5/01 – PTO Meeting, MIW, 7:00 PM
6/5/01 – GJHS Renovation, 7:00 PM, GHS Library
6/6/01 – Staff Recognition, Val Halla, 3:00 PM
6/6/01 – Step-Up Day, Grades 6-12
6/6/01 - Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM
6/8/01 – Full Day of School (no Teacher In-service day)
6/13/01 – Full Day of School
6/14/01 – Last Day of School: Early Release, Grades 7-12 @ 11:15 PM, Grades K-6 @ 12:15 PM
6/15/01 – Teacher In-Service Day
8/30/01 – Drowne Rd. Multi-age Picnic
9/5/01 – Grade 4 Open House
9/6/04 – Grade 6 Open House, 7:00 PM
9/6/01 – MIW Cookout, 5:30 – 7:00 PM
9/10/01 – Grade 5 Open House
9/11/01 – Kindergarten Open House, 6:30 – 8:30 PM
9/13/01 – Grade 1 Open House
9/19/01 – Grade 3 Open House
9/20/01 – GHS Open House
9/24/01 – Grade 2 Open House

Remaining Board Meetings:

- **June 4, 2001**, Board of Directors Meeting at
Cumberland Town Hall Council Chambers, 7:00 PM
- **June 18, 2001**, Board of Directors Meeting at
Cumberland Town Hall Council Chambers, 7:00 PM

Cumulative
5-13-01
not

Vincent & Jeanne Rapone

242 Gray Rd.
Cumberland, ME 04021
(207) 829-5190
vjrapone@att.net

May 11, 2001

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

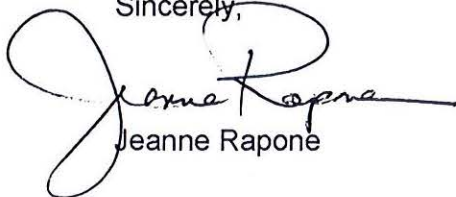
Dear Mr. Benson,

I am writing this letter to request a state evaluation into the speed limit on Gray Road, Route 100/26, just north of Blackstrap Road and as far as the Gray Town Line. The speed limit is excessive, 50 MPH, for the number of homes on this stretch. There is also a blind spot where the Old Gray Rd. enters onto Gray Rd. creating a dangerous intersection. Besides the number of homes, there is a childcare facility where young people are being dropped off and picked up during the busy travel hours.

As you can imagine, the 50MPH speed limit is of course taken advantage of and has become 60+MPH. Just going out for the mail, cars and especially commercial trucks traveling at this speed presents a hazardous and perilous condition.

Thank you for your attention to this matter and I appreciate everyone's cooperation.

Sincerely,


Jeanne Rapone

Neighbors in support of the speed limit reduction:

Karl C. Nielsen
Anne Serene
Paul & Sharon Serene
Ricki Michael
Col. Kenneth R. Barr 250(A) Gray Road Very Dangerous in
both directions.
Robert Stafford

Earl Estabrook
Maris Estabrook
Mike Woodhead
Vince Rapone

received
5-14-01

Council
5-14-01
M

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

COMMISSIONERS' MEETING

MINUTES

April 9, 2001

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

Chairperson Clenott called the meeting to order at 7:00 PM and the following business was conducted.

Minutes of the regular meeting of March 26, 2001 were approved as written.

Peter Crichton, County Manager, reported that he has begun his outreach effort to communities. He and Commissioner Plummer had recently attended a Town Council meeting in Sebago to talk about Cumberland County Government, and he has scheduled other communities over the next few weeks. Discussion ensued regarding the questions asked by Sebago's municipal officials. Mr. Crichton also noted that a meeting of the Strategic Planning subcommittee chairs and staff was scheduled for Wednesday, to finalize plans for the next "Community Leaders" meeting scheduled for 5:00 PM April 26 at the Spring Meadows Golf Club in Gray. He informed the Board that he has been unable to arrange a keynote speaker for the event as planned, none of the recommended individuals were available for that date.

Robert Devlin, Deputy County Manager, gave a brief update on the legislative hearings he has attended over the last two weeks.

Commissioner Feeney presented information he obtained at the recent NACo conference in Washington for his fellow Commissioners to review. Discussion ensued regarding the reimbursement forthcoming from MCCA for the jail floor project. Mr. Crichton commended Bruce Tarbox, Facilities Manager, Jeff Newton, Jail Administrator, and Vic Labrecque, Director of Budget & Planning, on their hard work. He also thanked the Board for their support during this project.

Commissioner Plummer noted that he would be unable to attend the Town Council meeting in Brunswick, but would attend the ones in Windham and Yarmouth.

Chairperson Clenott reported that one of the current legislative issues was \$2.8 million for Career Centers, and noted that she was writing to the Appropriations Committee to encourage their support of this legislation, and would also attend the hearing. She initiated further discussion regarding other current legislation before the Appropriations Committee.

Sylvia Plumley, former Standish Councilor and loyal County Commissioners meeting attendee, encouraged the Board and the public to attend the Standish Municipal Building's Open House on Saturday, April 21 from 1-4 PM.

01-27 Approval, FY2001 Tax Rate

Chairperson Clenott noted that the County has received the final valuation figures from the State, and the proposed tax rate was now officially accurate.

Motion by Commissioner Plummer to set the FY2001 mill rate at 0.000772851 per thousand. Second by Commissioner Feeney, so voted.

01-28 Approval, FY2001 Interest Rate on Delinquent County Taxes

Chairperson Clenott noted that the State has authorized a maximum allowable interest rate for overdue 2001 property taxes. It was noted that taxes are due on September 1, with a 60-day grace period. Interest can be charged on overdue taxes after November 1, 2001.

Motion by Commissioner Feeney to set the interest rate on delinquent County taxes at 11,50%. Second by Commissioner Plummer, so voted.

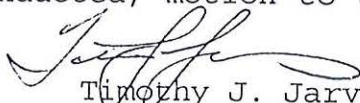
01-29 Request for deputy sheriff commissions

The following requests for deputy sheriff commissions was received from Sheriff Dion: Bruce Chase, Patrick Lehan, Richard Kimball and Alan Saunders, CCSO; Paul Fenton, Cape Elizabeth PD; Harold West, Falmouth PD; Richard Swift, Portland PD; David Bruni, Martin Conley and Todd Gagnon, Gorham PD.

So approved on the motion of Commissioner Feeney and the second of Commissioner Plummer.

No further business conducted; motion to adjourn at 7:20 PM.

ATTEST:


Timothy J. Jarvis
Deputy Clerk

Next regular meeting, Monday, April 23, 2001 at 7:00 PM.

5-16-01
Coun
NY

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

COMMISSIONERS' MEETING

MINUTES

April 23, 2001

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

Chairperson Clenott called the meeting to order at 7:00 PM and the following business was conducted.

Minutes of the regular meeting of April 9, 2001 were approved as written.

Peter Crichton, County Manager, reported that the second "Community Leaders" meeting was scheduled for 5:15-8:30 PM on Thursday, April 26 at the Spring Meadows Golf Club in Gray, noting that 70 people have registered so far.

Commissioner Feeney reported that he had attended the Open House on Saturday for the new Standish Municipal Building, and had offered the County's assistance to municipal officials.

Commissioner Plummer reported that he also had attended the Ribbon Cutting Ceremonies in Standish. He commended Sylvia Plumley, former Standish Councilor and loyal County Commissioners meeting attendee, on her hard work, stating that she and Standish should be proud of the new \$1.8 million complex. He noted that he was looking forward to attending the Community Leaders meeting, since most of the other Strategic Planning Committee meetings have been during the day and he has been unable to attend.

Chairperson Clenott reported that she, the County Manager and Deputy County Manager had met with Mike Saxl, Speaker of the House, on County budget issues. She updated the Board on the difficulties the Workforce Investment Board is having getting businesses to participate.

George Flaherty, Cumberland County EMA Director, reported that according to State Statutes, the Maine Emergency Management Agency must present an annual report on the performance of the County's EMA to the Commissioners. He introduced Arthur Cleaves, Director of MEMA, who commended Mr. Flaherty and his staff on their outstanding performance. He noted that they excelled in all areas, from planning and coordination to training and implementation. He reviewed funding from federal and state grants initiated by EMA staff, as well as disaster assistance received by Cumberland County municipalities. He informed the Commissioners that Mr. Flaherty was well connected to and greatly respected by all levels of government, and that the Cumberland County EMA has

the best response capability in the State.

The Commissioners thanked Mr. Cleaves for his report, and concurred that Mr. Flaherty and his staff are deserving of every accolade.

01-30 Bid Report, Tax Anticipation Notes

Diane Gurney, Treasurer, reported that the County had gone out to bid for \$4,000,000 in FY2001 Tax Anticipation Notes.

Richard Ranaghan Jr., Financial Advisor, reported 140 Requests For Proposal packets had been mailed out, and 5 bids had been received:

Peoples Heritage Bank	3.31%
TGH Securites	3.3164%
Citizens Bank	3.3610%
Fleet National Bank	3.58%
Eastern Bank	3.80%

Ms. Gurney recommended the bid be awarded to the low bid, Peoples Heritage Bank.

On the motion of Commissioner Plummer and the second of Commissioner Feeney, it was unanimously voted:

"That under and pursuant to Title 30-A, Section 932 of the Maine Revised Statutes, as amended and supplemented, there be and hereby is authorized the issuance of up to \$4,000,000 principal amount Tax Anticipation Notes of the County of Cumberland, Maine in anticipation of the receipt of taxes for the current fiscal year of the County which commenced January 1, 2001 and ends December 31, 2001.

"Said Notes shall be dated May 7, 2001, shall mature on December 28, 2001, shall be signed by the Treasurer and countersigned by the Chairman of the Board of Commissioners, shall bear interest at the rate of 3.31% per annum, shall be payable at Peoples Heritage Bank, Stratavest Group, Portland, Maine, and otherwise be in such form and bear such details as the signers may determine.

"That said Notes are hereby sold and awarded to Peoples Heritage Bank.

"Said Notes are hereby designated qualified tax exempt obligations of the County of Cumberland, Maine for the 2001 calendar year pursuant to the Internal Revenue Code of 1996.

"That all things heretofore done and all action heretofore taken by the County, its officers and agents in the authorization of said Notes is hereby ratified, approved and confirmed and the Treasurer and Chairman are each hereby authorized to take any and all action necessary or convenient to carry out the provisions of this voting, including delivering said Notes against payment therefor."

01-31 Acceptance, FY2000 Audit Report

Ron Beaulieu of Hulsey & Smith, reported that there had been no changes since the workshop held earlier in April, and presented the FY2000 Federal Compliance Audit. He reviewed the report, highlighting certain sections. He noted that the County is in very healthy financial shape, and that the fiscal management is excellent.

Motion by Commissioner Plummer to accept the FY2000 audit report. Second by Commissioner Feeney, so voted.

01-32 Bid Report, Installation of Bathroom Fixtures

Bruce Tarbox, Facilities Manager, reviewed the bid report. He explained that the State Court System was paying for the work to be done in one of the judge's chambers, therefore there was no cost to the County. He had brought this item to the Commissioners for approval simply to comply with the County's bid requirements. Three bids had been received:

Capozza Plumbing & Heating Co.	\$4,850
Levi Robinson Plumbing & Heating Co.	4,920
Blake Company	5,270

Mr. Tarbox recommended the bid be awarded to the low bidder.

Motion by Commissioner Feeney to award the bid to Capozza Plumbing & Heating Company in the amount of \$4,850. Second by Commissioner Plummer, so voted.

01-33 Bid Report, Inmate Medical Services

Mr. Crichton reported that he had participated in a workshop on this issue held earlier with the Commissioners, a BAC member, representatives from PrimeCare Medical, Inc, and Sheriff's staff. He reported that PrimeCare had previously notified the County that it had experienced daily losses in providing inmate medical services, and would be terminating their current contract. County staff began working diligently with PrimeCare representatives to identify and alleviate problems, and put out an RFP for a new contract.

Captain Francine Breton reported that three bids had been received for a three year contract to provide inmate medical services:

	1 st year	2 nd year	3 rd year	TOTAL
ARCH	\$2,001,499	2,102,687	2,207,846	6,312,033
CMS	\$1,431,350	1,674,950	1,937,175	5,043,475
Prime Care	\$1,394,077	1,463,781	1,536,970	4,394,829

Captain Breton reviewed the staff report, and stated that Sheriff Dion and Major Newton recommended the bid be awarded to PrimeCare Medical Inc. She reported that they had done a great job of fixing problems left behind by the previous provider, and

had been a great assistance in the County's preparations for jail accreditation. Mr. Crichton concurred with the recommendation.

The Commissioners expressed their satisfaction with the full explanation of the increased costs that had been provided in the workshop, and were looking forward to working with PrimeCare during the next three years.

Motion by Commissioner Plummer to authorize the Chair to sign the 3-year contract with PrimeCare, Inc. in the amount of \$4,394,829. Second by Commissioner Feeney, so voted.

01-34 Request for deputy sheriff commissions

The following request for deputy sheriff commissions was received from Sheriff Dion: Gino Bianchini, Freeport PD.

So approved on the motion of Commissioner Plummer and the second of Commissioner Feeney.

No further business conducted; motion to adjourn at 7:46 PM.

ATTEST:



Timothy J. Jarvis
Deputy Clerk

Next regular meeting, Monday, May 14, 2001 at 7:00 PM.

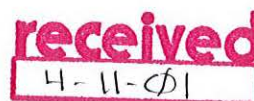
County of Cumberland



Peter J. Crichton
County Manager

April 10, 2001

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



Dear Mr. ^{Bob}Benson,

I have the task of sending you Cumberland County's assessment for the amount of tax needed from your municipality for FY2001. As you will note from the attached information, the FY2001 tax rate for Cumberland County is 0.000772851 or 77 cents per thousand. This represents an overall increase of 11.8% in County taxes compared to last year, which varies by municipality depending on the valuation.

I recognize this increase is more than you would have preferred. I can also appreciate, more than you realize, how difficult this fiscal year is for many communities throughout Cumberland County. It has been an extremely challenging budget for us, too.

Our foremost challenge has been the jail due to the increased medical costs for the inmates and other unavoidable jail costs. In reality, the County and municipalities share a significant financial burden since the state picks up less than 10% of the cost of the jail! To illustrate this point, if you took away the jail, our tax increase for the remaining eight departments of County government would have amounted to less than 5%.

I am pleased to report that we are working to address the inadequate level of state funding for the Cumberland County Jail by bringing our case to the Maine Department of Corrections and members of the Maine State Legislature. We hope in the future to be able to work more closely with you and other municipal leaders in Cumberland County, as well as the Maine Municipal Association and Maine County Commissioners Association, to bring about the funding changes necessary.

As we move ahead to address the jail challenge and other issues that directly or indirectly affect you, we will continue to reach out to you and other municipal and state leaders, as well as groups and individuals. We are striving to have Cumberland County Government, through our strategic planning initiative, play a more significant and relevant role in the future of Cumberland County. ✓

I would like to thank you for your cooperation on paying this assessment. On behalf of the County Commissioners and department heads, we sincerely appreciate your support and look forward to working with you in a collaborative way to make a positive difference whenever and wherever possible.

Kind regards.

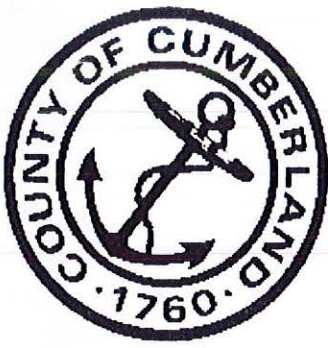
Sincerely,

A handwritten signature in blue ink, appearing to read "Peter", is positioned above the printed name.

Peter J. Crichton
County Manager

Enclosures

C: County Commissioners
Bob Devlin, Deputy County Manager
Department Heads



council

Friday May 25, 2001
Cumberland County Municipal
and County Officials Forum

The Cumberland County Board of Commissioners
Cordially Invite the

Municipal Officials of Cumberland County

To attend a forum with the Cumberland County Legislative Delegation on the
issues facing local government in
Cumberland County.

12:00 Noon - 1:00 P.M.

May 25 , 2001

Room 107

State Office Building

Augusta, Maine

Luncheon Served

Please RSVP @ 871-8380

Esther Clenott, Chair, Board of Commissioners
Gary Plummer, Commissioner
Richard Feeney, Commissioner



Comm 201
5-22-01
17



The Archangel Committee

A Greater Portland – Russian Sister City Project

P.O. Box 105, Portland, Maine 04112 USA

e-mail: gpmaine@arkhangelsk.org

web site: www.arkhangelsk.org

May 2001

Participating Cities/Towns:

Cape Elizabeth
Cumberland
Falmouth
Freeport
Gorham
Gray
Long Island
New Gloucester
Portland
Scarborough
South Portland
Westbrook
Windham
Yamouth

Standing Committees:

Culture
Higher Education
Humanitarian
People-to-People
Youth

Dear Town or City Manager

As you know, your municipality is one of the 14 cities and towns that have a Sister City Relationship with the City of Archangel in the Russian North.

This relationship has existed since 1988 and since that time hundreds of people have visited their sister communities.

Our organization is privately run by volunteers and we seek no government or public money.

Enclosed please find our latest Newsletter and we hope to keep you further informed as well.

Thank you for your interest. If you have any questions, please call me at 77-1515.

Sincerely,

Neale A. Duffett
Co-Chairperson



The Archangel Committee

The Russian Sister City Committee of Greater Portland

P.O. Box 105, Portland, Maine 04112

Spring 2001

LEGAL EXCHANGE NEWS

In March of this year a legal delegation from Maine participated in "first of its kind" comparative mock trials with Russian lawyers and judges in Archangel, Russia. The delegation consisted of Professors Judy Potter and David Cluchey of the University of Maine School of Law, Superior Court Judge Roland Cole, Cumberland County District Attorney Stephanie Anderson and Maine lawyers Neale Duffett and Ray Pelletier. While in Russia, the group performed one civil trial and one criminal trial. The Russian participants included law school professors, six Russian trial judges, four of whom visited Maine last summer, a prosecutor and two private attorneys. Students of Pomor State University Law School in Archangel played the roles of witnesses and jurors. The trials were performed in a large courtroom at the Archangel Regional Courthouse, which was filled with spectators made up of Russian students, lawyers, judges and press.

A family law dispute was chosen for the civil case, involving issues of child custody, residence, alimony and support. The same set of facts was tried first under the Russian system and then under the American system. Under the Russian system the litigants themselves have a more active role. Each party made a statement on his or her behalf, after which each of the judges on the three judge panel and each attorney addressed questions to the parties. Closing statements were given by the parties, followed by their attorneys. At the conclusion of the trial the Russian court ruled that under Russian law the particular court hearing the case could not order either of the parties to leave the family apartment, and that issue needed to be handled in a different proceeding. Therefore, it also refused to make any child custody or support decisions and simply left the parties and their children divorced, but living together in the same apartment.

In the American version of the case Professor Judy Potter and Ray Pelletier, an attorney with Verrill & Dana, LLP, played the roles of counsel for the husband and wife, respectively. Mr. Pelletier, who is fluent in Russian, conducted his examinations and arguments in Russian, which seemed to amuse the audience. Judge Cole awarded the apartment to the wife and children, gave primary custody of the children to the wife, liberal visitation to the husband, ordered the parties into co-parenting counseling and ordered the husband to pay child support. Following the trial Russian and American participants conducted a panel discussion and fielded questions from the Russian audience.

The criminal case involved a robbery of a young woman who was accosted late at night by a young man who claimed to have a knife. The facts were chosen to present issues of witness identification and credibility. In the Russian version of the case, which was tried without a jury as is normally the practice in the Russian system, the three judges played a much more active role than do judges in the United States. After the victim and defendant each made a statement on his or her behalf, the judges actively questioned them, as did the prosecutor and defense counsel. The defense counsel made a motion to exclude a post-arrest identification of the accused since it was conducted in apparent violation of the Russian Code of Criminal Procedure. The Court denied the motion. The judges found the defendant guilty and imposed a seven year sentence with forfeiture of his property.

Before the American version of the trial started, Judge Cole gave a short lecture on how a jury trial is conducted in the United States. Professor Cluchey lectured on the basic evidence rules. The American version of the case was presented by Cumberland County District Attorney Stephanie Anderson and Neale Duffett, an attorney with Cloutier, Barrett, Cloutier & Conley, as prosecutor and defense counsel, respectively. The all-Russian jury was made up of 8 students, 2 law professors and 2 municipal judges. The arguments and examinations by counsel were vigorous and lively, leaving the jurors spell-bound. The jury took a very short time to acquit the defendant of all charges.

There was considerable newspaper coverage of the delegation's activities, and TV and radio reports. Newspaper reports and comments by Russian host organizations indicated that this is the first time that such comparative U.S./Russian trials have been conducted in Archangel, and perhaps in Russia. For translations of the Archangel newspaper articles, go to our website at www.arkhangelsk.org.

REICHE SCHOOL - CLASSIC SCHOOL NUMBER 3

The informal relationship between Deborah Twombly's 5th grade class at the Reiche School in Portland and Svetlana Kuznetsova's class at Classic School Number 3 in Archangel is now in its 4th year. The students have often exchanged letters, artwork, calendars and other small items representing their respective schools and local communities. A large package from School Number 3 arrived in March 2001 and Deborah's students prepared a return package for May 2001.

DEPARTMENT OF TRANSPORTATION EXCHANGE

It is hoped that an intern from the Archangel Regional Transportation Administration will be hosted by the Maine DOT for 6 weeks starting in June 2001. In addition, MDOT is planning to host the Archangel Oblast's Transportation Commissioner, Deputy Governor Peter Orlov, from July 21 to 28, 2001. Mr. Orlov may be accompanied by one or two members of the Archangel Regional Duma.

NEWS/NOTES FROM THE ARCHANGEL REGION

Signs of spring: On April 16th, the ice on the Northern Dvina River became too thin to walk on, 2 days later the river ice moved out in Kotlas, and on April 26th the ice moved out in Archangel. ❀ ❀ ❀ In mid-April, the teachers and students at Archangel School Number 6 performed 10 days of community service: they gathered clothing and shoes for the orphanages and they performed household chores for World War II veterans. ❀ ❀ ❀ Similarly, the teachers and students at the Archangel State Technical University put on a benefit show which raised money to buy boots and shoes for orphans. ❀ ❀ ❀ The Plesetsk Spaceport (180 miles southwest of the City of Archangel) plans to launch 10 earth satellites in 2001.

Steve Moriarty - Site for new middle school

From: "arscan" <arscan@email.msn.com>
To: "Stephen Moriarty" <smoriarty@nhdlaw.com>
Date: 5/21/01 5:18 PM
Subject: Site for new middle school

Steve, Please forward, or copy this letter to the other members of the Cumberland Town Council. Thank you. Amy Scannell

MAY 20, 2001
Cumberland Town Council Members:

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

Dear Cumberland Town Council Members,

I have been a member of the Site Selection Committee since it first met in November of 1999.

And I, as well as many others, have invested considerable time and effort in the work of this committee.

Are we to toss out all our Committee's work, even our non -negotiable criteria, in order to manipulate the end result??

The SAD #51 Long Range Plan recommended the option of a new middle school because it **"removes grades 7 and 8 from the congested Greeley Campus."** In other words, the SAD#51 Long Range Plan recommended building a new middle school, because they assumed it would **NOT be built on the Greeley campus which is already "congested."**

So why are we even considering the Greeley Campus again as an option!?

State funding is based on addressing long-term needs of the District.

The SAD#51 Long Range Study projected in 5 years that student enrollment would reach 2,565, and it may be higher

- it doesn't meet the minimum 16 acres required by the State.
- has no room for future expansion.
- Would not have adequate athletic fields, thus would cause
- Increased busing offsite to Twin Brooks
- Would exacerbate increased traffic & inadequate parking & create more safety issues on an already crowded 50-acre site.
- Would cause the loss of the orchard
- Lose buffer between Greeley Campus & condo development.

Our architect's plans for the Greeley campus left only **50 feet** between the condos, and the paved lot road that would need to be built for access to this site.

According to the **SAD51 Long Range Planning Study** (Feb. 1999) the criteria used to evaluate and decide in favor of the new middle school option, included: **potential for future expansion**, and **supporting athletic/extracurricular programs & community opportunity**.

The 28-acre Smith property is clearly the only site that has potential for future expansion. And it is the only site that can support 3 to 4 adjacent athletic fields. Pat Palmer, GJHS Principle, spoke of the needs of our middle school population, at a meeting last September, & mentioned needing more space, more fields, and the increased importance of sports. She also stated that since they 'learn best by doing, that teachers would more often hold classes outside'. The North Yarmouth Campus, is able to accommodate this vision, while the Greely Campus does not.

. North Yarmouth residents finance Cumberland Education & Recreation programs through SAD51 taxes, and we pay a stipend to the Town of Cumberland. Yet most of these programs take place at the schools which are all, except one, located in Cumberland. As a SAD #51 taxpayer for 15 years, I feel North Yarmouth deserves better access to our school District's educational & recreational programs. **North Yarmouth needs this facility to improve accessibility to these educational, & recreational programs which are supported by North Yarmouth taxpayers.**

Arguments against the North Yarmouth site include :

- **Sprawl:** this 28 acre site is located in the Village center, is compatible with the Town Comprehensive Plan and is **NOT promoting 'sprawl.'** I had a lengthy discussion with Beth Della Valle from the State Planning Office, and their Office has only an advisory role when evaluating for 'sprawl,' without the authority to accept or reject our decision.
- **Sewer vs. Septic:** The Smith site supports an adequate septic system, OR can be connected to public sewer. **The Cumberland Town Council must act for the benefit of our school district & approve/grant access to public sewer at the North Yarmouth Campus. This facility belongs to our school district, please be mindful of its benefits to both Towns !**

Remember we have another option! A SEPTIC SYSTEM is a viable option. The Yarmouth Water District was consulted & engineering consultants DeLuca-Hoffman approved & designed septic for this site.

- **Police:** The majority of North Yarmouth residents recognize the need for & support improving police services & it will happen sooner if this site is selected.
- **Rt.9 and Rt.115 intersection:** according to the North Yarmouth Comprehensive Plan "Future plans by the Maine D.O.T. involve rebuilding the two intersections involving Rt. 9 and Rt. 115 near the Village Center. If this site is chosen, these intersections will be reconfigured sooner, rather than later.

We must choose the best site, and not get lost in these details!

Benefits of the North Yarmouth campus to SAD#51 School District:

- North Yarmouth Memorial School- within a short walk
- Fulltime Highway/ Public Works Dept.
- 65 member volunteer Fire & Rescue Dept.; Fire Station with 3 fire trucks and an ambulance; across Rt 9 from site
- Skyline Farm, a nonprofit, educational foundation & its network of trails
- The town owned Lacrosse/Soccer field's -a short walk away
- Westcustago Grange Hall
- 60 acre Town Forest along Rt. 9
- Royal River access from Rt. 9
- Westcustago Park (Rt. 231) parking & canoe launch
- Gillespie Farms town owned land
- Village Green, under construction, with walkways connecting the parks at Walnut Hill.
- Veterans Park on Parsonage Rd & Rt. 9
- Proximity to :
- Bradbury State Park

- **Pratts Brook trails system.**
- **Casco Bay YMCA**

The State of Maine's Goals for Growth Management states: "to plan for, finance, and develop an efficient system of public facilities & services to accommodate anticipated growth & economic development."

We must plan ahead, & anticipate how the **Pineland Development** will effect population growth along the Rt. 9 corridor. To be proactive & anticipate growth, we must take this opportunity to help shape our school district, to be mindful and better serve the needs of **ALL** of our residents.

Members of the Cumberland Town Council, I ask on behalf of our shared School District, for you to support building our new middle school on the North Yarmouth Campus.

Sincerely,

Amy Scannell

Bill Landis

Bob.
Copy sent to
Steve.

To: smoriarty@nhdlaw.com
Subject: Soccer Club

Steve,

I believe you received an e-mail from Victor Otley in regards to the Soccer Club Labor Day Tournament.

John Lambert, Jeff Porter, Bob Benson and myself met sometime ago in regards to the overall use policy at Twinbrook. I would suggest at this time we focus on setting a fee for the Soccer Club and later this summer work on the policy issues.

In regards to the Labor Day Tournament, the Soccer Club has been asked to meet the requirements for the Mass Gathering permit. According to my calculations the Soccer Club will have to cover the following "new" cost.

1. 2 Police Officers for 8 hours = \$450.00
2. 2 - 4 Police Explorers, 8 hours = \$100.00 - \$200.00
3. 2 Paramedics for Rescue coverage = \$200.00
4. Portable toilets, additional 2 - 4 @ \$75.00 = \$150.00 - \$300.00
5. Field Use at Twinbrook 4 fields @ \$100.00 = \$400.00

Would also suggest waiving the \$250.00 Mass Gathering permit fee.

The above additional cost is "ballpark" of \$1500.00 for the Twinbrook Site. This amount would be absorbed or passed on to the participating teams. If passed on to keep the fund raising dollars equal to last year, what is the "breaking point" of a team in participating. I.e. if the fee is raised \$20.00 per team will the entries drop off and thus reducing the fund raising efforts of the club. This could be adjusted by additional fund raising efforts or an increase in the fee of the Travel Team program. The later may produce a program only for the financially elite of the 2 communities, is this the direction we want the Soccer Club to go.

Steve, I don't have any easy answers to this issue.

I do believe the Soccer Club is becoming more of an organization (committee direction) than they have in the past. I believe we should not punish for past issues but try to work for an agreeable solution to enable the Soccer Club to host this tournament, with our guidelines and restrictions.

I am willing to get together with an ad-hoc committee to address this specific issue.

Thanks,

Bill Landis

cc: Bob Benson

Cumberland Recreation Department
290 Tuttle Road
Cumberland, ME 04021

User fee information for athletic fields: Specific to Travel Team Soccer Funding.

Other communities who host Travel Team Soccer Events in respect to fund-raising.

1. Yarmouth – The Yarmouth Colts host a soccer camp during the summer. The Recreation Department charges \$75.00 per field per day for use.
2. Gorham – Recently (May 13), hosted a 69 team tournament. The Recreation Department received one pair of soccer goals in lieu of any fees.
3. Topsham – The Coastal Soccer Club host a major tournament in Topsham area. The Recreation Department runs the concessions for 100% of the profits (concessions).
4. Falmouth – The Travel Team Soccer Club traditionally host the Columbus Day Tourney, 100+ teams. At this point the Recreation Department is deciding on fee, proposal: fee not to exceed 15% of profit.
5. Freeport – The Freeport Travel Team Soccer Club will host a tournament during the fall season. They have offered in the past to buy the Recreation Department a goal or set of goals, however have yet to fulfill their promise.

Notes:

All of the above communities have not required any town services to be used to support the soccer tournament. Traffic, parking, trash, waste, medical, etc. have all been left up to the club to provide these services. Falmouth is the only community which has recently revised their policies, all of the other communities are working with no or out-dated policies.

*Nordic soccer club
school sponsored tournament (attractiveness of Turkle)
200 - Run by former club + Valhalla
Also \$ of 500 in order - in an admin decision*

** file facility
use file*

COMMUNITY USE OF SCHOOL BUILDINGS AND FACILITIES

M.S.A.D. #51 recognizes the fact that schools have traditionally been community meeting places and centers on local interest. Although the State of Maine in general and area citizens in particular have a substantial investment in local school buildings and related facilities, this district further recognizes the opportunity presented for non-school use of the same. Therefore, the M.S.A.D. #51 Board of Directors encourages maximum community use of its facilities during those times when the facilities are not used in the regular educational program. Use of these facilities shall be granted for worthwhile educational, recreational, civic, cultural, and social activities so long as these activities do not interfere with regular school programs and are conducted in accordance with the Board's rules and regulations.

In order to ensure the widest possible use of these facilities, it shall be the administrative rule of M.S.A.D. #51 to encourage and promote community use of school facilities in a manner compatible with the operation of school related programs.

Regulations and guidelines for the use of school facilities are provided as follows:

General:

Municipal, community, civic and non-profit cultural and educational groups operating within the district, whose purpose is not the sale of goods and/or services for profit, will be entitled to use school facilities, fields, and grounds free of charge on weekdays when said facilities are not in use by the district for school-related programs. The district will require a fee of Fifteen Dollars (\$15.00) per hour for all groups utilizing indoor facilities on weekends or at times when custodians are not normally on duty and thereby requires custodial/supervisory staff overtime.

Groups, individuals and business organizations not included above and those generally operating for profit may not use district facilities unless approved by the Superintendent of Schools as an exception.

Permission to use school facilities will be granted in accordance with the following regulations:

- 1a. All requests for the use of district indoor and outdoor facilities shall be approved and coordinated by the Business Manager prior to the granting of final approval to the applicant.
- 1b. All application forms for the use of a specific school facility are to be submitted to the Principal responsible for that facility at least two (2) weeks prior to the requested date of use. The building Principal will recommend approval or denial of the application to the Business Manager, who will review the recommendation of the Principal and forward a response to the Principal within three (3) days.

The individual whose signature appears on any such application form will be considered the individual responsible for the supervision and use of the facility(ies) requested with adequate and appropriate supervision to be required at all times.

A copy of each application will be forwarded by the building Principal to the Superintendent's Office for recordkeeping purposes.

2. All national, state, and local rules and regulations governing the use, health and safety of individuals utilizing district facilities are to be adhered to at all times.
3. The district's property insurance and comprehensive general liability insurance **does not** extend to community or other groups utilizing district facilities. Any individual or group utilizing district facilities for any purpose agrees to save, indemnify and hold harmless the district, from and against, any and all liabilities, actions, courses of action and damages arising out of any negligent or tortious acts on the part of the facilities applicant, applicant's employees or agents, and from any and all fines, suits, claims, demands and actions of any kind or nature of any and all persons by virtue of or arising from the use of said facilities. The district may, at its discretion, require certificates of proof of insurances.
4. The district shall not be held responsible for any damage or loss which may occur to non-school property. The individual or organization utilizing school facilities will be held responsible for any damage to building, facilities and equipment.
5. The Board of Directors or its representatives shall, at all times, have free access to all parts of all buildings and facilities and shall reserve the right to revoke any permit should such action be considered necessary and in the best interest of the district and/or public in general.
6. All applicable fees are to be paid in advance in accordance with the attached fee schedule. Failure to make payment to the district for use of facilities may result in denial of access to the facility and of future requests being denied.
7. School facilities are made available as normally furnished for school use. Any request for use of additional school equipment is to be directed to the building principal for consideration and review.
8. A custodial/supervisory staff member shall be required to be present in any building being used by non-school individuals or groups and will be paid by the district for services involving the use of school facilities. The tipping of custodians or other district personnel is prohibited.
9. The use, consumption or sale of alcohol or drugs on school property is prohibited.
10. Gambling on school property is prohibited.

11. Cafeterias may be used by outside groups for serving refreshments. Kitchen areas may be used for food preparation only if an employee of the district's Food Service staff is present. Food Service personnel are to be paid by the district for services involving the use of school facilities. Tipping of food service personnel or other district personnel is prohibited.
12. School buildings will be made available Monday through Friday on a space available basis to non-school individuals or groups provided such use does not interrupt or disturb regular school or school-sponsored programs. Saturday and Sunday use of school buildings will be permitted subject to staff availability and pursuant to negotiated agreements for wages, etc.
13. In order to accommodate the needs of the community, non-school community indoor and outdoor athletic and recreation program schedules, an application form shall be submitted to the Business Manager for purposes of coordinating the same with existing programs designed to serve the community needs.

All community indoor and outdoor athletic/recreation program requests and schedules shall be prepared and submitted to the Business Manager prior to review by the school Principal in accordance with the following schedule:

Program Periods	Submission Date
November 1 to December 30	October 15
January 1 to February 28	December 15
March 1 to April 30	February 15
May 1 to August 31	April 15

It shall be the administrative rule of the district that once approved, the scheduled use of district facilities by community groups shall not be pre-empted, denied or revoked without reasonable circumstances.

Outdoor facilities will be available for public and community use Sunday through Saturday when school is not in session and when not in use for school-sponsored practices, scrimmages, games and/or interscholastic events.

14. The district shall cooperate at all times with recognized organizations such as the Red Cross and Civil Defense in order to make district facilities available during emergencies and for purposes of emergency planning.
15. The Board of Directors will approve and periodically review the facilities use fee schedule. Changes in the monetary rates applied may change as a result of these reviews.
16. The district reserves the right to deny the use of facilities. By way of illustration, the following situations would be cause for denial of facilities, but not limited to the following:

A. Jeopardize equipment and / or facilities

- B. Conflict with school activities
 - C. Violate local, state or federal law
 - D. Present a hazard to the general public
17. The district reserves the right to waive, modify, or institute requirements in addition to those listed herein should it be deemed necessary and/or in the best interest of the district.
 18. Denial of use by a building Principal may be appealed to the Business Manager. Denial of use by the Business Manager may be appealed to the Superintendent of Schools. Denial of use by the Superintendent of Schools may be appealed to the Board of Directors for consideration at their next regularly scheduled Board meeting.
 19. Copies of the district's Facilities Use Rules shall be made available to any group requesting use of said facilities prior to submission of the required application form.

FEE SCHEDULE

Category A

- A. For municipal, community and non-profit educational and cultural groups operating within the district whose purpose is not the sale of goods or services for profit, the following fee schedule shall apply on weekdays when no additional custodial overtime is required:

Gym	No Charge
Auditorium	No Charge
Cafeteria	No Charge
Kitchen	No Charge
Library	No Charge
Classrooms	No Charge
Fields / Grounds	No Charge
Bathroom Facilities	No Charge

A fee of \$15.00 per hour will be required of all groups in Category A when district personnel overtime is required, for each person necessary during that overtime.

Category B

- B. For groups, individuals and business organizations not included above and those generally organized and operated for profit, the following fee schedule shall apply:

Gym	\$50 (3 hours) / \$25 ea. additional hour
Auditorium	\$60 (3 hours) / \$25 ea. additional hour
Cafeteria	\$30 (3 hours) / \$10 ea. additional hour
Kitchen	\$36 (3 hours) / \$10 ea. additional hour
Library	\$25 (3 hours) / \$10 ea. additional hour
Classrooms	\$25 (3 hours) / \$10 ea. additional hour
Fields / Grounds	\$25 (3 hours) / \$10 ea. additional hour
Bathroom Facilities	\$25 (3 hours) / \$10 ea. additional hour

Other

1. The district reserves the right to assess additional fees to both Category A and Category B for unusual requests or circumstances.
2. Use by District Staff - Use of facilities by the District Staff shall be granted for worthwhile educational, recreational, civic, cultural, and social activities which will benefit the community at large, so long as these activities do not interfere with regular school programs and are conducted in accordance with the Board's rules and regulations.
 - A. All groups using district facilities must indicate one contact person who will be responsible for the care of the facility. Staff members and/or a representative of civic or community groups may serve as contact person. A staff member as a contact person accepts responsibility for the condition of the building after use. Should the building be left in disorder, the principal will report the condition to maintenance supervisor who will address the issue with the group's contact person. Consequences may include: mandatory utilization of custodial services or prohibited access to facility.
 - B. In order to assure access to building facilities by district organizations, certain weekend dates will be reserved for this purpose. If district organizations do not express interest in utilizing the facility within one (1) week of reserved date, facility will be opened to other groups.

PHILOSOPHY AND PRIORITY USE OF
FALMOUTH TOWN AND SCHOOL FACILITIES

The Town of Falmouth and the Falmouth School Department recognize that all public facilities are supported largely by local tax dollars and they wish to make facilities available to responsible community groups and individuals when not in use by school or community programs sanctioned activities. The Falmouth School Department and Community Programs Department (or their designees) retain the exclusive right to make necessary decisions regarding schedule changes; and the acceptance, refusal or withdrawal of permission for use of all facilities at their discretion as stipulated by the school and town facility use guidelines. It is expected that Falmouth citizens and all other users will be responsible and considerate in their use of town or school facilities while abiding by the rules and regulations set forth in this document.

PRIORITY USE OF SCHOOL FACILITIES

- 1.) Falmouth School Board sanctioned activities will take precedence over any other requested or previously permitted use of school facilities, except for the following limitation: members of the Falmouth community shall have priority to use all school facilities in a manner compatible with the operation of school related programs during the hours from 6:00 a.m. to 10:00 p.m. for a portion of each school week.
- 2.) Falmouth Community Programs will be the immediate secondary user and take precedence over any other requested or previously permitted use of school facilities. The Falmouth School Department and the Falmouth Community Programs Department reserve the right to assign alternate space if other needs for the space arise, or to revoke any permission for the use of school or community facilities, at any time and without prior notice or liability, should the School Department or Community programs Department determine that such action is necessary or desirable.
- 3.) Falmouth Organizations or Falmouth Residents may be afforded the use of school or town facilities for recreational, civic, cultural, educational or political activities which in the opinion of the Falmouth School Department/Community Programs Department (or its designees) do not interfere with the conduct of school/community programs or the best interests of the school system/town and whose activity appears appropriate for the actual facility requested.
- 4.) Groups or individuals from outside the Town of Falmouth may be afforded the use of school or town facilities at the discretion of the Falmouth School Department/Community Programs Department (or its designees).

5.) The Falmouth School Department and the Falmouth Community Programs Department reserve the right to assign alternate space if other needs for the space arise, or to revoke any permission for the use of the school facilities, at any time and without prior notice or liability, should the School Department or Community Programs Department determine that such action is necessary or desirable. Any appeal regarding the use of the School facilities shall be made to and decided by the Schools' Superintendent.

PRIORITY USE OF COMMUNITY FACILITIES

1.) The Falmouth Community Programs Department will have first priority use of all community facilities and will take precedence over any other requested or previously permitted use, except for precedence agreements with the Falmouth School Department for specified activities or facilities.

2.) Falmouth School Board sanctioned activities will be the immediate secondary users and will take precedence over any other requested or previously permitted use of community facilities.

3.) Falmouth organizations and individuals as described in Section 3 of "Priority Use of School Facilities".

4.) Outside groups or individuals as described in Section 4 of "Priority Use of School Facilities".

5.) The Falmouth Community Programs Department and the Falmouth School Department reserve the right to assign alternate space if other needs for the space arise, or to revoke any permission for the use of the Town facilities, at any time and without prior notice or liability, should the Community Programs Department or the School Department determine that such action is necessary or desirable. Any appeal regarding the use of the Town facilities shall be made to and decided by the Falmouth Community Programs Director.

.....

The Falmouth School Department and Falmouth Community Programs reserve the right to deny facility use if the proposed activities would jeopardize equipment and/or facilities; conflict with school or community program activities; violate local, state, or federal law; present a hazard to the general public; or be contrary to the best interests of the Falmouth School Department or the Town of Falmouth and the welfare of its residents.

SCHEDULING AND SUPERVISION RESPONSIBILITIES

- 1.) The Falmouth School Department's building principals or their designees are responsible for the scheduling of all Falmouth School Board sanctioned educational/extra-curricular activities and facilities and shall disseminate these schedules with the Superintendent, assistant principals, athletic administrators, director of buildings and grounds, special activity/facility directors, staff and the Falmouth Community Programs Department as far in advance as possible. Facility use updates and changes must also be reported to all of the above individuals as quickly as possible.
- 2.) The Falmouth Community Programs Department Director or his/her designee is responsible for scheduling all the school and town facilities for non-school sanctioned organizations or individuals after consulting with the building principals or their designees to determine the availability of school facilities and surveying his/her own department to assess the availability of town facilities as requests for facility use are made.
- 3.) The Falmouth Community Programs Department will be responsible for collecting all rental fees from third and fourth priority facility users and dispersing them fairly between the school department and town depending on such criteria as: the facilities utilized, the cost to maintain and repair the facilities, and the cost to supervise the use of the facilities. The Town and the School Department will review annually such costs and revise the fee schedule and allocation of fees accordingly.
- 4.) The Falmouth Community Programs Department will be responsible for providing appropriate supervision and insuring policy enforcement for all activities approved by the department utilizing school and community facilities.
- 5.) The Falmouth School Department will be responsible for providing appropriate supervision and insuring policy enforcement for all Falmouth School Board sanctioned activities utilizing school or community facilities.
- 6.) For third and fourth priority users the individual whose signature appears on the use permit application will be considered the person responsible for supervision of the facility requested. He/she will also be responsible for the safety and well being of all people at the facility and any damages inflicted on the facility or equipment during the permitted time period. The Falmouth School Department or Community Programs Department may require additional supervisory personnel to be on site at the cost of the permit user.

Falmouth

RULES, REGULATIONS AND DISCLAIMERS

- 1.) Priority of facility use will be periodically reviewed to review accommodation of school/community use priorities, to evaluate the impact on the facility, to review allocation of costs and fees between the School Department and the Town, the length of a past pattern of acceptable use, Falmouth Youth needs, the number of individuals involved, including Falmouth adults, Falmouth adult needs, field conditions and weather reports, profit/nonprofit, staffing/parking/security/safety/supervision/equipment requirements, insurance, and other logistical concerns. To qualify as a third priority user, youth group participants must be 18 years old or younger and all teams and organizations must have a minimum of two-thirds Falmouth residents.
- 2.) All application forms for the use of a specific school or community facility use must typically be submitted to the Falmouth Community Programs Director or his/her designee at least two weeks prior to the requested date of use but not more than three months before such date to help facilitate fair and equitable scheduling. All fees must be paid, proof of insurance provided, and all other stipulations met before the permit is issued. If the permit must be withdrawn due to a scheduling conflict caused by the school or community programs, all fees will be refunded. If the user chooses not to use the facility as requested and notifies the Falmouth Community Programs Department at least two weeks before the scheduled usage date, there will be a full refund. There will be no refund of fees if notification occurs less than two weeks before the scheduled usage date unless there is an unusually compelling reason for such a default.
- 3.) A copy of each application will be kept on file at the Falmouth Community Programs Department Offices.
- 4.) The individual whose signature appears on any such application form will be considered the individual responsible for the supervision and use of the facility/facilities requested and he/she must provide adequate and appropriate supervision at all times. He/she will also be responsible for all rental fees, proof of liability insurance/bodily harm, facility/equipment damages, theft, or loss of any kind that occurs related to usage of the facility.
- 5.) The Falmouth School Department/Falmouth Community Programs Department property insurance and general liability insurance does not extend to community groups or individuals utilizing school or town facilities. Therefore, any individuals or groups using Falmouth School or Community facilities for any purpose are advised to obtain an insurance bond for liability (\$1,000,000) and damage (\$25,000) before signing for a facility permit. The Falmouth

School Department or Falmouth Community Programs Department may insist upon such insurance as a requirement before issuing a usage permit. The Falmouth School Department and the Town of Falmouth shall be named as additional insured in all such policies and all insurance provided by the facility user shall be primary to any insurance which the School Department or Community Programs Department may have. All insurance required by this agreement shall be placed with insurers licensed to do business in the State of Maine and acceptable to the Falmouth School Department and the Falmouth Community Programs Department.

- 6.) The Falmouth School Department and Community Programs staff are only expected to service their own sanctioned programs. All other users are allowed to utilize the town or school facilities at their own risk on an "as is, where is" basis. There should not be any expectation from permit users that the building or grounds will be "set up" for their specific use or situation. If the School or Town facilities staff is able to provide a special service over and above their normal employment requirements, it will have to be at an extra expense and considered an "act of good will", not an expectation for any future use.
- 7.) It is the responsibility of the persons or organizations using school or community facilities to leave them in the same condition in which they were received. If this is not done to the satisfaction of the appropriate building principal (or his/her designee) or the Falmouth Community Programs Director (or his/her designee), a charge shall be levied for any required "clean-up", "pick-up", or "fix-up" costs (including labor) in excess of any fees that would otherwise be applicable. A lack of respect and responsibility could result in the denial of future permits to the permit applicant or group. Any proposed alteration to a school or community facility must be approved in writing in advance.
- 8.) It is the responsibility of the persons or organizations using school or community resources to inform all K-8 families of program cancellations if such programs are scheduled immediately after school.
- 9.) No permitted or walk-in user shall change the appearance, rearrange, or attempt to improve the school or community facility to meet his/her needs without the express consent of the Falmouth School Department and/or the Falmouth Community Programs Department.
- 10.) To the extent feasible, the hours during which school or community facilities are used shall coincide with the hours during which custodians are on regularly scheduled duty. To the extent after-hour use results in overtime pay for custodians or other staff, the additional cost will be the permitted user's expense.

- 11.) The Falmouth School Department and Falmouth Community Programs Department reserve the right to require school or community personnel to be present during the permitted period at the expense of the individual or group in question. In many instances custodians, school staff, school directors, and others may be required to be in attendance because of negotiated contracts.
- 12.) All individuals or groups using school or community facilities are responsible for the preservation of order during all activities and are required to comply with all applicable statutes, ordinances, and regulations, in addition to any policies or conditions imposed by the Falmouth School Department and the Falmouth Community Programs Department. If security is deemed to be necessary, arrangement and payment for police services shall be the responsibility of the individual or group in question. Proof of police protection or private security may be required to receive the initial permit.
- 13.) The possession, consumption or sale of alcoholic beverages, tobacco products or illegal drugs at any community or school facility is prohibited.
- 14.) Gambling on school or community property is prohibited unless allowed as an approved, legal, fund raiser (i.e. casino nights, fifty-fifty raffles and bingo) for school or community booster groups. Such activities must be approved by the Falmouth Building Principal (or his/her designee) or the Falmouth Community Programs Director (or his/her designee).
- 15.) The use of weapons, open flames (including candles), or other incendiary special effects is prohibited at all facilities unless approved in advance by the Falmouth School Building Principal or (his/her designee) or the Falmouth Community Programs Director. At all times, the user or owner of such devices will remain liable for any harm or damages inflicted on other human beings, private property, or school and community facilities.
- 16.) Bringing animals to school or community facilities is to be discouraged due to liability and health issues. Bringing animals into school or community buildings requires the approval of the Falmouth School Building Principal (or his/her designee) or the Falmouth Community Programs Director (or his/her designee). Although the presence of animals outdoors is also discouraged, if an animal is present, it must be on a leash or other type of restraint and the person in charge of the animal must be prepared to clean up any bodily fluids released by the animal. The person in charge of the animal will be liable for any personal harm or damage caused by the animal while at the permitted facility. Exceptions will be granted for animals providing assistance for a person's disability (seeing-eye dogs) or providing rescue or emergency services.

- 17.) ~~All permit applicants must restrict themselves to appropriate use of all facilities.~~ (Facility use should be dictated by its design.) Falmouth School buildings, playing fields, trails, and tracks are for foot traffic only. The only motorized vehicles in or on school facilities should be maintenance vehicles. All other vehicles or recreational equipment such as four-wheel drives, snowmobiles, roller blades, scooters, skateboards, bicycles, motorcycles etc. are prohibited without permission of the Falmouth School Department. All school facilities require permitted use by third and fourth priority users as do most all community facilities. Park facilities will be handled by the Falmouth Community Programs Department on a case by case basis in accordance with the Towns Park and Trail Use Ordinance. Golfing is prohibited on all school and community facilities.
- 18.) Any individual or group utilizing Falmouth School or Community facilities for any purpose (including non-permitted walk-on use) agrees to save, indemnify and hold harmless the Town of Falmouth and all its employees, the Falmouth Town Council and all its members, the Falmouth School Department and all its employees, the Falmouth School Board and all of its members, and the Falmouth Community Programs Department and all of its employees, from and against, any and all liabilities, actions, courses of action and damages arising out of any negligent or tortuous acts on the part of the facilities applicant, applicants' employees or agents, and from any and all fines, suits, claims, demands and actions of any kind or nature of any and all persons by virtue of or arising from the use of said facilities, equipment, or activity participation. It is also important to note that participation in recreational and athletic activities can cause bodily injury, sickness, disease, or death or injury to or destruction of tangible property, including the loss or use thereof. Therefore, all of the aforementioned groups and individuals shall also be held harmless from and against all claims, damages, losses, and expenses, just or unjust, included but not limited to costs of defense, including attorney's fees arising out of or resulting from the performance of any facility usage agreement.
- 19.) Permitted users acknowledge and agree that they will be solely responsible for all royalties or charges which are due or may become due on material used for or during an event. The facility user warrants to the Falmouth School Department and Falmouth Community Programs Department that such royalties or charges have been paid or will be paid promptly in accordance with law. The permitted facility user further agrees to hold the Falmouth School Department and Falmouth Community Programs Department harmless and to indemnify both for all costs or losses, including attorney's fees in defense claims, just or unjust, relating to payment of any royalty, charge or fee for use of material by the permitted user during the use of the school or community facilities.

1

City of Portland Recreation Division
USE OF ATHLETIC FACILITIES

This policy covers the use of all City outdoor athletic facilities by all organized activities. Facilities include, but are not limited to, the following areas: Fitzpatrick and Memorial Stadiums, Hadlock Baseball Field, Payson Park Fields, Kiley Softball Field, Jack Field, Quinn Field, Dougherty Fields, Riverton Softball Field, the Deering High Fields, the Lyman Moore Fields, Harlow Baseball Field, Deering Oaks Baseball Field, Preble Street Field, and Bayside Field.

RESPONSIBLE AGENCIES: Oversight of athletic facilities is shared by the Recreation Division and the Parks Division. The Recreation Division schedules the use of all facilities and issues permits for such use. The Parks Division is responsible for the maintenance and preparation of facilities.

A. SCHOOL USE : SEPTEMBER THRU JUNE

The School Department will have first priority on Weekdays from 2:30 P.M. to 5:30 P.M. for practices and games.

The School Department will have first priority on Saturdays for games and practices.
(Except at Little League Fields)

The School Department will have priority use of Hadlock Baseball Field, Fitzpatrick Stadium, and Memorial Stadium for day or night games.

1. All Athletic Facility use (Games or Practices) must be scheduled by the Athletic Facilities Coordinator. Schedules must be given by Athletic Directors to the Facilities Coordinator well in advance of the beginning date of use.
2. Portland Schools shall have priority on all above athletic facilities for practices and games. It shall be the responsibility of each school's Athletic Director to furnish the Recreation Division with a schedule of all games and practices, at the earliest possible date, and to notify the Recreation Division of any schedule changes due to cancellations, deletions, additions, etc. Schedule changes for use of fields for games and practices are not final until such changes are approved by the Recreation Office.
3. Field lining materials used to line fields for scheduled games will be charged to the respective school for the actual cost of materials used. The School Department will be responsible for the cost of electricity (for night games) and Overtime for the Parks Staff as needed.
4. The Athletic Director will be required to authorize the Parks Division in writing (by a game schedule) to line respective fields for scheduled games.
5. All schedule changes must be made at least 24 hours in advance, whenever possible. The Parks Division will not guarantee that a field will be lined if the notification is less than 24 hours.

2

B. PUBLIC USE OF ATHLETIC FACILITIES (YEAR ROUND)

The Recreation Division schedules the use of City athletic facilities because of the large demand for use of these facilities. All organizations or groups must schedule their use of athletic facilities with the Recreation Division in order to ensure access.

In order to use a field for practice, scrimmage or a game other than regularly scheduled league games, a reservation form must be obtained from the Recreation Office. The slips must be in the possession of the team manager or coach at the field site. Reservations can be made in person or by telephone.

1. FEE SCHEDULE :

- A. An hourly fee of \$ 8.00 will be charged for all users of the above facilities. (Except for Fitzpatrick and Memorial Stadiums, Hadlock B.B.)
- B. The fees for using the lights at Payson Park and Riverton Softball fields will be \$ 30.00 for one game (based on 90 minutes) and \$45.00 for two games (based on 180 minutes). The hourly fee is charged in addition to the electricity fee. These fees are subject to change.
- C. Users will be given a credit for an unused field due to inclement weather.
- D. Groups that are organized primarily for participants aged 17 years and younger are not charged a field user fee. However, if there is a request to use a facility with lights, they will be charged the standard rate for that facility.

2. MISCELLANEOUS :

- A. The consumption of alcoholic beverages by players or spectators on city-owned property is prohibited. Violations of this policy could result in the cancellation of the particular game being played and, if necessary, the remaining games. Players, spectators, tournament directors, coaches, captains, etc. may have their user privileges revoked upon the severity of the infractions.
- B. Leagues, organizations and individuals who utilize the athletic fields will be responsible for the conditions of the fields they use. Debris must be picked up and placed in appropriate trash receptacles or carried out.
- C. The Recreation Division has the right to grant or reject any request for field use.
- D. The Recreation Division reserves the right to cancel or postpone any scheduled games, events, and/or practices due to field conditions and/or priority schedules.

3. SOFTBALL FACILITIES :

The City's goal with respect to softball use is to facilitate use by the greatest number of people possible, while maintaining safe conditions for those using the facilities. In scheduling facilities, consideration will be given to organized leagues which promote efficient use of facilities. In addition, the City will strive to make some facilities available for less structured team play and " pick up " activity.

First Priority - Weekdays : 5:30 or 6:00 P.M. to Dusk

The Portland Softball League will have priority use of Payson, Riverton, Kiley and Dougherty Softball Fields to play regular season games from May thru August.

Facility Use Policy (March, 1992)

3

- Weekends :

Must schedule around school use. Softball Tournaments and Weekend Softball Leagues will have first priority.

Second Priority - Weekdays : After 5:30P.M.

5:30 or 6:00 P.M. Softball Fields not used for the Portland Softball League will be booked on a first come, first serve basis.

- Weekends :

Fields not used by Tournaments or Weekend Softball League will be booked on a first come, first serve basis.

3.1 SCHEDULING PROCEDURES :

Organized Leagues or Recreational Softball Programs may request a field site for a practice or game in accordance with the following procedure :

- A. A two hour time slot will be allocated, when possible, for practices or games.
- B. Teams will be able to schedule one softball field every two weeks during the weekdays. Teams will also be able to schedule one field a weekend.
- C. When two teams use a practice session for a scrimmage, only one team will be charged for the practice session for that two week period.

C. INCLEMENT WEATHER POLICY

SCHOOL ACTIVITIES

In the event of inclement weather or wet field conditions, the City may withhold permission to use fields, even for previously scheduled activities. The Superintendent of Parks has the authority to determine if facilities are safe and appropriate for use.

The following process is used to determine if games or practices will be played.

1. The Athletic Facilities Foreman inspects fields and reports to the Athletic Facilities Coordinator on the condition of facilities and his opinion concerning their suitability for use.
2. If field conditions are poor, the Athletic Facilities Coordinator contacts the affected school's Athletic Director regarding cancellations.
3. If the school athletic director disagrees with a recommendation to cancel a game, an appeal may be made to the Superintendent of Recreation.
4. If a disagreement exists concerning whether to cancel activities, the Superintendent of Parks and the Superintendent of Recreation will jointly resolve the issue.
5. The City has final determination on the decision.

NON SCHOOL ACTIVITIES :

In the event of inclement weather or wet field conditions, the City may withhold permission to use fields, even for previously scheduled activities. The Superintendent of Parks has the authority to determine if facilities are safe and appropriate for use.

1. The Parks Supervisor inspects fields and reports to the Athletic Facilities Coordinator on the condition of facilities and his opinion concerning their suitability for use.
2. If a disagreement exists concerning whether to cancel activities, the Director of Parks and the Superintendent of Recreation will jointly resolve the issue.

Jensen Baird Gardner & Henry

WALTER E. WEBBER
KENNETH M. COLE III
NICHOLAS S. NADZO
FRANK H. FRYE
DAVID J. JONES
MICHAEL A. NELSON
RICHARD H. SPENCER, JR.
RONALD A. EPSTEIN
WILLIAM H. DALE
JOSEPH H. GROFF III
F. BRUCE SLEEPER

DEBORAH M. MANN
LESLIE E. LOWRY III
PATRICIA MCDONOUGH DUNN
MICHAEL J. QUINLAN
R. LEE IVY
NATALIE L. BURNS
SALLY J. DAGGETT
BRENDAN P. RIELLY
JEFFREY B. HERBERT
SUZANNE R. SCOTT

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

TELECOPIER (207) 775-7935

www.jbgh.com

RAYMOND E. JENSEN
M. DONALD GARDNER
MERTON G. HENRY
JOHN D. BRADFORD
JAMES E. KAPLAN
OF COUNSEL

KENNETH BAIRD
(1914-1987)

YORK COUNTY OFFICE

11 MAIN STREET, SUITE 4
KENNEBUNK, MAINE 04043
(207) 985-4676
TELECOPIER (207) 985-4932

April 10, 2001


Andrew Fillmore, Town Planner
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Dear Andy:

Enclosed herewith is a copy of the Water Impact Fee Ordinance that we drafted for the Town of Windham a few years back. You will note that this was for public water service but you should feel free to mark it up for Parks and Recreational Open Space. Also please note that it was applicable to site plan and subdivision reviews as well as any building permit for a new structure other than accessory structures. I believe that if you mark this up in conjunction with a review of the underlying enabling statute, you will probably come up with a pretty good draft to work from.

If you have any questions, please let me know.

Very truly yours,



Kenneth M. Cole III

KMC/ab
Enclosure

cc: Robert B. Benson, Town Manager

received
4-11-01

MEMORANDUM: IMPACT FEES

Date 17 May, 2001

To Town Council
Bob Benson, Town Manager
Barbara McPheters, Town Code Enforcement Officer
Ken Cole, Town Attorney

From Andy Fillmore, Town Planner

Subject Workshop #2 - Impact Fees Discussion

As requested at our April 23 Impact Fee workshop, I have drafted a preliminary Impact Fee ordinance.

It should be clear that the preliminary ordinance and the other attached materials are strictly for discussion purposes only, and are provided to indicate the general nature and tone of the ordinance. The fee figures shown here are examples, and the actual final figures will only be arrived at via a thorough fiscal analysis of the per-square-foot impact of new development on the Town of Cumberland.

A thorough fiscal analysis is required in order to satisfy the stringent requirements of the state's enabling legislation, and to protect the town in the case of any suits brought against the town as a result of the impact fee ordinance.

Attached materials:

- *PRELIMINARY Impact Fee ordinance, for discussion purposes only*
- *PRELIMINARY Schedule of Fees and Sample Fee Worksheet*
- *North Yarmouth's adopted Impact Fee ordinance, provided as a sample*
- *Chart showing the North Yarmouth fee associated with buildings of various sizes, and comparing them to Cumberland's preliminary fees*

I look forward to meeting with you and hearing your ideas and comments.

Respectfully submitted,

Andy Fillmore, Town Planner

E:\Data Files\Planning\Imp-Fees\Memo-2.doc

DRAFT

For Town Council Discussion Purposes ONLY – 23 May 2001

ASSESSMENT OF IMPACT FEES ORDINANCE OF THE TOWN OF CUMBERLAND, MAINE

ARTICLE I. GENERAL PROVISIONS

1.1 Authority

This Ordinance is adopted pursuant to Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Maine Constitution and Title 30-A, MRSA, Section 3001 and Section 4354.

1.2 Short Title

This Ordinance shall be known and may be cited as the "Assessment of Impact Fees Ordinance of the Town of Cumberland, Maine", and will be referred to herein as "this Ordinance".

1.3 Purpose

The general purposes of this Ordinance are to maintain the Town's financial capacity and to provide adequate public services. The specific purposes of this Ordinance are to establish a fair and equitable process to enable the Town to provide for the needs of its present and future residents in regards to the retirement of the Twinbrook Recreation Facility debt and the acquisition [and development?] of land for the future use and enjoyment of the town's residents.

1.4 Applicability

A. This Ordinance shall apply to any approval under the site plan provisions of the zoning ordinance or subdivision ordinance, and to the issuance of any building permit for a new structure including structures accessory to existing buildings, and to the change of use, redevelopment, expansion or modification of an existing building within the Town of Cumberland.

B. No building permit shall be granted for any activity described herein that requires payment of an impact fee under this Ordinance until the impact fees hereby required have been paid.

1.5 Definitions

Impact fees are charges or assessments imposed by the Town of Cumberland against new construction to help finance the retirement of the Twinbrook Recreation Facility debt, and to help the Town of Cumberland with its acquisition of land for the future use and enjoyment of the town's residents

DRAFT

For Town Council Discussion Purposes ONLY – 23 May 2001

Developer is a person who has received an approval under either the subdivision or site plan Ordinance, or a person who has otherwise applied for a building permit for any activity described herein.

Gross floor area is the floor area measured from the outside of exterior walls, including all interior partitions and spaces whether finished or not. Gross floor area may be measured by calculating the area of the foundation footprint and multiplying any portions thereof by the number of stories above.

1.6 Payment of fees

A. The impact fees required by this Ordinance shall be paid to the Town of Cumberland prior to the issuance of a building permit

B. All funds collected shall be segregated from the Town's general revenue and be deposited in appropriate funds, and shall be used solely for the purposes specified in this article.

1.7 Use of funds

A. Fees paid under this Ordinance shall be used to maintain the Town's financial capacity and to provide adequate public services.

B. Of each fee collected by the Town of Cumberland 50% shall be deposited in a Twinbrook Recreation Facility Debt Retirement Fund and 50% shall be deposited in a Town of Cumberland Land Acquisition Fund.

C. The Town Council may authorize the retention of not more than five percent (5%) of the funds collected to defray the expenses of administering this Ordinance. [DELETE?]

D. The Town Manager, along with the Town Council, will establish an administrative, capital improvement planning and accounting system sufficient to meet the requirements of this Ordinance.[DELETE OR CLARIFY?]

1.8 Refund of fees

A. If a building permit is surrendered or expires without commencement of construction, the developer shall be entitled to a refund, without interest, of the impact fee paid as a condition of its issuance, except that the Town shall retain five percent (5%) of the sum to offset a portion of the costs of collection. The developer must submit to the Town an application for such a refund not later than thirty (30) days after the expiration of the building permit.

B. If the funds collected annually are not expended for their intended purpose after a period of ten (10) years, the prorated share of the funds shall be returned to those from whom the funds derived, provided that the developer submits to the Town an application for a refund within one hundred eighty (180) days of the expiration of the ten (10) year period.

1.9 Calculation of fees

The impact fee shall be assessed at the time of issuance of a building permit for the construction of any structure or building within the Town of Cumberland. The schedule of assessment shall be as follows:

Residential Buildings or Buildings Accessory to Residential Buildings:

Mobile home only:

Flat fee

\$250.00

DRAFT

For Town Council Discussion Purposes ONLY – 23 May 2001

Up to and including 1500 sq. ft. of gross floor area:

Flat fee	\$500.00
----------	----------

1501 sq. ft. gross floor area and greater:

First 1500 sq. ft., flat fee	\$500.00
Plus 1501 sq. ft. and greater	\$ 1.00/sq.ft.

Non-residential Buildings:

Gross floor area	\$ 0.50/sq. ft.
------------------	-----------------

Additions

For additions, the impact fee shall be calculated on the rate applicable to the total gross floor area of the building (including the addition) times the gross floor area of the addition.

ARTICLE II. ADMINISTRATIVE PROVISIONS

2.1 Validity and Severability

If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

2.2 Conflict with Other Ordinances

Should any section, phrase, sentence or portion of this Ordinance be found to be in conflict with other local, state or federal Ordinances or regulations, the more stringent section or provision shall prevail. Existing provisions for building permit fees are to be held separate from the impact fees described herein and are not affected by this Ordinance.

2.3 Amendments

These regulations may be amended by the Legislative Body of the Town of Cumberland at an annual or special town meeting. A public hearing shall be held prior to the adoption of any amendment. Notice of such public hearing shall be in accordance with state and local requirements.

2.4 Effective Date

This Ordinance shall take effect upon its adoption by a majority of the eligible voters present at the _____ Town Council Meeting. The effective date of this Ordinance is _____.

DRAFT - TOWN OF CUMBERLAND

Impact Fee Schedule and Sample Worksheet

SCHEDULE OF FEES:

Residential Buildings or Buildings Accessory to Residential Buildings:

Mobile home only:	
Flat fee	\$250.00
Up to and including 1500 sq. ft. of gross floor area:	
Flat fee	\$500.00
1501 sq. ft. gross floor area and greater:	
First 1500 sq. ft., flat fee	\$500.00
Plus 1501 sq. ft. and greater	\$1.00/sq. ft.

Non-residential Buildings:

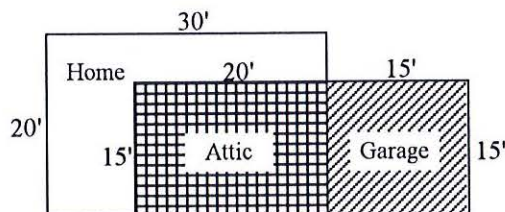
Gross floor area	\$0.50/sq. ft.
------------------	----------------




Additions:

For additions, the impact fee shall be calculated on the rate applicable to the total gross floor area of the building (including the addition) times the gross floor area of the addition.

Definition of Gross Floor Area: the floor area measured from the outside of exterior walls, including all interior partitions and spaces whether finished or not. Gross floor area may be measured by calculating the area of the foundation footprint and multiplying any portions thereof by the number of stories above.

EXAMPLE: A one story home with a full basement, garage and an unfinished attic:



	1 story home =	20' x 30' = 600 s.f. x 2 stories =	1,200 s.f.
	1 story garage =	15' x 15' = 225 s.f. x 1 story =	225 s.f.
	unfinished attic =	15' x 20' = 300 s.f. x 1 story =	300 s.f.

Gross Floor Area = 1,725 s.f.

1500 s.f. = Flat Fee	=	\$500 .00
225 s.f. = \$1.00 / s.f.	=	\$225 .00
1,725 s.f. total		

TOTAL IMPACT FEE = \$725 .00

Please provide sketch
and gross floor area
calculations on back

ADOPTED 3-11-2000

ASSESSMENT OF IMPACT FEES ORDINANCE OF THE TOWN OF NORTH YARMOUTH, MAINE

ARTICLE I. GENERAL PROVISIONS

1.1 Authority

This Ordinance is adopted pursuant to Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Maine Constitution and Title 30-A, MRSA, Section 3001 and Section 4354.

1.2 Short Title

This Ordinance shall be known and may be cited as the "Assessment of Impact Fees Ordinance of the Town of North Yarmouth, Maine", and will be referred to herein as "this ordinance".

1.3 Purpose

The general purposes of this Ordinance are to maintain the Town's financial capacity; and to provide adequate public services. The specific purposes of this Ordinance are to establish a fair and equitable process to enable the Town to provide for the needs of its present and future residents in regards to public safety and recreational open space opportunities.

1.4 Applicability

This Ordinance shall apply to the construction of all buildings, structures and additions to buildings and structures within the Town of North Yarmouth. Final approval to any applicant for construction of such a structure or building as defined herein shall not be granted by the Code Enforcement Officer until the provisions of this Ordinance have been met.

1.5 Definitions

Impact fees are charges or assessments imposed by the Town of North Yarmouth against new construction to fund new, expanded or replacement Public Safety or Recreational infrastructure, open spaces, facilities or equipment proposed within the Town of North Yarmouth.

1.6 Assessment of fees

The impact fee shall be assessed at the time of issuance of a building permit for the construction of any structure of building within the Town of North Yarmouth. The schedule of assessment shall be as follows:

For Residential Buildings or buildings accessory to residential buildings:

Up to and including 1400 sf of living space

Finished area \$.15/sq. ft.

APPROVED FOR TOWN MEETING 2-28-2000

Unfinished area, foundations and garages	\$.10/sq. ft.
1401 sf. To 2000 sf. Living space	
Finished area	\$.30/sq.ft.
Unfinished area, foundations and garages	\$.10/sq.ft.
2001 sf to 2500 sf of living space	
Finished area	\$.45/sq.ft.
Unfinished area, foundations and garages	\$.10/sq.ft.
Over 2500 sf of living space	
Finished area	\$.60/sq.ft.
Unfinished area, foundations and garages	\$.10/sq.ft.
Commercial Buildings: Commercial Area	\$.40/sq. ft.
Foundation area	\$.10/sq. ft.

For additions, the impact fee shall be calculated on the rate applicable to the total area of the building (including the addition) times the square footage of the addition.

1.7 Accounting

Funds received from impact fees must be segregated from the Town's general revenue and the Town must expend the funds solely for the purpose for which they were collected. The actual cost of administering the collection of the fees and the enforcement of codes and ordinances dealing with the construction of buildings and structures shall be taken from the fund hereby created.

The Treasurer, along with the Board of Selectmen, will establish an administrative, capital improvement planning and accounting system sufficient to meet the requirements of this ordinance.

If the funds collected annually are not expended for their intended purpose after a period of 10 years, the prorated share of the fund shall be returned to those from whom the fund derived.

ARTICLE II. ADMINISTRATIVE PROVISIONS

2.1 Validity and Severability

Should any section or provision of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

2.2 Conflict with Other Ordinances

Should any section or provision of this Ordinance be found to be in conflict with other local, state or federal ordinances or regulations, the more stringent section or provision shall prevail. The provisions for permit fees for renovations, demolition, swimming pools, chimneys and temporary greenhouses previously approved by the Town of North Yarmouth are not affected by this

ordinance. Previously approved per square foot permit fees are repealed and the impact fees described within this Ordinance shall be in their stead.

2.3 Amendments

These regulations may be amended by the Legislative Body of the Town of North Yarmouth at an annual or special town meeting. A public hearing shall be held prior to the adoption of any amendment. Notice of such public hearing shall be in accordance with state and local requirements.

2.4 Effective Date

This Ordinance shall take effect upon its adoption by a majority of the eligible voters present at the 2000 Annual Town Meeting. The effective date of this Ordinance is March 11, 2000.

DRAFT

Comparison of North Yarmouth's Existing Impact Fees with Cumberland's Proposed Impact Fees

USE	N. Yarmouth	Cumberland
<i>Residential: (x 0.8 for N. Yarmouth*)</i>	\$	\$
Mobile Home (900 s.f.)	135.00	250.00
1,000 s.f.	120.00	500.00
1,400 s.f.	168.00	500.00
1,500 s.f.	360.00	– 500.00
2,000 s.f.	480.00	1,000.00
2,500 s.f.	900.00	1,500.00
3,000 s.f.	1,440.00	2,000.00
4,000 s.f.	1,920.00	3,000.00
5,000 s.f.	2,400.00	4,000.00
7,500 s.f.	3,600.00	6,500.00
10,000 s.f.	4,800.00	9,000.00
<i>Commercial: (x 1.1 for N. Yarmouth**)</i>		
2,000 s.f.	880.00	1,000.00
5,000 s.f.	2,200.00	2,500.00
10,000 s.f.	4,400.00	5,000.00
20,000 s.f.	8,800.00	10,000.00
50,000 s.f.	22,000.00	25,000.00

* Because North Yarmouth charges for unfinished area, foundation and garage area at a discounted rate of \$0.10 / s.f. and Cumberland proposes to charge for those areas at the full rate, this chart shows North Yarmouth's residential fees calculated on 80% of actual floor area, assuming these areas account for 20% of a residence. . In this way the comparison is "apples to apples."

** Because North Yarmouth charges for commercial foundation area at \$0.10 / s.f in addition to the sq. ft. rate, this chart shows North Yarmouth's commercial fees calculated on 110% of actual floor area. In this way the comparison is "apples to apples."

DRAFT

For Town Council Discussion – 21 May 2001

ASSESSMENT OF IMPACT FEES ORDINANCE OF THE TOWN OF CUMBERLAND, MAINE

ARTICLE I. GENERAL PROVISIONS

1.1 Authority

This Ordinance is adopted pursuant to Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Maine Constitution and Title 30-A, MRSA, Section 3001 and Section 4354.

1.2 Short Title

This Ordinance shall be known and may be cited as the "Assessment of Impact Fees Ordinance of the Town of Cumberland, Maine", and will be referred to herein as "this Ordinance".

1.3 Purpose

The general purposes of this Ordinance are to maintain the Town's financial capacity; and to provide adequate public services. The specific purposes of this Ordinance are to establish a fair and equitable process to enable the Town to provide for the needs of its present and future residents in regards to the retirement of the Twinbrook Recreation Facility debt and the acquisition of land for the future use and enjoyment of the town's residents.

*Agriculture
& maintenance
of land?*

1.4 Applicability

A. This Ordinance shall apply to any approval under the site plan or subdivision ordinance, and to the issuance of any building permit for a new structure including structures accessory to existing buildings, and to the change of use, redevelopment, expansion or modification of an existing building within the Town of Cumberland.

B. No building permit shall be granted for any activity described herein that requires payment of an impact fee under this Ordinance until the impact fees hereby required have been paid.

1.5 Definitions

Impact fees are charges or assessments imposed by the Town of Cumberland against new construction to help finance the retirement of the Twinbrook Recreation Facility debt, and to help the Town of Cumberland with its acquisition of land for the future use and enjoyment of the town's residents

DRAFT

For Town Council Discussion – 21 May 2001

Developer is a person who has received an approval under either the subdivision or site plan Ordinance, or a person who has otherwise applied for a building permit for any activity described herein.

Gross floor area is the floor area measured from the outside of exterior walls, including all interior partitions and spaces whether finished or not. Gross floor area may be measured by calculating the area of the foundation footprint and multiplying any portions thereof by the number of stories above.

1.6 Payment of fees

- A. The impact fees required by this Ordinance shall be paid to the Town of Cumberland prior to the issuance of a building permit
- B. All funds collected shall be segregated from the Town's general revenue and be deposited in appropriate funds, and shall be used solely for the purposes specified in this article.

1.7 Use of funds

- A. Fees paid under this Ordinance shall be used to maintain the Town's financial capacity; and to provide adequate public services.
- B. Of each fee collected by the Town of Cumberland 50% shall be deposited in a Twinbrook Recreation Facility Debt Retirement Fund and 50% shall be deposited in a Town of Cumberland Land Acquisition Fund.
- C. The Town Council may authorize the retention of not more than five percent (5%) of the funds collected to defray the expenses of administering this Ordinance. (No)
- D. The Town Manager, along with the Town Council, will establish an administrative, capital improvement planning and accounting system sufficient to meet the requirements of this Ordinance. (No)

1.8 Refund of fees

- A. If a building permit is surrendered or expires without commencement of construction, the developer shall be entitled to a refund, without interest, of the impact fee paid as a condition of its issuance, except that the Town shall retain five percent (5%) of the sum to offset a portion of the costs of collection. The developer must submit to the Town an application for such a refund not later than thirty (30) days after the expiration of the building permit.
- B. If the funds collected annually are not expended for their intended purpose after a period of ten (10) years, the prorated share of the funds shall be returned to those from whom the funds derived, provided that the developer submits to the Town an application for a refund within one hundred eighty (180) days of the expiration of the ten (10) year period.

1.9 Calculation of fees

The impact fee shall be assessed at the time of issuance of a building permit for the construction of any structure or building within the Town of Cumberland. The schedule of assessment shall be as follows:

DRAFT

For Town Council Discussion – 21 May 2001

Residential Buildings or Buildings Accessory to Residential Buildings:

Mobile home only:

Flat fee \$150.00

Up to and including 1500 sq. ft. of gross floor area:

Flat fee \$300.00

1501 sq. ft. gross floor area and greater:

First 1500 sq. ft., flat fee \$300.00

Plus 1501 sq. ft. and greater \$ 0.50/sq.ft.

Not enough

Non-residential Buildings:

Gross floor area \$ 0.50/sq. ft.

Additions

For additions, the impact fee shall be calculated on the rate applicable to the total gross floor area of the building (including the addition) times the gross floor area of the addition.

ARTICLE II. ADMINISTRATIVE PROVISIONS

2.1 Validity and Severability

If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

2.2 Conflict with Other Ordinances

Should any section, phrase, sentence or portion of this Ordinance be found to be in conflict with other local, state or federal Ordinances or regulations, the more stringent section or provision shall prevail. Existing provisions for building permit fees are to be held separate from the impact fees described herein and are not affected by this Ordinance.

2.3 Amendments

These regulations may be amended by the Legislative Body of the Town of Cumberland at an annual or special town meeting. A public hearing shall be held prior to the adoption of any amendment. Notice of such public hearing shall be in accordance with state and local requirements.

2.4 Effective Date

This Ordinance shall take effect upon its adoption by a majority of the eligible voters present at the _____ Town Council Meeting. The effective date of this Ordinance is _____.

TOWN OF CUMBERLAND

Impact Fee Schedule and Sample Worksheet

SCHEDULE OF FEES:

Residential Buildings or Buildings Accessory to Residential Buildings:

Mobile home only:	
Flat fee	\$150.00
Up to and including 1500 sq. ft. of gross floor area:	
Flat fee	\$300.00
1501 sq. ft. gross floor area and greater:	
First 1500 sq. ft., flat fee	\$300.00
Plus 1501 sq. ft. and greater	\$0.50/sq. ft.

Non-residential Buildings:

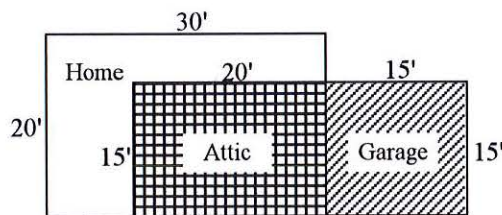
Gross floor area	\$0.50/sq. ft.
------------------	----------------




Additions:

For additions, the impact fee shall be calculated on the rate applicable to the total gross floor area of the building (including the addition) times the gross floor area of the addition.

Definition of Gross Floor Area: the floor area measured from the outside of exterior walls, including all interior partitions and spaces whether finished or not. Gross floor area may be measured by calculating the area of the foundation footprint and multiplying any portions thereof by the number of stories above.

EXAMPLE: A one story home with a full basement, garage and an unfinished attic:



	1 story home =	20' x 30' = 600 s.f. x 2 stories =	1,200 s.f.
	w/ full basement		
	1 story garage =	15' x 15' = 225 s.f. x 1 story =	225 s.f.
	unfinished attic =	15' x 20' = 300 s.f. x 1 story =	300 s.f.

Gross Floor Area =	1,725 s.f.
---------------------------	-------------------

1500 s.f. = Flat Fee	=	\$300 .00
225 s.f. = \$0.50 / s.f.	=	\$112 .50
1,725 s.f. total		

TOTAL IMPACT FEE =	\$412 .50
---------------------------	------------------

Please provide sketch
and gross floor area
calculations on back

Town of North Yarmouth

Impact Fee Schedule

Calculation of fees

The impact fee shall be assessed at the time of issuance of a building permit for the construction of any structure or building within the Town of Cumberland. The schedule of assessment shall be as follows:

Residential Buildings or Buildings Accessory to Residential Buildings:

Up to and including 1400 sq. ft. of living space	
Finished area	\$ 0.15/sq. ft.
Unfinished area, foundations and garages	\$ 0.10/sq. ft.
1401 sq. ft. to 2000 sq. ft. living space	
Finished area	\$ 0.30/sq.ft.
Unfinished area, foundations and garages	\$ 0.10/sq.ft.
2001 sq. ft. to 2500 sq. ft. of living space	
Finished area	\$ 0.45/sq.ft.
Unfinished area, foundations and garages	\$ 0.10/sq.ft.
Over 2500 sq. ft. of living space	
Finished area	\$ 0.60/sq.ft.
Unfinished area, foundations and garages	\$ 0.10/sq.ft.

Commercial Buildings:

Commercial Area	\$ 0.40/sq. ft.
Foundation area	\$ 0.10/sq. ft.

Additions

For additions, the impact fee shall be calculated on the rate applicable to the total area of the building (including the addition) times the square footage of the addition.

**Comparison of
Cumberland's Proposed Impact Fees
with North Yarmouth's Existing Impact Fees**

USE	N. Yarmouth	Cumberland
<i>Residential: (x 0.8 for N. Yarmouth*)</i>	\$	\$
Mobile Home (900 s.f.)	135.00	150.00
1,000 s.f.	120.00	300.00
1,400 s.f.	168.00	300.00
1,500 s.f.	360.00	300.00
2,000 s.f.	480.00	550.00
2,500 s.f.	900.00	800.00
3,000 s.f.	1440.00	1,050.00
4,000 s.f.	1,920.00	1,550.00
5,000 s.f.	2,400.00	2,050.00
7,500 s.f.	3,600.00	3,300.00
10,000 s.f.	4,800.00	4,550.00
<i>Commercial: (x 1.1 for N. Yarmouth**)</i>		
2,000 s.f.	880.00	1,000.00
5,000 s.f.	2,200.00	2,500.00
10,000 s.f.	4,400.00	5,000.00
20,000 s.f.	8,800.00	10,000.00
50,000 s.f.	22,000.00	25,000.00

* Because North Yarmouth charges for unfinished area, foundation and garage area at a discounted rate of \$0.10 / s.f. and Cumberland proposes to charge for those areas at the full rate, this chart shows North Yarmouth's residential fees calculated on 80% of actual floor area, assuming these areas account for 20% of a residence. . In this way the comparison is "apples to apples."

** Because North Yarmouth charges for commercial foundation area at \$0.10 / s.f in addition to the sq. ft. rate, this chart shows North Yarmouth's commercial fees calculated on 110% of actual floor area. In this way the comparison is "apples to apples."

CNixon

From: Jeffrey.Porter@mail.doc.gov
Sent: Thursday, May 17, 2001 2:12 PM
To: bbenson@cumberlandmaine.com; cnixon@cumberlandmaine.com;
lbrown@cumberlandmaine.com; jphipps@preti.com; smoriarty@nhdlaw.com
Subject: MSBC Minutes 5/10/01

Please include a copy of this e-mail in the packages for the other councilors. Thanks. Jeff
----- Forwarded by Jeffrey Porter/MAINE/USFCS/USDOC on 05/17/01 02:09 PM

Witherill
<gwith@maine.rr.com>
m>
05/12/01 02:34 PM

To: Audrey Lones <audrey@alum.mit.edu>, Carol White <cwhite@smemaine.com>, Judy Flaker <flakej@coldwellbankerhb.com>, Pat Palmer <pat_palmer@msad51.org>, Pam Russell <rrussel3@maine.rr.com>, Philip Fournier <pafournier@msn.com>, John Hart <jhart1@maine.rr.com>, Ann Seitz <cseitz@pol.net>, Suzanne Hamilton <Suzanne_Hamilton@yarmouth.k12.me.us>, Bill Landis <blandis@cumberlandmaine.com>, Mary Belisle <Mary_Belisle@msad51.org>, Mary Hinman <Mary_Hinman@msad51.org>, Rosemary Goranites <Rosemary_Goranites@msad51.org>, Jeffrey Porter <mfp0rt@aol.com>, Jeff Porter <Jeffrey.Porter@mail.doc.gov>, Diane Morrison <Nyarm@aol.com>, Ron Bancroft <ron.bancroft@gte.net>, Bob Hasson <bob_hasson@msad51.org>, Stephen Blatt <sjb@sbarchitects.com>, David Brunner <brunner@sbarchitects.com>, Joanna Foster <Joanna_Foster@msad51.org>
cc: Brad Weeks <cbw@wright-pierce.com>, Patty Wolff <Patty_Wolff@msad51.org>
Subject: MSBC Minutes 5/10/01

Middle School Building Committee Minutes- May 10th

Present: Rosalyn Baston, John Hart, Ann Seitz, Bill Landis, Suzanne Hamilton, Pam Russell, Mary Hinman, Pat Palmer, Rosemary Goranites, Philip Fournier, Mary Belisle, Kathy Merrill, Pat Palmer, Jeffrey Porter, Gail Witherill, Architect David Brunner, Guest Richard Baston

Chairperson Witherill thanked all present who participated in the site walks this evening of both the Smith property in North Yarmouth and the Greely site. She also told of Brad Weeks' and Patty Wolfe's resignations and asked for suggestions of people to replace them. She would like a new Vice Chair from the present group and requested that present members of the committee let her know if they were interested in the Vice Chair position. As to the replacement of teacher Patty Wolfe, Gail and Pat will talk over some possibilities in addition to any names proffered by the group..

The crux of the meeting was to share views on the two sites. What follows encapsulates what was said by each member present, except for Audrey Lones who

abstained due to her position on the school board.

Suzanne Hamilton (resides in North Yarmouth; Preference-Greely site): Sweeter road is gorgeous and she is loath to see the spot changed. Also feels the Greely site offers many more benefits for a school including educational advantages(mentoring capabilities of HS schools to MS, increased professional staff contacts due to closer proximity). North Yarmouth site would be good for an elementary school. Presently and even 10-20 years out, NY will still be more rural than Cumberland. Biking, walking to NY site not safe due to road issues of Rte 115 and Rte 9. She quoted the Forecaster article on the improbability of the state participating in bike paths along either road as they are main traffic arteries, and are not considered rural roads.

Ann Seitz (resides in North Yarmouth; Preference Greely site): Didn't do site walks but familiar w/both sites. Talked to Terry McKinney(State Rep for area) who indicated that the state would not participate in cost of septic or sewer extension if other feasible site already had services. Terry also told her that he felt a pathway between the Greely campus and Twin Brooks is very possible, including a way across or below the train tracks. McKinney feels the state might participate in the cost of this.

Jeff Porter (resides in Cumberland; Preference Greely site): Feels both are great sites and would meet the needs of what we need. Cost is his primary concern, however, and he feels the cost of the NY site makes that site less desirable than the Greely site. Cost includes purchase and increase of operational costs, i.e. busing. He feels there are huge educational advantages to the Greely site including opportunities for younger kids to learn from older kids -a plus. He is also concerned about sprawl in regards to NY site as well as the availability of police and rescue services at the NY site.

[Audrey asked for statistics on actual calls to be able to judge the importance of police and rescue services.]

Bill Landis(resides in Cumberland; Preference Greely site): He is a fiscal conservative and feels the Greely site is more cost effective. The cost of the NY site seems too prohibitive and he is worried that we would have to cut our program space in order to keep costs within reason if the NY site is chosen.

Judy Flaker(resides in Cumberland; Preference Greely site): In mid 80's, there was a chance to buy property to increase size of current Greely campus, but the chance didn't come to fruition. That was a mistake. Land that becomes available to the district that is close to current Greely campus should be purchased for future needs.

Pam Russell (resides in Cumberland; Preference NY site): She had hoped the Greely site would be right, but she doesn't feel it is for a number of reasons. She doesn't feel the size building we're talking about really fits well on the site, is concerned w/lack of possibilities for future growth on site, feels too much land is used for parking and doesn't like that fact that the MS area is addressing the HS parking needs. She also feels if school is put on Greely site, that the lower fields should be considered for the building site. She is also concerned with the congested traffic flow in and out of Tuttle Rd in the vicinity of Wilson School.

John Hart (resides in Cumberland; Preference NY site): NY site spacious, decent location, private, pretty setting, room to spread, liked access to fields. NY site an opportunity -would prefer to see an elementary school there, but not what we need now. Greely site seems too tight w/building too close to southeastern property line as it is placed now. Deciding factor will be cost and feels that current cost estimates aren't as specific as needed for an actual decision. Ultimately, cost will be the deciding factor and if the NY site doesn't

come more into line w/the Greely site, he would go with the Greely site.

Pat Palmer (Greely JH Principal; Preference Greely site): Agrees that the NY site is a gorgeous site but feels that the Greely site is superior in regards to educational benefits. Includes as benefits: MS and HS students are closer in educational needs than El and MS students, MS students can take advantage of HS courses, staff may be shared, good synergy with lots of people on campus doing a variety of things making campus feel alive. Feels that the traffic issue won't be as bad as some think due to fact that Wilson starts later than either HS or MS and the MS and HS will have primarily different access points. Feels the rural access and contiguous fields of the NY site are outweighed by the athletic facilities on the Greely campus, i.e. the pool.

Kathy Merrill (resides in Cumberland; Preference Greely site): Feels Greely site is best for kids, cost efficient for the district, and good from the educational aspect. Does like the NY site but has concerns w/traffic on Rtes 9 and 115, community services (w/ security calls that her husband has to respond to at NYMS, sometimes it takes up to an hour for the sheriff to arrive). Would NY buy NY site for future district use?

Rosalyn Baston (resides in North Yarmouth; Preference NY site): Would like to see the new school in NY as it would be good for NY-added value for the community. Asked if anyone was dickering w/Norm Smith to see if price stated is firm? [Audrey informed group of meeting a district w/ Smith family and NY representatives this coming Monday] Understands that the majority wants the Greely site and if that's what happens, she'll go along with it.

Mary Hinman (on teaching staff at GJHS; Preference Greely site): Feels the educational advantages of the Greely site outweigh those of the NY site, including promoting fluidity of educational programs between buildings and among staff due to close proximity. Feels this will allow for the opportunity for less of a lock-step grade pattern so kids can move along when they're ready vs. when their grade level moves on.

Mary Belisle (on teaching staff at GJHS; Preference NY site, but wants whichever site will move us along to a new building faster): Loved NY site. Greely site seems?. (? To make the campus overcrowded? Sorry, Mary, the minutes weren't clear on this) Mary feels that expediency is necessary for educational reasons as the current GJHS building restricts what can be done educationally. As to the educational needs of MS students, they are a separate entity and should not be treated like little HS students. MS education has its own mission, and is in a different world.

Rosemary Goranites (resides in Cumberland, on teaching staff for Drowne Rd; Preference Greely site): As an educator, feels there are many advantages for the MS to be on the Greely campus: Connections between staff are easier, Spec Ed needs can be shared more easily.

Gail Witherill (resides in Cumberland; Preference -Hanging due to Educational questions): Gail is frustrated as we've talked about how the MS student has specific needs unlike those of either HS or El students. So why are there educational benefits to making the MS student conform to the HS schedule in order to take courses that are designed for HS students, not MS students? MS students have different needs and resultant age-appropriate programs. Time in the school day has long been an issue -walking from the proposed MS building to the HS building on the Greely site will take additional time away from learning. Would not on-site technology help to enable availability of enrichment materials and resources for those students who are moving along the educational continuum more quickly, without taking them out of their MS environment- with the materials delivered by the teachers who know them best?

Seems that the NY site has more elbow room (Current Greely MS site plan

seems to be crowded with lack of space near the school due to all the parking needed). If the Greely site is chosen, she would like to see a plan where the HS parking needs are not taken care of on the MS site, and that a schematic be drawn up, for consideration, placing the MS school on the lower field vs. right behind the Wilson school. She agrees with those who feel the NY land should be acquired for future expansion of the district if the NY site is not chosen this time around. [Added after the meeting: Also wonders about NYMS students and staff becoming isolated from other district schools and what that might do to their program, staffing, etc. if all other district schools end up in close proximity to each other. Chebeague is isolated due to being on an island and needs special care because of this. Will NYMS now become another orphan that will need special attention?]

[Audrey and Mary H. said that with the progress the Design Team has made, Gail's concerns about the HS program being unsuitable for MS students may be mitigated.]

A future meeting date was not set at this time. Once the site is decided upon by the School Board, Gail will set a meeting time.

The meeting was adjourned at 9:30PM.

Recorder: Gail Witherill

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
WEDNESDAY, May 23, 2001**

6:00 pm Council Subcommittee Meeting to discuss recreational land use policy

~~Present~~ excused: Jim Phipps, Peter Bingham

I. Call to order at the Cumberland Town Council Chambers at 7:00¹⁰ p.m.

II. Manager's Report

III. Public Discussion

IV. Legislation and Policy

01-29 To set date to hear presentation on final plans for Blanchard Road reconstruction
and to consider taking action

May 31 7pm John Motion
Jeff 2nd

01-30 To hold a Workshop on Impact Fees

V. Correspondence

VI. New Business

VIII. Adjourn

MEMBERS OF THE TOWN COUNCIL

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

Town of Cumberland web site: www.cumberlandmaine.com

MEMORANDUM: IMPACT FEES

Date 17 May, 2001
To Town Council
Bob Benson, Town Manager
Barbara McPheters, Town Code Enforcement Officer
Ken Cole, Town Attorney
From Andy Fillmore, Town Planner
Subject Workshop #2 - Impact Fees Discussion

As requested at our April 23 Impact Fee workshop, I have drafted a preliminary Impact Fee ordinance.

It should be clear that the preliminary ordinance and the other attached materials are strictly for discussion purposes only, and are provided to indicate the general nature and tone of the ordinance. The fee figures shown here are examples, and the actual final figures will only be arrived at via a thorough fiscal analysis of the per-square-foot impact of new development on the Town of Cumberland.

A thorough fiscal analysis is required in order to satisfy the stringent requirements of the state's enabling legislation, and to protect the town in the case of any suits brought against the town as a result of the impact fee ordinance.

Attached materials:

- *PRELIMINARY Impact Fee ordinance, for discussion purposes only*
- *PRELIMINARY Schedule of Fees and Sample Fee Worksheet*
- *North Yarmouth's adopted Impact Fee ordinance, provided as a sample*
- *Chart showing the North Yarmouth fee associated with buildings of various sizes, and comparing them to Cumberland's preliminary fees*

I look forward to meeting with you and hearing your ideas and comments.

Respectfully submitted,

Andy Fillmore, Town Planner

FY2001 County of Cumberland

The tax distribution schedule describes the amount of tax required from each municipality based on their equalized valuation to provide the revenue necessary for County operations. Previous year information is provided for comparison purposes. The tax calculation table at the bottom of the schedule shows the factors of expenditures, revenues, and surplus used to calculate the amount of tax needed from municipalities.

County Tax Assessment/ Certified 2001 State Valuation

Tax Distribution Schedule					
Town	2000 Property Valuation	2000 Tax 0.000744636	Certified 2001 Valuation	Adopted Budget 0.0007720851	Percent Tax Change
Baldwin	69,600,000	51,827	72,550,000	56,015	8.1%
Bridgton	349,700,000	260,399	365,350,000	282,081	8.3%
Brunswick	1,080,450,000	804,542	1,130,600,000	872,919	8.5%
Cape Elizabeth	749,750,000	558,291	814,150,000	628,593	12.6%
Casco	224,700,000	167,320	245,100,000	189,238	13.1%
Cumberland	545,600,000	406,273	603,100,000	465,645	14.6%
Falmouth	895,200,000	666,598	997,250,000	769,962	15.5%
Freeport	751,900,000	559,892	811,300,000	626,393	11.9%
Frye Island	44,000,000	32,764	46,900,000	36,211	10.5%
Gorham	609,150,000	453,595	643,800,000	497,068	9.6%
Gray	352,800,000	262,708	383,700,000	296,249	12.8%
Harpswell	594,300,000	442,537	621,850,000	480,121	8.5%
Harrison	180,000,000	134,034	198,750,000	153,452	14.5%
Long Island	35,600,000	26,509	40,400,000	31,192	17.7%
Naples	260,600,000	194,052	274,800,000	212,169	9.3%
New Gloucester	182,000,000	135,524	196,600,000	151,792	12.0%
North Yarmouth	171,350,000	127,593	187,400,000	144,689	13.4%
Portland	3,577,800,000	2,664,159	3,873,900,000	2,990,980	12.3%
Pownal	85,750,000	63,853	88,700,000	68,484	7.3%
Raymond	371,150,000	276,372	406,950,000	314,200	13.7%
Scarborough	1,253,450,000	933,364	1,374,950,000	1,061,578	13.7%
Sebago	144,250,000	107,414	154,050,000	118,940	10.7%
South Portland	1,792,950,000	1,335,095	1,925,300,000	1,486,495	11.3%
Standish	450,050,000	335,123	471,200,000	363,806	8.6%
Westbrook	892,100,000	664,290	965,800,000	745,680	12.3%
Windham	765,500,000	570,019	827,000,000	638,514	12.0%
Yarmouth	830,200,000	618,197	882,000,000	680,979	10.2%
Totals	17,259,900,000	12,852,345	18,603,450,000	14,363,446	11.8%

Tax Calculation	1998	1999	2000	2001 Budget
Total Estimated Expenditures	17,851,917	18,742,002	19,605,223	21,062,574
Total Estimated Revenues	(4,584,533)	(5,548,640)	(6,002,878)	(5,949,128)
Designated Surplus	(450,000)	(1,200,000)	(750,000)	(750,000)
Tax Revenue Required	12,817,384	11,993,362	12,852,345	14,363,446

Smaller Rec areas - town owned -
responsibilities

Pursue with planning board

Correspondence

Harland - none

Jeff - none

John - letter from Stretch madore
Pass onto Adam - house issues
Trees, etc.

Mark - none

Bob - none

Have Growth Management - June 25 ^{2nd meeting}
Review

New Biz

Harland > None

Jeff

John - planning - follow up - communicate
w/ School Board & NY

Steve

Mark > None

Bob - None

Adjourn
7:50 pm

Mark -
Moved

Harland 2nd

John - outline to eliminate Administrative duties & costs

"Revenue Payer" - doesn't want pigeonhole accounts

Bob → impact fees → land acquisitions growing

Steve → timeline for Andy? By May 31

Cost Estimates & Time

Jeff → Cost \$200-250K in impact fees from last year

Bob
Talk to Mark ~~David~~ Drummmond - ①

subdivisions - single family homes

Harland → against existing ~~the~~ homeowners
wants only land acquisition

Only new homes
no distinction between subdivision or individual home

John - Rec Area - Scarborough\$
?? Town Owned play fields (baseball etc)