

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, JULY 23, 2001**

- I. Call to order at the Cumberland Town Offices Council Chambers at 7:00 p.m.
- II. Approval of Minutes
 - a) May 14, 2001
 - b) June 11, 2001
 - c) June 25, 2001
 - d) June 28, 2001
 - e) July 9, 2001
- III. Manager's Report
- IV. Public Discussion
- V. Legislation and Policy
 - 01-44 To hear report of the Cemetery Association.
 - 01-45 To set date for the Chebeague Island Town Council meeting.
 - 01-46 To authorize the Town Manager to enter into a public access easement and road maintenance agreement with the Indian Island Company and the Cumberland Mainland and Island Land Trust.
 - 01-47 To set tax rate for FY 2001-02.
 - 01-48 To consider and act on application of Chebeague Island Hall Community Center for a Bottle Club Liquor License.
 - 01-49 To consider and act on a Special Amusement Permit application for Chebeague Island Hall Community Center.
 - 01-50 To set date for Public Hearing to consider and act on application for a Mass Gathering Permit by the Cumberland Farmer's Club to hold the annual Cumberland County Fair at the Cumberland Fairgrounds September 23rd through September 30th, 2001.
 - 01-51 To set date for Public Hearing to consider and act on application for a Mass Gathering Permit by the Cumberland Soccer Club to hold the CSC Labor Day Soccer Tournament at Twin Brook September 1st through September 2nd.
- VII. Correspondence
- VIII. New Business
- XI. EXECUTIVE SESSION
 - a) Hardship Abatement
- X. Adjourn



MEMO

Date: 7/23/01

To: Town Council Members

Cc:

The Agenda for July 23rd is self explanatory. We will have recommended dates.

The Cemetery Association is ready to meet with the Council to report on their activities.

01-46 Adam Ogden and I will explain the public access easement at the meeting to the Council. Please review the document in your packet. A variety of groups have been working on this for a number of years and is ready for finalization.

01-47 The tax rate for 2001-02, as you can see by the enclosed 2001 Tax Rate Form, is \$23.20, this is an increase of \$1.40 or 6.42%. The \$1.40 is what was estimated to be the school increase much earlier in the year when the school budget was being discussed.

As in the past, I have been given clear direction by the Town Council regarding no tax increase on the municipal side and because our debt ratio is so favorable at this time, I am not uncomfortable recommending a low overlay of \$42,000, however, I should point out to the council, the next year's budget is going to have to be reviewed including town needs as well as the school needs.

I will be talking to Ken Cole on Monday for a proper motion for this budget as we will be reducing it by \$100,000 which is the amount the Council added to provide for revaluation.

We will be budgeting for half of the revaluation in next year's budget. I'm recommending that we take it out of the contingent fund and undesignated surplus for this year. This enables us to have a tax rate with no increase on the municipal side.

If you have any questions or need additional information, please contact me during the day Monday so I have prepared what you need for the meeting.

Thanks, Bob

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MAY 14, 2001**

Councilors Present: Stephen Moriarty, Peter Bingham, John Lambert, Jeffrey Porter, Harland Storey, Mark Kuntz
Councilors Absent: James Phipps (excused)

- I. The meeting was called to order by Chairman Moriarty in the Council Chambers at Cumberland Town Hall at 7:06 p.m.

II. Approval of Minutes

- (a) April 9, 2001

Councilor Lambert moved to approve the minutes of the meeting of April 9, 2001 as written.

Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

- (b) April 23, 2001

Councilor Bingham moved to approve the minutes of the meeting of April 23, 2001 as written.

Seconded by Councilor Storey.

VOTE: IN FAVOR: 5

ABSTAIN: 1 (Lambert)

III. Manager's Report

None

Public Discussion

None

IV. Legislation & Policy

- 01-23 To hold a Public Hearing to hear report from Assessor regarding assessment to sales ratio in certain areas of town.**

Town Attorney Natalie Burns gave a brief summary of the interaction of State law, local ordinance and the Town Charter on assessment matters.

Town Assessor Bill Healey answered Council questions with regard to his constitutional obligation and methodology used in arriving at a fair value in this assessment to sales ratio process.

Chairman Moriarty opened the Public Hearing at 7:40 p.m. About 150 residents were present, many of whom expressed concerns that the proposed method of assessment is flawed, arbitrary and unfair. The public's general consensus was, to be equitable to all, a town-wide assessment needed to be done instead.

The Public Hearing was closed at 9:15 p.m.

The Council voiced their various concerns and that of the public, and questioned whether the Assessor should continue to pursue the proposed sales to assessment ratio mechanism as had been outlined tonight. It was the sense of the Council not to pursue this method. Instead, it was agreed to wait to hear alternatives from the Assessor by scheduling a workshop, to discuss the cost and timing of a re-evaluation as well as other options.

Chairman Moriarty called for a ten-minute break.

01-24 To consider and act on a Special Amusement Permit application of Innco, Inc d/b/a Chebeague Island Inn

Councilor Storey moved to approve a Special Amusement Permit to Innco, Inc., d/b/a/ Chebeague Island Inn conditionally through June 30th, 2001, concurrent with their liquor license, both to come up for review at the June 25, 2001 Council meeting.

Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

01-25 To consider and act on a Swimming Pool License – Chebeague Recreation Center.

Councilor Storey moved to approve a Swimming Pool License to Chebeague Recreation Center contingent upon Health Officer's final inspection.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (6)

01-26 To adopt 2001-2002 Municipal Budget

Councilor Bingham moved to approve a Municipal Budget for the fiscal year 2001-2002 of \$5,762,781.00.

Seconded by Councilor Storey.

VOTE: UNANIMOUS (6)

01-27 To set date for Special Meeting to swear in newly elected Councilors

Councilor Lambert moved to set the date of June 18, 2001 for a Special Meeting to swear in newly elected Town Councilors.

Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

01-28 To set date for Public Hearing – Blanchard Road reconstruction

It was decided not to set a date for a public hearing. Instead, the Council agreed upon May 23rd as the second Town Council meeting in May. At that time, a workshop will be held on Impact Fees and “To set the date for a Special Meeting on the Blanchard Road reconstruction project” will be on the agenda.

V. Correspondence

- ◆ Assessor’s Packet
- ◆ Carole & Fred James Letter RE: Middle school location concern dtd 5/8/01
- ◆ News Article – Maine Communities should look for cuts dtd 5/6/01
- ◆ News Article – SAD 51 can fight sprawl with new school location dtd 5/10/01
- ◆ News Article – Families find subdivisions offer best kid-friendly neighborhoods dtd 5/8/01
- ◆ MSAD 51 4/23/01 Minutes
- ◆ MSAD 51 5/07/01 Agenda
- ◆ Town of Cumberland Planning Board 5/15/01 Agenda
- ◆ Solid Waste to RWS April 2001 report
- ◆ Finance Department Revenue Control Report
- ◆ Finance Department Appropriation Control Report

VI. New Business

Councilor Storey stated that this year’s Bulky Waste Pick up was not done in its usual timely and organized fashion.

Councilor Lambert spoke of exploring the possibility of the Council being more aggressive about what the expectation would be for property being put aside in the subdivisions for recreational purposes. Generally, to the extent that its been done, its been for passive recreation. He thought it might work out well where the town could have, as part of the subdivision process, a certain amount of land that is segregated for future use on a more active recreational basis. It might actually enhance the subdivision that is put in by having a soccer or ballfield a part of it. This would benefit both the town and the developer. The Chairman will contact Phil Hunt to ask the Planning Board to explore this in a workshop context.

Councilor Lambert also spoke about a meeting with the Town Manager, Councilor Porter and Bill Landis, Recreational Director on issues with Twin Brook’s use in terms of priorities, availability and terms. He felt the Council should meet soon with the appropriate officials to develop priorities for Twin Brook. He will get out a memo to the Council which outlines the issues identified and starts the process of developing a systematic, coherent policy on uses at Twin Brook.

Councilor Kuntz noted that traffic on Route 100 seems to be increasing at a rapid pace. He requested to explore, in conjunction with the Maine Dept. of Transportation, the need for a traffic light at the intersection of Skillin Road and Route 26/100 (Gray Road).

Councilor Bingham moved to authorize Town Manager Bob Benson to discuss with the Falmouth Town Manager any mutually beneficial programs that could benefit the two towns.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (6)

Councilor Bingham also reported on the schedule for "Candidates Night" for the June 12, 2001 Municipal Election. Chebeague Island will hold their Candidates Night on May 30th and the Mainland schedule is for June 6th for the M.S.A.D. 51 School Board candidates, and June 7th for Town Councilors, all starting at 7:00 p.m.

Chairman Moriarty asked the status of the Chebeague Island Water Study. The Town Manager stated that it was presently underway. The data will provide much needed information with regard to maintaining water quality on the island and identify areas of risk to future development.

It was decided to hold the June 11th Town Council meeting at West Cumberland Hall.

The Town Manager advised the Council that, per the State's requirements, the Town Attorney has been asked to prepare a Sewer License Agreement to use for individuals who are requesting access to the sewer on State roads such as Tuttle Road and Route 88.

VII. EXECUTIVE SESSION

Councilor Bingham moved to go into Executive Session at 10:22 p.m. to discuss Land Acquisition.

Second by Councilor Kuntz.

VOTE: UNANIMOUS (6)

Councilor Bingham moved to come out of Executive Session at 10:45 p.m.

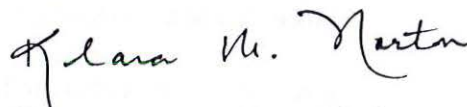
Second by Councilor Kuntz.

VOTE: UNANIMOUS (6)

VIII. Adjourn

No further business was conducted. The meeting adjourned at 10:50 p.m.

Respectfully submitted,



Klara M. Norton, Town Clerk

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, JUNE 11, 2001**

Present: Stephen Moriarty, Peter Bingham, Jeffrey Porter, Harland Storey, Mark Kuntz

Excused: James Phipps

Tardy: John Lambert

I. The meeting was called to order at the West Cumberland Community Hall at 7:10 p.m.

II. Approval of Minutes

a) March 21, 2001

Councilor Bingham moved to adopt March 21, 2001 minutes.

Seconded by Councilor Porter

VOTE: UNANIMOUS (5)

b) May 10, 2001

Councilor Bingham moved to adopt May 10, 2001 minutes.

Seconded by Councilor Storey

VOTE: IN FAVOR (4)

ABSTAINED (1)

Councilor Porter

c) May 23, 2001

Councilor Porter moved to adopt May 23, 2001 minutes.

Seconded by Councilor Storey

VOTE: IN FAVOR (4)

ABSTAINED (1)

Councilor Bingham

d) May 31, 2001

Councilor Bingham moved to adopt May 31, 2001 minutes.

Seconded by Councilor Porter

VOTE: IN FAVOR (4)

ABSTAINED (1)

Councilor Kuntz

III. Manager's Report

Town Manager announced a Planning Board Workshop to discuss site-planning issues for the new middle school on June 21, 2001 at 7:00 pm. Architect Stephen Blatt will be making the presentation.

IV. Public Discussion

Blanche Hutchins presented personal notes regarding alleged contamination of her property from the Cumberland Auto Salvage Yard, 40 Blackstrap Road, West Cumberland. She provided no legal documentation to back up her claims.

Councilor Lambert arrived.

Ms. Hutchins stated that D.E.P. conducted tests however she had no documentation to prove so. She also claimed that she had to relocate from her Cumberland home due to the toxic nature and hasn't visited the house since 1985.

Chairman Moriarty recommended that Ms. Hutchins present the legal documents that backup her claim so the Town could look into it further. No action was taken.

V. Legislation & Policy

01-32 To approve planting program – Cumberland Commons Gazebo

Assistant Town Manager Carla Nixon and Mary Dickinson Ward presented the Cumberland Commons Gazebo planting proposal. The Council directed them to send out the proposal to the Cumberland Commons residents. Chairman Moriarty suggested a Public Hearing date of June 25, 2001 to consider and act on the proposal.

Note: At this point in the meeting, Assistant Town Manager Carla Nixon addressed the Greater Portland Council of Governments (GPCOG) 'Coastal Corridor Coalition Concept' issue to the Council. The Council briefly discussed the traffic flow concerns throughout the town and the assessments of certain roads traveled. Councilor Lambert addressed the Route 1 to I295 not being a great concern for such studies. It was agreed that roads such as Blanchard Road and Route 26/100 have much greater concerns regarding speed, pedestrians and bicyclists, and much needed site studies. Ms. Nixon said that the information of this discussion will be taken to the next GPCOG meeting for further review.

01-23 To issue Commercial Haulers License

Councilor Lambert moved to issue Commercial Haulers Licenses to Pine Tree Waste, Inc., Reynolds & Sons Disposal, Inc., Troiano Waste Services, Inc., and Waste Management of Maine, Inc.
Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

01-34 To set date for Public Hearing – Impact Fee Ordinance

Chairman Moriarty announced a Town Council Workshop to discuss the adoption of an Impact Fee Ordinance on Monday, June 18, 2001 at 7:00 p.m. in the East Conference Room at the Cumberland Town Offices.

Councilor Bingham moved to set date for a Public Hearing to consider and act on the adoption of an Impact Fee Ordinance on Monday, June 25, 2001 at 7:00 pm in the Council Chambers at the Cumberland Town Offices.
Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

01-35 To set date for Workshop – Revaluation

Councilor Bingham moved to set a date for a Workshop to discuss the Revaluation on June 25, 2001 at 6:00 pm in the Council Chambers.
Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

VI. Correspondence

- ◆ Cumberland Commons Gazebo Planting Proposal and diagram dtd 5/29/01
- ◆ Commercial Hauler's Licenses 2001/2002
- ◆ Town Planner Impact Fee Draft Proposal
- ◆ GPCOG "Coastal Corridor Coalition Concept Paper"
- ◆ Memo to Town Manager fm Town Clerk RE: Election Info
- ◆ Chebeague Long Range Planning Committee minutes of 5/19/01
- ◆ Chebeague Long Range Planning Committee minutes of 4/28/01 & packet
- ◆ Meeting on Home Heating Oil Tank Replacement Program summary 5/1/01
- ◆ Board of Adjustment & Appeals Public Hearing Notice 6/14/01
- ◆ Planning Board Meeting Agenda 6/19/01
- ◆ MSAD 51 Minutes 5/23/01
- ◆ MSAD 51 Agenda 6/4/01
- ◆ April 2001 Building Permit Summary
- ◆ May 2001 Building Permit Summary
- ◆ Portland Press Herald news article dtd 5/30/01 "County.....to local taxpayers"
- ◆ Commissioners' Meeting Minutes of 5/14/01
- ◆ Financial Reports
- ◆ Solid Waste to RWS Report
- ◆ Blanche Hutchins personal documentation of alleged toxicity in her home.
- ◆ Vision Letter (See Bob)

VII. New Business

Chairman Moriarty complimented the Town regarding the split rail fence installed at Twin Brook Recreation Area.

Councilor Lambert commended Councilors Bingham and Porter on a great job putting together the Candidates Night Forums that were aired numerous times on Cumberland's Channel 2.

Chairman Moriarty expressed appreciation to Councilor Jim Phipps for his 6 years of service to the Town Council and service to the town. Gift suggestions were made.

Councilor Kuntz recommended that the Cemetery Association look into the conditions of the available plots and to consider taking action to clean them up making them presentable and readily available. A workshop is being considered.

Councilor Storey suggested that the Town focus some of the Town funds to the cemeteries.

VIII. EXECUTIVE SESSION

Councilor Lambert moved to go into Executive Session to discuss Land Acquisition.
Seconded by Councilor Bingham

VOTE: UNANIMOUS (6)

Councilor Lambert moved to come out of Executive Session at 9:06 pm.
Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

Councilor Kuntz moved to hold a Public Hearing to discuss a proposal for the Housing Authority to purchase nine (9) acres on Greely Road for future Senior Housing.
Seconded by Councilor Lambert.

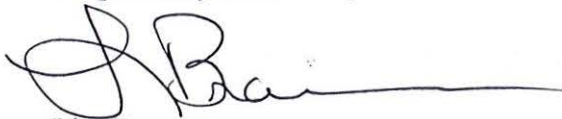
VOTE: UNANIMOUS (6)

VIII. Adjourn

No further business was conducted.
Councilor Kuntz moved to adjourn meeting at 9:07 pm. Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lisa Brown', with a long horizontal line extending to the right.

Lisa Brown
Administrative Assistant

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, JUNE 25, 2001**

Councilors Present: Stephen Moriarty, Peter Bingham, John Lambert, Jeffrey Porter, Harland Storey, Mark Kuntz, Donna Damon

I. Call to order in the Council Chambers at 7:10 p.m.

II. Approval of Minutes

a) June 18, 2001

Councilor Kuntz moved to adopt June 18, 2001 minutes as written.

Seconded by Councilor Lambert.

VOTE: UNANIMOUS (7)

III. Manager's Report

Town Manager introduced Susan McGinty, representative to Regional Waste Systems, to update the Council of activities at RWS. Ms. McGinty suggested a bimonthly report in the future.

IV. Public Discussion

None

V. Legislation & Policy

01-36 To hold a Public Hearing and consider taking action on proposed Impact Fee Ordinance

Chairman Moriarty opened the Public Hearing. Town Attorney Ken Cole was present to answer legal questions.

This was the 6th meeting to discuss the Impact Fee Ordinance DRAFT. Town Planner, Andy Fillmore suggested estimated calculations of \$1.36 per square foot impact fee to be imposed on new homebuilders and developers. Broken down calculations of \$.87 per square foot for Recreational Facility Improvements and \$.49 per square foot for Open Space Acquisition equaled the \$1.36 per square foot figure for residential development. The building code defines 'Habital Space' as an area that has a ceiling height of greater than 7'6". It was noted that if a cellar had a ceiling height greater than 7'6", it will be assessed as habital living space. Spaces below a sloped ceiling of less than 5' high will not be assessed. Calculations of square footage will be based on those required for building permit applications. Town Planner agreed to provide a more definitive description of 'Habital Space' to be worded into the Impact Fee Ordinance by the next meeting.

Meeting was set for Thursday June 28th, 2000 to adopt the Impact Fee Ordinance.

Chairman Moriarty opened the Public Hearing for comments from the public.

7 residents were in attendance, each giving negative testimonials of the proposed Impact Fee.

Chairman Moriarty recited an excerpt from the Comprehensive Plan, "To encourage the Town to explore alternative revenue sources other than property taxes". This Comprehensive Plan was endorsed by the Planning Board and Town Council approximately three years prior. Chairman also stated from listening to residents, that property taxes are already burdensome, the Town should seek other methods of procuring revenue. The Impact Fee is an attempt to generate other services of revenue without the exclusive reliance upon the property taxes. Approximately a year ago, the Council adopted as an amendment to the Comprehensive Plan, the 'Cumberland Open Space Plan' which clearly recommend Impact Fees on page 18 as an option that the Council should consider as an alternative to reliance on the property tax. This issue was discussed in a workshop with the Planning Board in the past year.

Chairman Moriarty closed the Public Hearing

Councilor Porter moved to recess agenda item until June 28, 2001 at 7:00 pm.

Seconded by Councilor Kuntz

VOTE: IN FAVOR (6)

OPPOSED (1) Storey

**01-37 To hold Public Hearing to consider and act on a proposal for the
Cumberland Housing Authority to purchase 9 acres of land on Greely Road
(owned by PWD) as a possible site for Senior Housing**

Town Manager stated that the Town's Comprehensive Plan recommended purchasing the 9 acres of land on Greely Road, now owned by the Portland Water District. The issue of a portion of the parcel now used by Val Halla is in question. Town Attorney Ken Cole advised the Town to conduct a survey before a Council Vote.

Chairman Moriarty opened Public Hearing at 9:15 pm.

No Public Comments

Chairman Moriarty closed Public Hearing at 9:18 pm.

01-38 To review the Growth Management Ordinance

Building Inspector/Codes Officer Barbara McPheters, proposed a change to a calendar year instead of fiscal year to allow a smoother transition for the Chebeague Island homebuilders. Chairman Moriarty recommended that a draft with proposed amendments be presented to the Council and Planning Board.

A Town Council/Planning Board Workshop was set for 6:00 pm July 9, 2001 in the Town Council Chambers to discuss recommendations and suggestions.

01-39 To authorize Town Manager to enter into contract with Vision Appraisal

This item was taken out of order prior to approval of minutes.

Councilor Lambert moved to authorize Town Manager to enter into contract with Vision Appraisal.

Councilor Bingham seconded the motion.

Discussion to the motion

This motion includes a committee headed by the Town Assessor, Bill Healey as Chairman, of 7-10 members, stipulating 2 shall be Chebeague residents.

Councilor Storey amended the motion that the project not exceed \$75,000.

Nominating Committee will select Advisory Committee.

VOTE: IN FAVOR (6)
OPPOSED (1) Damon

01-40 To consider and act on annual applications for Victualer's licenses

Councilor Kuntz moved to approve annual applications for Victualer's licenses for 2001-2002. The Little League was added to the list.

Seconded by Councilor Bingham.

VOTE: UNANIMOUS (7)

01-41 To consider and act on application for Innco, Inc. d/b/a Chebeague Island Inn for Liquor License renewal

01-42 To consider and act on a Special Amusement Permit application for Innco, Inc. d/b/a Chebeague Island Inn

These two items taken out of order.

Councilor Damon moved to approve application for Innco, Inc. d/b/a Chebeague Inn Liquor License renewal and Special Amusement Permit.

Seconded by Councilor Storey.

VOTE: UNANIMOUS (7)

VI. Correspondence

- ◆ Impact Fee Ordinance Draft
- ◆ Growth Management Ordinance
- ◆ Growth Permits Spreadsheets
- ◆ Vision Appraisal Letter to Assessor dtd 6/7/01
- ◆ Forest Lake Association packet
- ◆ Memo from Council Chairman Moriarty dtd 6/21/01 – Cumberland Farmer's Club

- ◆ Memo from Council Chairman Moriarty dtd 6/21/01 – Councilor Lambert Resignation
- ◆ Letter of Resignation from John Lambert dtd 6/18/01
- ◆ Memo to Town Manager/Public Works director from Tom Calder, Gail Miller, Mac Passano & Beth Howe dtd 6/15/01 RE: Bottle Redemption on Chebeague.
- ◆ Planning Board Minutes of 5/15/01
- ◆ MSAD 51 Minutes of 6/4/01
- ◆ MSAD 51 Agenda of 6/18/01
- ◆ MSAD 51 Minutes of 6/18/01
- ◆ MSAD 51 Agenda of 6/25/01
- ◆ Cumberland County Commissioners Minutes of 5/29/01
- ◆ Maine Municipal Association Letter and packet dtd 6/11/01 RE: Nomination for MMA Officers
- ◆ Maine Development Foundation Letter & Registration Form dtd 6/13/01 RE: Maine Education Symposium meeting announcement

Councilor Lambert submitted letter of resignation effective September 15, 2001.

VII. New Business

Chairman Moriarty brought up the Farmer's Club wanting to host a small circus. The Farmer's Club was told that they didn't comply due to zoning issues. Chairman Moriarty wants to go forth of putting it on a future agenda to look further into the subject.

Councilor Damon brought up the Stone Wharf issue on Chebeague. Chebeague Island Long Range Planning Committee recommends the Council to form a new committee to look into the Stone Wharf focusing on short and long term goals for maintenance and upgrading of the Stone Wharf. Chairman Moriarty advised the Town to advertise for this committee. August 1 – deadline for applications. Nominating Committee will appoint members.

VIII. Adjourn

No further business was conducted. Meeting was adjourned at 10:10 p.m.
Chairman Moriarty moved to adjourn meeting.
Second by Councilor Porter.

VOTE: UNANIMOUS (7)

Respectfully Submitted,



Lisa Brown
Administrative Assistant

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
THURSDAY, JUNE 28, 2001**

******* SPECIAL MEETING *******

Councilors Present: Stephen Moriarty, Peter Bingham, John Lambert, Jeffrey Porter, Harland Storey, Mark Kuntz, Donna Damon

I. Called to order at the Cumberland Town Offices Council Chambers at 7:05 p.m.

II. Legislation and Policy

01-36 To hold a Continued Public Hearing to discuss a proposed Impact Fee Ordinance and to consider taking action.

Chairman Moriarty opened the Public Hearing.

7 residents attended. Town Planner, Andy Fillmore, explained the Ordinance. Attorney Ken Cole was in attendance to explain legal aspects of the Ordinance. All residents present spoke regarding Impact Fee Ordinance and its effects if enacted.

Chairman Moriarty closed the Public Hearing 7:45 pm.

Chairman Moriarty amended the Impact Fee Ordinance adding to the Article I. GENERAL PROVISIONS; Section 1.4 Applicability, Number 3 to read:

This Ordinance shall not apply to developers who have been issued or applied for a Town Cumberland growth permit by the Code Enforcement Officer prior to date of the adoption of this ordinance, provided however, that the said Growth Permit is converted into a building permit as prescribed in the Growth Management Ordinance.

Councilor Damon moved to amend the Impact Fee Ordinance to change the exemption from 500 square feet to 750 square feet.
Second by Councilor Kuntz.

VOTE: IN FAVOR (3)
OPPOSED (3)
ABSTAINED (1) Lambert

Motion failed.

Chairman Moriarty moved to adopt the Impact Fee Ordinance as written in final draft by the Town Planner with revisions made by Chairman Moriarty noted prior.
Second by Councilor Porter

VOTE: IN FAVOR (4)
OPPOSED (2)
ABSTAINED (1) Lambert

Councilor Bingham moved to amend the Comprehensive Plan to include the Recreational Facilities and Open Space Impact Fee Methodology.
Second by Councilor Porter

VOTE: IN FAVOR (4)
OPPOSED (2)
ABSTAINED (1) Lambert

III. Adjourn

Councilor Kuntz moved to adjourn meeting at 8:10 pm .
Second by Councilor Porter

VOTE: UNANIMOUS (7)

Respectfully Submitted,

A handwritten signature in dark ink, appearing to be 'Lisa Brown', written over the printed name.

Lisa Brown
Administrative Assistant

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, JULY 9, 2001**

Councilors Present: Jeffrey Porter, Peter Bingham, John Lambert, Harland Storey, Mark Kuntz, Donna Damon
Excused: Stephen Moriarty

I. Call to order in the Council Chambers at 7:05 p.m.

Special Recognition of Officer John Dalbec on behalf of the Cumberland/North Yarmouth Lions Club was named 'Citizen of the Year'.

II. Manager's Report

None

III. Public Discussion

None

IV. Legislation & Policy

01-43 To approve Collective Bargaining Agreement between the Town of Cumberland and the Cumberland Police Benevolent Association.

Councilor Bingham moved to go into Executive Session 7:10 pm to discuss the Collective Bargaining Agreement between the Town of Cumberland and the Cumberland Police Benevolent Association.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (6)

Councilor Bingham moved to come out of Executive Session 7:35 pm to continue the meeting.

Seconded by Councilor Kuntz

Councilor Lambert moved to set date of July 23, 2001 to approve Collective Bargaining Agreement between the Town of Cumberland and the Cumberland Police Benevolent Association.

Seconded by Councilor Storey

VOTE: UNANIMOUS (6)

V. Town Council Assignments FY 2001-2002

The Town Council selected the following for Town Council Appointments.

Archangel Committee:

Chebeague Island Lib. Bd of Trustees (Growth Mgmt)

Robert Humphreys

Donna Damon

Cumberland/Yarmouth Joint Standing Committee:	John Lambert
	Donna Damon
	Stephen Moriarty – Advisory
GPCOG	Stephen Moriarty
Nominating Committee:	Harland Storey
	Mark Kuntz
	Jeff Porter
Prince Memorial Library Advisory Board	Stephen Moriarty
Recreation/Community Education Advisory Board	Jeff Porter
Regional Waste Systems Board	Susan McGinty
Budget Committee	Peter Bingham
Val Halla Board of Trustees	Mark Kuntz
Liaison to Board of Appeals	Harland Storey
Liaison to Conservation Committee	Stephen Moriarty
Liaison to Falmouth/Cumberland Chamber of Commerce	Joe Taylor
Liaison to Planning Board	Peter Bingham
Liaison to Recycling Committee	Jeff Porter
Liaison to CHAT (SAD 51)	Peter Bingham
Liaison to Landing Committee	Donna Damon
Liaison to Islands Committee	Donna Damon
Liaison to Cable TV Regulatory Board	Jeff Porter
Cousins Island/Wharf Agreement Committee	Jim Phipps
	John Lambert

VI. Correspondence

- ◆ Memo fm Town Planner dtd 7/9/01 RE: Growth Management Ordinance Recommendations – DRAFT
- ◆ Growth Management Ordinance Recommendations
- ◆ Growth Management Ordinance – Current
- ◆ Collective Bargaining Agreement – Police Department
- ◆ Letter fm Police Chief dtd 5/22/01 RE: Officer John Dalbec, ‘Citizen of the Year’
- ◆ Letter fm Rescue Department dtd 5/14/01 RE: Cumberland Rescue Department and its Medics
- ◆ Town Council Assignments Worksheet
- ◆ Letter fm Town to Cumberland Common Residents dtd 7/2/01 RE: Cancellation of Public Hearing – Gazebo Landscaping Project
- ◆ Letter fm The Coast of Maine Golf School dtd 6/28/01 RE: Maine Junior Golf Day
- ◆ Chebeague Long Range Planning Committee Minutes of 6/16/01
- ◆ Cumberland County Commissioners’ Meeting Minutes of 6/11/01
- ◆ Growth Trends in Cumberland County by GPCOG

Councilor Kuntz - Letter regarding vacancy for Region 1 – County Budget Committee.

VII. New Business

Councilor Kuntz inquired about the status regarding the traffic light proposal for Rt 26/100. Town Manager said the letter went out 2-3 months ago and are still waiting for response.

Town Manager reviewed the semi-annual report for the Chebeague Island Landfill completed 6/26/01 by Sevee & Mahar. Data shows no significant changes.

VIII. EXECUTIVE SESSION

Councilor Kuntz moved to go into Executive Session to discuss Hardship Abatement and Land Acquisition.

Second By Councilor Bingham

Motion to come out of Executive Session Councilor Kuntz

Second By Councilor Bingham

IX. Adjourn

No further business was conducted. Meeting was adjourned at 8:10 p.m.

Respectfully Submitted,



Lisa Brown
Administrative Assistant

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, JULY 23, 2001**

Councilors Present: Stephen Moriarty, Jeffrey Porter, Peter Bingham, John Lambert, Harland Storey, Mark Kuntz, Donna Damon

I. Call to order at the Cumberland Town Offices Council Chambers at 7:05 p.m.

II. Approval of Minutes

a) May 14, 2001

Councilor Porter moved to adopt May 14, 2001 minutes as written.

Second by Councilor Kuntz

VOTE: IN FAVOR (6)

ABSTAINED (1) Damon

b) June 11, 2001

Councilor Porter moved to adopt June 11, 2001 minutes as written.

Second by Councilor Kuntz

VOTE: IN FAVOR (6)

ABSTAINED (1) Damon

c) June 25, 2001

Councilor Porter moved to adopt June 25, 2001 minutes as written.

Second by Councilor Lambert

Councilor Damon moved to amend 01-38 striking 'the Chebeague Island':

Building Inspector/Codes Officer Barbara McPheters, proposed a change to a calendar year instead of fiscal year to allow a smoother transition for ~~the Chebeague Island~~ homebuilders. Chairman Moriarty recommended that a draft with proposed amendments be presented to the Council and Planning Board.

Councilor Porter second

VOTE: UNANIMOUS (7)

Vote to adopt the minutes as amended.

VOTE: UNANIMOUS (7)

d) June 28, 2001

Councilor Porter moved to adopt June 28, 2001 minutes as written.

Second by Councilor Lambert.

Chairman Moriarty suggested an amendment to 01-36 to replace 'amended' with 'suggested an amendment to'.

Chairman Moriarty ~~amended~~ suggested an amendment to the Impact Fee Ordinance adding to the Article I. GENERAL PROVISIONS; Section 1.4 Applicability, Number 3 to read:

Councilor Bingham moved to adopt minutes with amendment noted
Second by Councilor Lambert

Vote to adopt minutes with amendment noted.

VOTE: UNANIMOUS (7)

Chairman Moriarty suggested an amendment to 01-36 to:

~~Chairman Moriarty~~ Councilor Porter moved to adopt the Impact Fee Ordinance as written in final draft by the Town Planner with revisions made by Chairman Moriarty noted prior.
Second by Councilor ~~Porter~~ Bingham.

Councilor Kuntz moved to amend the adoption with amendment noted.
Second by Councilor Lambert

Vote to approve the amendment.

VOTE: UNANIMOUS (7)

Vote to adopt minutes as amended.

VOTE: UNANIMOUS (7)

e) July 9, 2001

Councilor Porter moved to adopt July 9, 2001 minutes.
Second by Councilor Kuntz

Councilor Kuntz moved to amend the Town Council Assignment FY 2001-2002
Strike "Growth Mgmt" from the listing Chebeague Island Library Board of Trustees.

Chebeague Island Library Board of Trustees (~~Growth Mgmt~~) Donna Damon

Second by Councilor Bingham

Vote to adopt minutes as amended.

VOTE: IN FAVOR (6)
ABSTAIN (1) Moriarty

III. Manager's Report

No Report

IV. Public Discussion

None

V. Legislation and Policy

01-44 To hear report of the Cemetery Association.

Robert Storey, President of the Cemetery Association briefed the Town Council of the their progress, maintenance, capital improvement requests and financial issues. The Cemetery Association is requesting the Town Council to look into a long-term plan to address these issues. After discussion, Chairman Moriarty suggested the Cemetery Association form a Subcommittee to look into these matters more closely and report back to the Council.

01-45 To set date for the Chebeague Island Town Council meeting.

Councilor Bingham moved to set date of August 13, 2001 at 7:00 pm at the Community Hall for the Chebeague Island Town Council Meeting.
Second by Councilor Lambert

VOTE: Unanimous (7)

- 01-46 To authorize the Town Manager to enter into a public access easement and road maintenance agreement with the Indian Island Company and the Cumberland Mainland and Island Land Trust.

Public Works Director, Adam Ogden explained the offer of the public access easement by the Indian Island Company and road maintenance agreement that would benefit the town and would improve public safety access. Initial grading and cutting brush will be required and drainage improvements will be necessary, as part of road maintenance schedule/budget. Councilor Lambert questioned if the easement provided access to the shore. It was suggested that the Public Works Director provide maps, a copy of the conservation easement given to the Mainland and Island Trust and other information pertinent to this issue at the next meeting.

Councilor Bingham moved to table this article until August 13, 2001 to later discuss at the Town Council Meeting on Chebeague Island.

Second by Councilor Lambert

VOTE: UNANIMOUS (7)

- 01-47 To set tax rate for FY 2001-02.

Town Manager recommended the removal of \$100,000 appropriated for revaluation and to set the tax at \$23.20; \$1.40 increase from last year due to the school budget.

It was agreed that an updated revaluation take place at a cost of \$75,000, one half funded from undesignated surplus and budgeted for the next fiscal year.

Councilor Lambert moved to amend the 2001-02 Budget to be reduced by \$100,000 to \$5,662,781.00.

Second by Councilor Bingham

VOTE: UNANIMOUS (7)

Councilor Lambert moved to set tax rate for FY 2001-02 to \$23.20; an increase of \$1.40 or 6.42%.

Second by Councilor Bingham

VOTE: UNANIMOUS (7)

- 01-48 To consider and act on application of Chebeague Island Hall Community Center for a Bottle Club Liquor License.

Councilor Storey moved to approve application of Chebeague Island Hall Community Center for a Bottle Club Liquor License.

Second by Councilor Lambert

VOTE: IN FAVOR (6)

OPPOSED (1) Kuntz

- 01-49 To consider and act on a Special Amusement Permit application for Chebeague Island Hall Community Center.

Council Lambert moved to approve a Special Amusement Permit application for the Chebeague Island Hall Community Center.

Second by Councilor Storey

VOTE: UNANIMOUS (7)

- 01-50 To set date for Public Hearing to consider and act on application for a Mass Gathering Permit by the Cumberland Farmer's Club to hold the annual Cumberland County Fair at the Cumberland Fairgrounds September 23rd through September 30th, 2001.

Councilor Bingham moved to set date, August 6, 2001 at 7:00 pm, for Public Hearing to consider and act on application for a Mass Gathering Permit by the Cumberland Farmer's Club to hold the annual Cumberland County Fair at the Cumberland Fairgrounds September 23rd through September 30th, 2001.

Second by Councilor Kuntz

VOTE: UNANIMOUS (7)

- 01-51 To set date for Public Hearing to consider and act on application for a Mass Gathering Permit by the Cumberland Soccer Club to hold the CSC Labor Day Soccer Tournament at Twin Brook September 1st through September 2nd.

Councilor Bingham moved to set date, August 6, 2001 at 7:00 pm, for Public Hearing to consider and act on application for a Mass Gathering Permit by the Cumberland Soccer Club to hold the CSC Labor Day Soccer Tournament at Twin Brook September 1st through September 2nd.

Second by Councilor Lambert

VOTE: UNANIMOUS (7)

VI. Correspondence

- ◆ Ltr fm Ken Cole dtd 5/3/01 to Adam Ogden RE: Public Access Easement and Road Maintenance Agreement between the Town of Cumberland and Indian Island Company
- ◆ Master Summary Report – Monthly vs. YTD Building Permits
- ◆ 2001 Municipal Tax Rate Calculation Form
- ◆ Ltr & petition fm Meadows Homeowner's Association, Cumberland Senior Citizens' Complex, "To Save Our Community Path & Natural Buffer" Committee; to Committee Members and Department Heads
- ◆ 2001-02 Growth Permit Spreadsheet
- ◆ Exempt From Growth Permit List Spreadsheet
- ◆ Growth Permits Voided Spreadsheet
- ◆ Ltr fm Town Harbormaster dtd 7/7/01 RE: Yarmouth Harbor, Waterfront and Boat Ordinance dtd 4/2/01
- ◆ June Solid Waste to RWS Report
- ◆ Cumberland County Commissioners Meeting Minutes of 6/25/01
- ◆ Ltr fm The Coast of Maine Golf School dtd 6/28/01 RE: Maine Junior Golf Day
- ◆ Portland's Chamber of Commerce Business After Hours Invite

- ◆ Town of Cumberland Committee & Board Vacancy Report Listing
- ◆ RateWatcher Phone Guide fm the Public Advocate Office in Augusta
- ◆ National Geographic Issue July 2001; "Urban Sprawl"

Councilor Damon brought up the Health & Safety Forum is circulating a petition regarding signage in certain areas. The children of Chebeague will be making a presentation on August 13th at the Town Council Meeting on Chebeague Island.

Councilor Damon announced the Land Trust is going to present the Bates Award to the Cumberland Farmer's Club on August 11th, 2001. All are invited. Also, the dedication of the Baseball Field is scheduled for September 1st, 2001. All are invited.

VII. New Business

Town Manager discussed a memorandum from the MMA, requesting municipal representation for Farmland Preservation. Town Manager will mail the memorandum to the Council members.

Councilor Damon discussed the Paper Street issue and its relation to Chebeague Island potential rights of way. There is a list of approximately 20 Paper Streets that will be addressed. Through the Maine Coastal Program, Councilor Damon worked on two projects within the last couple years for the Town Planner that are on file in the Town Hall. The town needs to address this issue regarding rights in the paper streets. Councilor Damon is working on 3 more projects, she recommends the Town Attorney be involved and surveys conducted. Councilor Moriarty recommended a meeting with Councilor Damon to determine how the Town will proceed with the work done thus so far and determine a course of action.

Chairman Moriarty asked where the Growth Management Review is. Councilor Damon mentioned that it will be discussed at the meeting on Chebeague Island.

VII. EXECUTIVE SESSION

a) Hardship Abatement

Councilor Bingham moved to enter into Executive Session to discuss Hardship Abatement.

Second by Councilor Storey

VOTE: UNANIMOUS (7)

Councilor Bingham moved to come out of Executive Session.

Second by Councilor Storey

VOTE: UNANIMOUS (7)

Councilor Bingham moved to grant abatement requests made pursuant to 36 MRSA subsection 841(2) in the sum of \$4651.21.

Second by Councilor Kuntz

VOTE: UNANIMOUS (7)

IX. Adjourn

The meeting was adjourned at 8:50 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'LB' followed by a long, horizontal, wavy line.

Lisa Brown
Administrative Assistant



MEMO

Date: 7/23/01

To: Town Council Members

Cc:

The Agenda for July 23rd is self explanatory. We will have recommended dates.

The Cemetery Association is ready to meet with the Council to report on their activities.

01-46 Adam Ogden and I will explain the public access easement at the meeting to the Council. Please review the document in your packet. A variety of groups have been working on this for a number of years and is ready for finalization.

01-47 The tax rate for 2001-02, as you can see by the enclosed 2001 Tax Rate Form, is \$23.20, this is an increase of \$1.40 or 6.42%. The \$1.40 is what was estimated to be the school increase much earlier in the year when the school budget was being discussed. *removed by John Peter and Unanimous*

As in the past, I have been given clear direction by the Town Council regarding no tax increase on the municipal side and because our debt ratio is so favorable at this time, I am not uncomfortable recommending a low overlay of \$42,000, however, I should point out to the council, the next year's budget is going to have to be reviewed including town needs as well as the school needs.

I will be talking to Ken Cole on Monday for a proper motion for this budget as we will be reducing it by \$100,000 which is the amount the Council added to provide for revaluation. *- moved by*

We will be budgeting for half of the revaluation in next year's budget. I'm recommending that we take it out of the contingent fund and undesignated surplus for this year. This enables us to have a tax rate with no increase on the municipal side.

If you have any questions or need additional information, please contact me during the day Monday so I have prepared what you need for the meeting.

Thanks, Bob

Remove \$100,000 - Reval.

*\$75,000
÷ 2 yrs. = \$35,000*

SME

Sevee & Maher Engineers, Inc.
Waste Management and Hydrogeologic Consultants
Cumberland Center, Maine

Council
NY
8-6-01

CHEBEAGUE ISLAND GROUNDWATER STUDY WATER SUPPLY SURVEY AND SAMPLING PROGRAM

All water users on Chebeague are dependent on individual wells for their water supply. Because there are no reasonable alternative water supplies, protection of the groundwater resources is essential to the future of the Island. In an effort to obtain more information on the Island groundwater, the Town has hired Sevee & Maher Engineers of Cumberland Center to update and expand the existing groundwater database for Chebeague. As part of this program we plan to conduct a water supply survey. These data will be used to expand on the previous well survey that was completed by Sevee & Maher in 1991. We also plan to conduct a well sampling program to determine the current water quality conditions and to evaluate the impact of development on the groundwater quality.

Water Supply Survey Form

A copy of your water supply survey form is attached. There is a separate form for each well on each property that you own. Property ownership and tax map information are printed in blue. (The address printed next to the "location" is the future 911 address - don't worry about that). Please review these data to make sure that they are accurate. If you receive more than one form please check to make sure that we have the wells located on the correct lots. It would be helpful if you included your Chebeague Island telephone number in the red box in case we need to call you with questions.

Information that we obtained in the 1992 study and from additional sources such as recent well driller records is printed in red. Please review these data for accuracy and make any necessary corrections. If there form is blank, please fill in any information that you have. Please fill out a separate form for each well on your property.

Please return your form(s) as soon as possible in the enclosed self-addressed stamped envelope. If want a copy of the your well information we will be happy to provide it, but *please* return this form so that our study can be as complete as possible. Extra blank forms are available at the Library, the store or on the boat, or by calling Sevee & Maher Engineers at 829-5016.

Water Sampling

Part of our study involves the collection of water samples from 80 to 100 wells on the Island to determine the current water quality on the Island and to evaluate the impact of development on the Island groundwater. Samples will be tested for a limited number of parameters including: pH, specific conductance, nitrate, iron, sodium and bacteria. The water test is free to Island residents. Carol White, Mike Maher, Jake Muzzy and Bill Dawson will be collect water samples from selected wells during the month of August. We will be contacting selected well owners in the next few weeks to schedule sampling.

If you have any questions about the well survey or the water sampling program please call Carol White at SME at 829-5016 or at 846-4769 on the Island.

CHEBEAGUE ISLAND WATER SUPPLY SURVEY 2001

OWNER:	MAHER,PETER M	MAP	LOT
LOCATION:	00018 ROSE POINT ROAD	102	51B
LOCAL PHONE:	<input type="text"/>		

WELL INFORMATION

Is this well used as the water source for a dwelling?	<input type="checkbox"/>	Water Supply Type <input type="checkbox"/> None <input type="checkbox"/> Drilled Well <input type="checkbox"/> Dug Well <input type="checkbox"/> Spring <input type="checkbox"/> Other
When was your well constructed?	<input type="text"/>	
What is the depth of your well from the ground surface (feet)?	<input type="text"/>	
If the well is a drilled well how much steel casing was used (feet)?	<input type="text"/>	
What is the yield of your well in gallons per minute?	<input type="text"/>	
Has your well ever run dry? If yes what year(s) ?	<input type="text"/>	
Is there an irrigation system drawing water from this well?	<input type="checkbox"/>	
Comments	<input type="text"/>	

WATER QUALITY

Parameter Name	Check this column if your water quality is effected by any of these:	Check this column if you have a treatment system installed to treat any of these:
None	<input type="checkbox"/>	<input type="checkbox"/>
Iron	<input type="checkbox"/>	<input type="checkbox"/>
Sulfur (odor)	<input type="checkbox"/>	<input type="checkbox"/>
Salt	<input type="checkbox"/>	<input type="checkbox"/>
Bacteria	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>

WASTE WATER SYSTEM

<input type="checkbox"/> None <input type="checkbox"/> Septic System <input type="checkbox"/> Cesspool <input type="checkbox"/> Holding Tank <input type="checkbox"/> Overboard Discharge <input type="checkbox"/> Outhouse <input type="checkbox"/> Other	Check if you use a garbage disposal: <input type="checkbox"/> Check if you have a seperate gray water system: <input type="checkbox"/> What year was the system constructed? <input type="text"/> What size of tank (gallons)? <input type="text"/> When was your system last pumped? <input type="text"/> Comments <input type="text"/>
--	---

PERMISSION

	YES	NO
Do we have permission to locate your well?	<input type="checkbox"/>	<input type="checkbox"/>
Do we have permission to collect a water sample	<input type="checkbox"/>	<input type="checkbox"/>

2001 MUNICIPAL TAX RATE CALCULATION FORM

BE SURE TO COMPLETE THIS FORM BEFORE FILLING IN THE TAX ASSESSMENT WARRANT

1. Local Taxable Real Estate Valuation.....	\$532,152,900.00	
2. Local Taxable Personal Property Valuation.....	\$7,016,400.00	
3. Total Taxable Valuation (Line 1 plus line 2).....		\$539,169,300.00
4. Total of Homestead Exemption Valuation.....	\$12,388,950.00	
5. Total Valuation Base (Line 3 plus line 4).....		\$551,558,250.00

6. Municipal Fiscal Year = 07/01/01 to 06/30/02

APPROPRIATIONS

7. County Tax.....	\$465,645.00	
8. Municipal Appropriation.....	\$5,197,136.00	
9. TIF Financing Plan Amount.....	\$0.00	
10. School/Educational Appropriations..... (Adjusted to Municipal Fiscal Year)	\$9,717,362.00	
11. Total Appropriations (Add lines 7 through 10).....		\$15,380,143.00

ALLOWABLE DEDUCTIONS

12. State Municipal Revenue Sharing.....	\$600,000.00	
13. Other Revenues: (Revenues not accounted for in Municipal Appropriation which are to be used to reduce the commitment such as Tree Growth and Veterans reimbursement, trust fund income, etc.)	\$2,026,114.00	
14. Total Deductions (Line 12 plus line 13).....		\$2,626,114.00

15. Net to be raised by local property tax rate (Line 11 minus line 14) \$12,754,029.00

16.	$\frac{\$12,754,029.00}{\text{(Amount from line 15)}}$	×	1.05	=	<u>\$13,391,730.45</u>	Maximum Allowable Tax
17.	$\frac{\$12,754,029.00}{\text{(Amount from line 15)}}$	÷	$\frac{\$551,558,250}{\text{(Amount from line 5)}}$	=	<u>0.02312</u>	Minimum Tax Rate
18.	$\frac{\$13,391,730.45}{\text{(Amount from line 16)}}$	÷	$\frac{\$551,558,250}{\text{(Amount from line 5)}}$	=	<u>0.02428</u>	Maximum Tax Rate
19.	$\frac{\$539,169,300}{\text{(Amount from line 3)}}$	×	$\frac{0.02320}{\text{(Selected Rate)}}$	=	<u>\$12,508,727.76</u>	Tax for Commitment
20.	$\frac{\$12,754,029.00}{\text{(Amount from line 15)}}$	×	0.05	=	<u>\$637,701.45</u>	Maximum Overlay
21.	$\frac{\$12,388,950}{\text{(Amount from line 4)}}$	×	$\frac{0.02320}{\text{(Selected Rate)}}$	=	<u>\$287,423.64</u>	Homestead Reimbursement (Enter on line 8, Assessment Warrant)
22.	$\frac{\$12,796,151.40}{\text{(Line 19 plus line 21)}}$	—	$\frac{\$12,754,029.00}{\text{(Amount from line 15)}}$	=	<u>\$42,122.40</u>	Overlay (Enter on line 5, Assessment Warrant)

(If Line 22 exceeds Line 20 select a lower tax rate.)

Results from this completed form should be used to prepare the Municipal Tax Assessment Warrant, Certificate of Assessment to Municipal Treasurer and Municipal Valuation Return.

2001 MUNICIPAL TAX RATE CALCULATION FORM

BE SURE TO COMPLETE THIS FORM BEFORE FILLING IN THE TAX ASSESSMENT WARRANT

1. Local Taxable Real Estate Valuation.....	\$532,152,900.00	
2. Local Taxable Personal Property Valuation.....	\$7,016,400.00	
3. Total Taxable Valuation (Line 1 plus line 2).....		\$539,169,300.00
4. Total of Homestead Exemption Valuation.....	\$12,388,950.00	
5. Total Valuation Base (Line 3 plus line 4).....		\$551,558,250.00

6. Municipal Fiscal Year = 07/01/01 to 06/30/02

APPROPRIATIONS

7. County Tax.....	\$465,645.00	
8. Municipal Appropriation.....	\$5,234,636.00	
9. TIF Financing Plan Amount.....	\$0.00	
10. School/Educational Appropriations..... (Adjusted to Municipal Fiscal Year)	\$9,717,362.00	
11. Total Appropriations (Add lines 7 through 10).....		\$15,417,643.00

ALLOWABLE DEDUCTIONS

12. State Municipal Revenue Sharing.....	\$600,000.00	
13. Other Revenues: (Revenues not accounted for in Municipal Appropriation which are to be used to reduce the commitment such as Tree Growth and Veterans reimbursement, trust fund income, etc.)	\$2,026,114.00	
14. Total Deductions (Line 12 plus line 13).....		\$2,626,114.00
15. Net to be raised by local property tax rate (Line 11 minus line 14)		\$12,791,529.00

16.	$\frac{\$12,791,529.00}{\text{(Amount from line 15)}}$	×	1.05	=	$\$13,431,105.45$	Maximum Allowable Tax
17.	$\frac{\$12,791,529.00}{\text{(Amount from line 15)}}$	÷	$\frac{\$551,558,250}{\text{(Amount from line 5)}}$	=	0.02319	Minimum Tax Rate
18.	$\frac{\$13,431,105.45}{\text{(Amount from line 16)}}$	÷	$\frac{\$551,558,250}{\text{(Amount from line 5)}}$	=	0.02435	Maximum Tax Rate
19.	$\frac{\$539,169,300}{\text{(Amount from line 3)}}$	×	$\frac{0.02320}{\text{(Selected Rate)}}$	=	$\$12,508,727.76$	Tax for Commitment
20.	$\frac{\$12,791,529.00}{\text{(Amount from line 15)}}$	×	0.05	=	$\$639,576.45$	Maximum Overlay
21.	$\frac{\$12,388,950}{\text{(Amount from line 4)}}$	×	$\frac{0.02320}{\text{(Selected Rate)}}$	=	$\$287,423.64$	Homestead Reimbursement (Enter on line 8, Assessment Warrant)
22.	$\frac{\$12,796,151.40}{\text{(Line 19 plus line 21)}}$	-	$\frac{\$12,791,529.00}{\text{(Amount from line 15)}}$	=	$\$4,622.40$	Overlay (Enter on line 5, Assessment Warrant)

(If Line 22 exceeds Line 20 select a lower tax rate.)

Results from this completed form should be used to prepare the Municipal Tax Assessment Warrant, Certificate of Assessment to Municipal Treasurer and Municipal Valuation Return.

2000 MUNICIPAL TAX RATE C

BE SURE TO COMPLETE THIS FORM BEFORE FILL

LAST YEAR

- | | |
|---|--------|
| 1. Local Taxable Real Estate Valuation | |
| 2. Local Taxable Personal Property Valuation | |
| 3. Total Taxable Valuation (Line 1 plus line 2) | 400.00 |
| 4. Total of Homestead Exemption Valuation | |
| 5. Total Valuation Base (Line 3 plus line 4) | 150.00 |
| 6. Municipal Fiscal Year = = 07/01/00 to 06/30/01 | |

APPROPRIATIONS

- | | |
|--|-----------------|
| 7. County Tax | \$406,273.00 |
| 8. Municipal Appropriation | \$4,990,149.00 |
| 9. TIF Financing Plan Amount | \$0.00 |
| 10. School/Educational Appropriations
(Adjusted to Municipal Fiscal Year) | \$8,512,680.00 |
| 11. Total Appropriations (Add lines 7 through 10) | \$13,909,102.00 |

ALLOWABLE DEDUCTIONS

- | | |
|--|-----------------|
| 12. State Municipal Revenue Sharing | \$540,000.00 |
| 13. Other Revenues | \$1,944,114.00 |
| <small>(Revenues not accounted for in Municipal Appropriation which are to be used to reduce the commitment such as Trust Fund Income, etc.)
(Do not deduct Homestead Reimbursement)</small> | |
| 14. Total Deductions (Line 12 plus line 13) | \$2,484,114.00 |
| 15. Net to be raised by local property tax rate (Line 11 minus line 14) | \$11,424,988.00 |

- | | | | | | | |
|--|--|---|---|---|-----------------|---|
| 16. | \$11,424,988.00
<small>(Amount from line 15)</small> | × | 1.05 | = | \$11,996,237.40 | Maximum Allowable Tax |
| 17. | \$11,424,988.00
<small>(Amount from line 15)</small> | ÷ | \$530,715,150
<small>(Amount from line 5)</small> | = | 0.02153 | Minimum Tax Rate |
| 18. | \$11,996,237.40
<small>(Amount from line 16)</small> | ÷ | \$530,715,150
<small>(Amount from line 5)</small> | = | 0.02260 | Maximum Tax Rate |
| 19. | \$517,980,400
<small>(Amount from line 3)</small> | × | 0.02180
<small>(Selected Rate)</small> | = | \$11,291,972.72 | Tax for Commitment |
| 20. | \$11,424,988.00
<small>(Amount from line 15)</small> | × | 0.05 | = | \$571,249.40 | Maximum Overlay |
| 21. | \$12,734,750
<small>(Amount from line 4)</small> | × | 0.02180
<small>(Selected Rate)</small> | = | \$277,617.55 | Homestead Reimbursement
<small>(Enter on line 8, Assessment Warrant)</small> |
| 22. | \$11,569,590.27
<small>(Line 19 plus line 21)</small> | - | \$11,424,988.00
<small>(Amount from line 15)</small> | = | \$144,602.27 | Overlay
<small>(Enter on line 5, Assessment Warrant)</small> |
| (If Line 22 exceeds Line 20 select a lower tax rate.) | | | | | | |

Results from this completed form should be used to prepare the Municipal Tax Assessment Warrant, Certificate of Assessment to Municipal Treasurer and Municipal Valuation Return.

Master Summary Report

<i>Monthly Building Permits</i>			<i>June, 2001</i>
<i>Access. Struct.</i>	1	\$7,000.00	\$0.00
<i>Addition</i>	7	\$219,500.00	\$765.00
<i>Conversion</i>	1	\$6,000.00	\$0.00
<i>Deck</i>	4	\$8,700.00	\$70.00
<i>Demolition</i>	1	\$0.00	\$10.00
<i>Garage</i>	2	\$60,000.00	\$102.00
<i>House</i>	7	\$1,370,000.00	\$3,650.40
<i>House / Seasonal</i>	3	\$255,000.00	\$541.05
<i>Pool</i>	2	\$25,180.00	\$142.20
<i>Renovation</i>	5	\$11,800.00	\$70.00
<i>Shed</i>	1	\$3,000.00	\$20.00
<i>Totals</i>	34	\$1,966,180.00	\$5,370.65

<i>YTD Building Permits</i>			
<i>Access. Struct.</i>	1	\$7,000.00	\$0.00
<i>Addition</i>	22	\$613,448.00	\$1,926.20
<i>Alterations</i>	3	\$41,500.00	\$163.00
<i>Barn</i>	2	\$11,000.00	\$211.60
<i>Commercial</i>	1	\$500,000.00	\$1,650.00
<i>Conversion</i>	2	\$21,000.00	\$40.00
<i>Deck</i>	11	\$28,360.00	\$192.00
<i>Demolition</i>	3	\$0.00	\$30.00
<i>Float</i>	1	\$24,000.00	\$75.00
<i>Garage</i>	8	\$218,000.00	\$879.60
<i>Gazebo</i>	1	\$1,000.00	\$0.00
<i>House</i>	25	\$4,872,235.00	\$12,354.75
<i>House / Seasonal</i>	3	\$255,000.00	\$541.05
<i>Pier</i>	1	\$8,500.00	\$75.00
<i>Pool</i>	3	\$35,180.00	\$181.40

<i>Renovation</i>	24	\$386,770.00	\$1,307.20
<i>Retaining Wall</i>	1	\$148,000.00	\$75.00
<i>Shed</i>	5	\$7,300.00	\$67.00
<i>Temp. Structure</i>	1	\$0.00	\$25.00
	118	\$7,178,293.00	\$19,793.80

council

July 5, 2001

Dear Committee Member or Department Head,

The attached petition is far from done as we are still collecting the signatures of other Condo Association members who are away on vacation, plus the extreme heat of the past weeks has slowed the senior citizens' petition efforts.

Rather than waiting until the petitions were complete, we decided to bring the important issue of the proposed new public road related to the proposed middle school to your attention now. As noted in our petition, the Building Committee has proposed a new public road and parking lot to be built approximately *fifteen feet to forty feet* from our property line. The *entire* current natural buffer between our neighborhood community and the school zone, a beautiful natural meadow with a grove of tall trees will be destroyed to create the road. The current buffer zone will be replaced with an expensive mixture of fencing, fill, and retaining walls. Since the road is planned to follow the natural tree line, we seek only to move the site plan only a few feet back to behind the tree line.

We feel the current site plan is contrary to Cumberland Zoning Ordinance, which requires, *inter alia*:

- the site to be designed in a manner that "reflect[s] the natural capacities of the site to support development." Environmentally sensitive areas, including, but not limited to. . . significant wildlife habitats; scenic areas, . . . unique natural communities and natural areas . . . must be maintained and preserved to the maximum extent." Cumberland Zoning Ordinance §206.8.1.
- "[a]ll building, site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible, such that filling, excavation and earth moving activity must be kept to a minimum." Cumberland Zoning Ordinance §206.8.8.
- "[p]arking lots on sloped sites must be terraced to avoid undue cut and fill, and/or the need for retaining walls." Cumberland Zoning Ordinance §206.8.8.

We have no objection to the new middle school being built on the Greely site, but ask for your support in getting the proposed road built where it should be built, behind the beautiful natural buffer that makes our neighborhood such an enjoyable place to live.

Thanks for your attention to this letter and the attached petition..

Sincerely,

Teresa Curtin and Louise McMains

Co-Chairs, Committee To Save Our
Community Path and Natural Buffer

27 Winterberry Court
Cumberland, Maine 04021
207-829-5185 or oceanrun@maine.rr.com.

Thank you for your attention to this petition.

Sincerely,

Members of the Cumberland
Meadows Homeowner's Association
and Cumberland Senior Citizens'
Complex.

	NAME	ADDRESS	PHONE NO.
1.	Sally Pierce	40 Winterberry Ct	829-3330
2.	Nancy J. Merrill	22 Winterberry Ct	781-4361
3.	Flora E. Gagnon	28 Winterberry Ct	829-4508
4.	Marge Searles	7 Linden Ct	829-5466
5.	Wendy E. Reid	16 Linden Ct	829-4242
6.	John A. Wild	14 Linden Ct	829-5637
7.	Elis Wild	14 Linden Ct	829-5637
8.	Beryl A. Archway	21 Winterberry Ct	829-5872
9.	Sharon Hillman	15 Linden Ct	829-0986
10.	Robert R. Belanger	16 Linden Ct	824 4044
11.	Frances R. Curry	47 HAWTHORNE CT	829-4529
12.	John A. Hay	19 Winterberry Ct	829-6198
13.	Connie R. Hay		
14.	James E. Pauter	29 Winterberry Ct	829-3740
15.	Alan Pierce	40 Winterberry Ct	829 3330
16.	CHRIS NEAGLE	568 Pleasant Valley Rd	829-3272
17.	J. Chipman	36 Winterberry Ct	829-4423
18.	Dorothy P. Chipman	8 Linden Court	829-6205
19.	Nancy Hayes	35 Winterberry Ct	829-6169
20.	Glenn Cabelage	34 Winterberry Ct	829-3035
21.	Thorton Candage	34 WINTERBERRY CT	829-3035
22.	Lucie S. Chipman	36 Winterberry	829-4473
23.	Freda Marie Tompkins	35 WINTERBERRY CT	829-6169
24.	Normie Meadows	2 Willow Ct Cumb	829-3539
25.	Carol Hulst	9 Linden Ct	829-6480
26.	Phyllis Howe	17 Linden Ct	829-6629
27.	Louise McMan	27 Winterberry Ct	829-5185
28.	James K. Kim	25 Winterberry Ct	829-6400
29.	Joe J. Brown	20 Winterberry Ct	829-2165
30.	James Brown	24 WINTERBERRY CT	829-3248
31.	Gilbert Burgess	23 Winterberry Ct	829-6944
32.	Ed. Burgess	21 Winterberry Ct	829-5872

	NAME	ADDRESS	PHONE NO.
33.	<i>Ruth Green</i>	<i>Property Mgr. Cumberland Meadows</i>	
34.		<i>H. Assoc.</i>	<i>883-3753</i>
35.	<i>Donna M. Sutton</i>	<i>38 Winterberry Court</i>	<i>829-6139</i>
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June 26, 2001

Dear Member of the Cumberland Planning Board,

The purpose of this petition is to express to our concerns related to the proposed site for the new middle school on the Greely campus and to request your support for maintaining the current buffer area between the Greely campus and the neighboring community.

As far as we have been able to determine, current plans are to locate the new school near the Senior Citizen's Complex behind the Cumberland Meadows Homeowners' Association. While a final decision has not been made, one proposal that the Building Committee is considering is building a new public road from Tuttle Road north of the playground and drainage ditch to the new campus to handle the increased traffic in the neighborhood.

This public road will run parallel to the beautiful community walking path that runs from the elementary school, around the Condo Association to the Senior Citizen's Complex, and will require a destruction of the entire natural beauty and wildlife habitat surrounding the Greely campus and our neighborhood, including the destruction of the entire buffer area behind the Condo Association and Senior Citizen Housing Complex (a beautiful grove of tall trees, apple orchard, and the entire meadow will be destroyed).

We ask you to consider the wisdom of the destruction of the existing buffer zone—which has served to promote a beautiful and peaceful co-existence between the neighboring community and the Greely campus, as well as the destruction of a beloved community path that is used 365 days a year by neighbors walking their dogs or bird watching, families riding their bikes or cross-country skiing, and children playing. Not only we object to the expensive of removing the current buffer zone and erecting an entirely new buffer zone right at our property lines, but we feel that moving the buffer zone closer to our property will be inadequate to protect our neighborhood from the increased noise, air and light pollution that will come from building a public road and a 200-300 car parking lot in our backyards. In addition, we have serious concerns about how the removal of the natural vegetation will contribute to an existing storm water management problem and feel that the current proposal does not adequately address our concerns related to soil erosion and sewerage capacity.

We are not objecting to the proposal of a new school on the Greely campus, but would like to work together to ensure that the school gets moved to a less expensive, more appropriate location, and that the natural beauty of our surroundings is maintained.

#	Date Received	Time Received	Type	Subdivision Name	Last	First	Map	Lot	Street	Issued	Time	Accept by Date	Bldg Appl Due	Building Permit	Date Issued
			Habitat												
			Habitat												
1	07/17/00	3:42 PM	Island	Division Shore	Minor	Paul	I07	65	Bar Point Rd	07/20/00	11:20 AM	08/20/00	10/20/00	00-280	10/19/00
2	07/19/00	1:00 PM	Island	Division Point	Richards	Paul & Kathleen	I07	55	Bluff Head Rd	07/20/00	11:30 AM	08/20/00	10/20/00	00-279	10/19/00
3	07/19/00	4:43 PM	Island		Dayton	Robert & Joan	I01	21 A	646 South Rd	07/20/00	11:35 AM	08/20/00	10/20/00	00-239	08/23/00
4	09/12/00	3:11 PM	Island		Rugh	Aaron	I06	8 A	North Road	04/06/01	11:45 AM	05/06/01	07/05/01	01-127	07/03/01
5	08/01/00	3:02 PM	Island		Bisharat	Leila and Suhail	I03	106	South Road	04/12/01	11:45 AM	05/12/01	07/12/01	01-132	07/12/01
6	08/14/00	1:35 PM	Island		Hunt	Robert & Winter,	I03	68 B	South Road	04/12/01	11:45 AM	05/12/01	07/12/01	01-123	07/03/01
7	09/11/00	8:08 AM	Island		Moulton	John	I01	76	38 Proctor Dr	04/12/01	11:45 AM	05/12/01	07/12/01	01-122	07/03/01
8	09/12/00	3:46 PM	Island		Libby	Robert & Paula	I04	90 C	West View Rd	05/03/01	10:25 AM	06/03/01	08/03/01	01-105	06/21/01
9	09/20/00	4:16 PM	Island		Wilson	David	I04	90 D	Sunset Road	05/02/01	10:00 AM	06/02/01	08/02/01		
10	10/18/00	12:16 AM	Island		Hall	Peter	I02	12 A	12 South Road	05/03/01	10:35 AM	06/03/01	08/03/01	01-104	06/21/01
11	11/29/00	1:18 PM	Island		Boisvert	Richard & Paige	I03	130 B	North Road	06/04/01	8:46 AM	07/04/01	09/04/01	01-115	06/29/01
12	01/09/01	3:49 PM	Island		Crosby	Russell & Sala, M	I01	15	Cottage Road	06/04/01	8:55 AM	07/04/01	09/04/01		
13	01/09/01	3:50 PM	Island		Crosby	Russell & Sala, M	I01	15	Cottage Road	06/04/01	8:55 AM	07/04/01	09/04/01		
14	06/27/01	12:25 PM	Island		Rich	Patricia	I06	7	Littlefield Road	06/27/01	12:28 PM	07/27/01	09/27/01		
1	07/12/00	9:15 AM	Non-subdiv		Seekins	Norma	R06	49	Blanchard Rd	07/17/00	3:50 PM	08/17/00	10/17/00	00-267	09/29/00
2	07/14/00	9:10 AM	Non-subdiv		Cyr	Mary	R07	72 B	Maloneys Rd	07/17/00	4:25 PM	08/17/00	10/17/00	00-278	10/15/00
3	07/25/00	2:20 PM	Non-subdiv		Shanley	Fran	R03	41	43 Harris Road	07/27/00	9:10 AM	08/27/00	10/27/00	00-276	10/17/00
4	08/22/00	1:09 PM	Non-subdiv		Grover	Ben	U10	9 F	Strawberry Rd	09/14/00	4:50 PM	10/14/00	12/14/00	00-246	09/18/00
5	09/06/00	1:07 PM	Non-subdiv		Boyle	William	R08	64 A	26 Orchard Rd	09/20/00	3:55 PM	10/20/00	12/20/00	00-314	12/12/00
6	09/15/00	10:19 AM	Non-subdiv		Lalumiere	Mary	U14	63 C	36 Val Halla Rd	09/22/00	10:50 AM	10/22/00	12/22/00	00-317	12/20/00
7	09/27/00	1:52 PM	Non-subdiv		Maloney	Timothy	R07	72 C	Maloneys Rd	09/29/00	10:03 AM	10/29/00	12/29/00	00-285	11/30/00
8	09/28/00	4:41 PM	Non-subdiv		Verrill	Scott	U12	7 C	47 Blanchard	10/20/00	11:57 AM	11/20/00	01/20/01	01-010	01/18/01
9	09/28/00	4:42 PM	Non-subdiv		Verrill	Scott	U12	7 B	47 Blanchard	10/20/00	11:58 AM	11/20/00	01/20/01	01-011	01/18/01
10	10/12/00	11:34 AM	Non-subdiv		Patton	Harry & Deborah	R04	20 A	8 Farms Edge	10/25/00	8:30 AM	11/25/00	01/25/01	00-290	11/06/00
11	11/15/00	8:13 AM	Non-subdiv		Brooks	Roger & Elizabeth	R06	18 D	Greely Road	11/16/00	4:58 PM	12/16/00	02/16/01	01-017	02/15/01
12	11/15/00	1:35 PM	Non-subdiv		Thompson	Peter & Kathy	U17	4 F	23 Old Farm	11/16/00	5:02 PM	12/16/00	02/16/01	00-313	12/12/00
13	11/16/00	2:25 AM	Non-subdiv		Peterson	Richard	R07	92 D	108 Mill Road	11/21/00	11:39 AM	12/21/00	02/21/01	01-005	01/10/01
14	11/16/00	5:11 PM	Non-subdiv		Peterson	Richard	R08	12	Pleasant Valley	11/21/00	12:01 PM	12/21/00	02/21/01	01-020	02/20/01
15	11/21/00	8:35 AM	Non-subdiv		Jordan	Joanne	U14	8 B	23 Sawyer Ln	11/21/00	1:13 PM	12/21/00	02/21/01	01-004	01/10/01
16	11/29/00	3:18 PM	Non-subdiv		Price	James H.	R03	23 A	Andrea Way	12/11/00	11:24 AM	01/11/01	03/11/01	01-022	03/09/01
17	12/04/00	8:11 AM	Non-subdiv		Lalumiere	Scott	U12	11 A	Treleaven Way	12/12/00	1:18 PM	01/12/01	03/12/01	01-001	01/03/01
18	12/26/00	9:30 AM	Non-subdiv		Stiles	W & Bickford, J	R05	35	Alder Way	12/27/00	4:00 PM	01/27/01	03/27/01	01-028	03/26/01
19	01/02/01	10:58 AM	Non-subdiv		Carley	Kevin	U12	11 B	16 Treleaven	01/04/01	9:03 AM	02/04/01	04/04/01	01-014	01/30/01
20	03/16/01	10:28 AM	Non-subdiv		Stratton	Gene	R07	57	Tinker Lane	03/28/01	4:15 PM	04/28/01	06/28/01	01-030	04/12/01
21	04/17/01	3:13 PM	Non-subdiv		Nevens	Gregory & Devin	U19B	22A	Mill Road	06/01/01	11:27 AM	07/01/01	09/01/01		
22	04/19/01	2:45 PM	Non-subdiv		Daigle	Jeffrey	R02 B	1	Tuttle Road	06/27/01	10:36 AM	07/27/01	09/27/01	01-110	06/27/01
1	07/05/00	10:53 AM	Subdivision	Sunnyfield Falls	Sawchuck	Peter & Ann	U12 A	6	Sunnyfield Falls	07/07/00	9:30 AM	08/07/00	10/07/00	00-206	07/18/00
2	08/03/00	12:22 PM	Subdivision	Falmouth Cove	Raczkowski	David T.	R05 B	8	27 Hazeltine	08/09/00	10:05 AM	09/09/00	11/09/00	00-257	09/27/00
3	11/01/00	12:17 PM	Subdivision	Valley Road C	Hildreth & White		R08 A	15 C	42 Valley Road	11/08/00	11:46 AM	12/08/00	02/08/01	00-299	11/14/00
4	11/30/00	2:46 PM	Subdivision	Idlewood	Gallati	W. David	R05 C	20	418 Range Rd	12/13/00	10:19 AM	01/13/01	03/13/01	01-012	01/18/01
5	01/10/01	2:53 PM	Subdivision	Schooner Ridge	Carriere	Noreita	R02 A	34	282 Foreside	01/16/01	12:59 PM	02/16/01	04/16/01	01-024	03/26/01
6	03/15/01	9:42 AM	Subdivision	Falmouth Cove	Bauer and Gilman		R03 A	24	22 Muirfield Rd	03/15/01	2:45 AM	04/15/01	06/14/01	01-082	05/29/01
7	03/19/01	8:41 AM	Subdivision	Greely Pines	Ingraham	Curtis & Elaine	R02 A	35	55 Greely Road	03/26/01	1:48 PM	04/26/01	06/25/01	01-075	05/23/01
8	06/27/01	1:34 PM	Subdivision	Idlewood	Sledjeski	Lee & Elizabeth	R05 C	6	58 Idlewood Rd	06/28/01	11:30 AM	07/28/01	09/28/01		
9															
10															
11															

	Date Received	Time Received	Type	Subdivision Name	Last	First	Map	Lot	Unit	Street	Septic Design	Waiting Letter	Exempt Letter	Building Permit	Permit Date
1	08/10/00	11:59 AM	Island	School House Road	Todd	Daniel and Heidi	I06	34		School House Rd	08/10/00	08/17/00	04/10/01		
2	09/19/00	3:22 PM	Island	Cart Road Acres	Watson	Donald & Karen	I07	41		Old Cart Road	06/16/00	09/25/00	04/10/01		
3	10/03/00	8:10 AM	Island	Cart Road Acres	Lloyd-Rees	David & Susan	I07	50		Old Cart Road	09/29/00	10/10/00	04/10/01	01-114	06/29/01
4	11/21/00	8:36 AM	Island	Division Shores	Colbeth	Clyde	I07	74		Ship Lane	10/23/00	11/22/00	04/10/01		
5	01/18/01	10:47 AM	Island	Division Shores	Marion	Vicki	I07	72		Bar Point Road	Existing	01/18/01	04/10/01		
6	01/25/01	1:30 PM	Island	Cart Road Acres	Pelton	Kenneth	I07	43		Old Cart Road	01/10/01	01/30/01	04/10/01		
7	01/31/01	11:51 AM	Island	School House Road	Kidd	Dan	I06	32		School House Rd	01/28/00	03/07/01	04/10/01		
8	12/21/00	12:26 PM	Island	Nancy S. Pierce	Whittemore	Ann	I05	8 B		North Road	12/13/00	12/27/00	05/03/01		
9				True Spring Farm	Bragg	Terry	U04	8 A	8	2 Granite Ridge				00-191	07/10/00
10				True Spring Farm	Bragg	Terry	U04	8 A	7	1 Granite Ridge				00-192	07/10/00
11	Demolition and Rebuilding				Eaton	Melinda	U06A	22		15 Ledge Road				00-212SZ	07/20/00
12				Flintlock Ridge	Spaldero Co		R04	16A		34 Flintlock Drive				00-250	09/22/00
13				Rock Ridge	Custom Built Home		R03B	5		68 Rock Ridge Run				00-251	09/25/00
14				Stonegate	Chase Custom Homes		R07D	7		58 Stonewall Drive				00-277	10/18/00
15				Rock Ridge	Ames	Peter & Alice	R03B	12		69 Rock Ridge Run				01-013	01/30/01
16				Stonegate	Chase Custom Homes		R07D	14		5 Stonewall Drive				01-015	01/30/01
17	Relocating existing dwelling				Copp	Clayton	U21	9		260 Gray Rd				01-067	05/07/01
18				Stonegate	Chase Custom Homes		R07D	11		33 Stonewall Drive				01-088	06/04/01
19				School House Road	Clarke	Andrew	I06	33		School House Rd				01-099	06/18/01
20				Flintlock Ridge	Spaldero Co		R04	16C		48 Flintlock Drive				01-116	06/29/01
21				Flintlock Ridge	Spaldero Co		R04	16I		33 Flintlock Drive				01-117	06/29/01
22				Flintlock Ridge	Spaldero Co		R04	16F		70 Flintlock Drive				01-118	06/29/01

Year	#	Date Received	Time Received	Type	Subdivision Name	Last	First	Map	Lot	Street	Septic Design	Waiting Letter	Position Letter	Second Letter
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#	Date Received	Time Received	Type	Subdivision Name	Last	First	Map	Lot	Street	Issued	Time	Status	
	09/19/00	3:16 PM	Non-subdiv		Dunnett	Robin	U12	11	Treleaven Way	09/28/00	6:10 PM	Growth permit expired	
	11/21/00	1:58 PM	Non-subdiv		Meoli	Richard	R03	15	45 Longwoods Road	11/21/00	2:02 PM	Growth permit expired	
	12/07/00	4:35 PM	Non-subdiv		Stockholm	Benedict	R05	13	Turkey Lane	N/A	N/A	Withdrawn by applicant	
	11/09/00	12:51 PM	Island		Haberthur	Robert &	I03	107 B	South Road	05/03/01	10:40 AM	Declined growth permit	
	07/03/00	11:50 AM	Non-subdiv		Morrison	Roland	R08 A	7 B	225 Blanchard Road	07/07/00	9:25 AM	Building permit expired	
	03/16/01	9:16 AM	Non-subdiv		Meoli	Richard	R03	15	45 Longwoods Road	03/19/01	9:15 AM	Growth permit expired	
	09/21/00	4:32 PM	Island		Rich	Patricia	I06	7	Littlefield Road	05/03/01	10:30 AM	Growth permit not accepted	
	01/09/01	4:49 PM	Island		Butters	Charles	I01	11A	Cottage Road	06/04/01	9:01 AM	Declined growth permit	
	01/19/01	9:21 AM	Island		West	Susan	I04	29 A	Buxhill Blvd	06/04/01	9:11 AM	Declined growth permit	
	09/08/00	11:32 AM	Island		Marshall	Barbara	I03	105	South Road	04/12/01	11:45 AM	Growth permit expired	



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

July 7, 2001

From: Ted Curtis

To: Robert Benson

Subject: Yarmouth Harbor, Waterfront, and Boat Ordinance dated 4/2/01

The Yarmouth Harbor, Waterfront, and Boat Ordinance Committee had three separate meetings early this spring, all of which were posted in the Press Herald. Our local Princes Point Improvement Association and the Chebeague Islanders missed all the notices. Both groups were adversely affected by the new changes. Very recently our local Association met privately with representatives from the Yarmouth Harbor Committee and were successful in reducing the annual mooring fees. I mention this to illustrate that even after Yarmouth residents missed the first meeting there was no effort to bring the additional meeting to their attention so they could attend.

The first communication that Yarmouth had changed the ordinance governing the Cousins Island float occurred when two Chebeague Islander commuter boats were chained to the dock. Mike Peacock, Yarmouth Harbor Master, who was tasked to enforce the new Yarmouth Ordinance, did attach a note with a telephone number of where he could be reached to release the boats. Mike Peacock chained the Chebeague Island Commuter boats because they were tied up to the Yarmouth float not the Cumberland float on the Northern side. He would have left a summons with the boats but he claimed the boats did not have their Maine registration displayed so he had to chain them so he could determine who owned the boats. Maine state law supports Mike Peacock chaining up boats if they fail to show current registration.

Mike told me the new regulations were posted on the wharf. I went to Cousins and found a sign that said the following:

No overnight parking without permission

Maximum tie-up 30 minutes

No wake through mooring area

There is no mention in the above-posted notice directing Chebeague boats to only tie-up to the Cumberland float. Precedence has supported the boats tying up to whatever float has space. Also both Chebeague Islander commuters claim their boats displayed current Maine boat registration.

This requirement for the Chebeague Island commuters has always been in the Yarmouth Ordinance but has not been enforced. Mike Peacock told me that he has always done what he could do to be fair and supportive of the Islanders.

Some of the other Yarmouth Ordinance changes clarify the definition of a punt and skiffs and the priority of who gets a mooring. The moorings are given out with the following priority:

- A. Property Owners-riparian
- B. Resident Commercial fisherman
- C. Resident Non-commercial
- D. Non-resident commercial fisherman (Chebeague fisherman)
- E. Non-resident seasonal property owners
- F. Other, Non-residential non-taxpayer (Chebeague non-fisherman)

This has the potential for Chebeague commuters being prevented from getting a mooring when the mooring field is declared filled.

I have requested Mike Peacock to contact me personally if future problems occur. He has consented to do what he can do to prevent situations from escalating to chaining up boats at the float.

I have also asked Mike Peacock and the Chairman of the Yarmouth Harbor, Waterfront Committee about the possibility of putting a seasonal float off the Cumberland side of our present float to accommodate the additional commuter skiffs in the summer. Both have not gotten back to me yet, but they did not, initially, see any problem with the request.

Since the incident occurred we have not had any more problems. I will continue to closely monitor the situation and keep in close touch with Mike Peacock.

Sincerely,
Ted Curtis
Ted Curtis
Cumberland Harbor Master

Ted + I feel that these issues have been handled on the staff level and should stay there. If any changes occur we will advise the Council if action is needed. So far - Ted's approach has been very effective.

RB

SOLID WASTE TO R.W.S.

YEAR MONTH	2001	1996	1997	1998	1999	2000
January	211.07	179.89	204.61	192.30	191.10	184.53
February	163.98	154.08	152.55	163.73	167.36	171.20
March	175.61	148.88	164.92	187.13	188.09	193.05
April	211.90	347.03*	233.12*	179.17	190.87	181.92
May	331.97*	200.44	175.02	217.70*	277.75*	304.98*
June	228.57	190.25	201.01	229.98	222.10	229.93
July		232.78	223.52	224.88	212.91	223.73
August		224.45	175.55	194.03	251.36	267.61
September		193.89	247.89	245.27	229.28	225.17
October		343.81*	260.72*	273.00*	270.87*	267.31*
November		172.94	185.99	197.09	209.37	236.55
December		194.62	214.89	208.16	230.40	195.88
Total		2,583.06	2,439.79	2,512.44	2,641.46	2,681.86

NOTE: All Measurements in tons

* Bulky Waste Pick-up week included

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

COMMISSIONERS' MEETING

MINUTES

June 25, 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 and special meetings of June 11, 2001 were approved as written.

Peter Crichton, County Manager, reported that Cumberland County has received a Certificate of Achievement for Excellence in Financial Reporting award from the Government Finance Officers Association (GFOA) for the FY1999 Comprehensive Annual Financial Report (CAFR), noting that this was the 4th consecutive year that Cumberland County has received this award. He also reported now that the Strategic Planning Committee has completed their task, he is looking forward to the next phase and will present his recommendations, based on the Committee's strategies, in the near future. He reported that the following towns/agencies have received a total of \$118,962.55 in Federal Emergency Management Agency (FEMA) reimbursements for the March 2001 snow emergency, as a direct result of the efforts of the County's EMA staff:

Baldwin	\$ 4,304.72
Bridgton	7,915.24
Brunswick	36,956.40
Brunswick School Dept.	1,225.16
Cumberland	7,885.02
PROP	1,408.68
Scarborough	11,889.68
So. Portland Housing Authority	4,097.56
Westbrook	33,905.62
Yarmouth	9,374.47

Mr. Crichton also commended the Sheriff, Jail Administrator, and the staff on their excellent review during the recent accreditation audit, missing their goal by a very narrow margin.

Commissioner Feeney agreed, noting that they had missed only one mandatory standard out of 39.

Chairperson Clenott noted that local historian and Registrar of Probate, Herbert Adams, had been the subject of a recent newspaper article. She also reported that she and Mr. Crichton



had met with the new director of the Training Resource Center to discuss the current WIA funding formula, and possible assistance from the State.

**01-47 Approval, Policy Regarding Use of Electronic Devices,
Registry of Deeds/Probate**

Bob Devlin, Deputy County Manager, reported that the Registry of Deeds and Probate are charged with the preservation and storage of documents. Much of the cost of meeting this charge is funded through a "user fee" charged to those persons and businesses transacting business with the Registries. A significant portion of the user fee is generated through making photocopies of the documents. New technology is available that would allow some users to avoid the need to make copies, such as cameras and scanners, and thus avoid the user fee that supports the operation of the registries. A loss of revenue from the current user fee system would result in having to make up that loss through property tax assessment. The adoption of a policy or order prohibiting the use of such devices would protect the integrity of the revenue stream of the registry. He presented samples of notices to be posted, noting that the County's legal counsel had reviewed the notices and made changes, which he has incorporated.

John O'Brien, Register of Deeds, and Herbert Adams, Register of Probate, spoke in support of a formal policy, noting that informal policies have been posted for some time, but the increased use of cameras and scanners justified a formal policy. They reported that most of the other counties have posted such notices. Also discussed was the increased use of cellphones and pagers, which are currently required to be turned off or on "silent" mode to avoid disturbing other users and staff of the registries. Mr. Adams pointed out the security issue, since documents that were scanned could then be altered, as opposed to a copy provided by the Registry.

Motion by Commissioner Plummer to authorize the Registers to post notices banning the use of scanners and cameras, with the Board's approval. Second by Commissioner Feeney, so voted.

01-48 Approval, Pod Renovations, Jail

Mr. Crichton reported that an earlier bid for walls in the larger pods had been approved, with funds included in the CIP account. At a recent meeting with correction officers, a request had been presented that the same modifications be done in the smaller pods also. He recommended that the project be approved, with the costs to be taken from the contingency account.

Bruce Tarbox, Facilities Manager, reviewed the costs of the renovations: \$7,450 for materials and \$2,450 for labor, a total of \$9,900. Discussion ensued with Officer Rachel Welch, speaking on behalf of the correction officers, regarding the benefits of the renovations to the correction officer on duty in these pods.

She presented pictures of the renovated larger pods and the smaller pods in their current state.

Commissioner Plummer expressed his concern with funding this project from the contingency account. Discussion ensued regarding possibly using funds from other CIP projects that have come in under budget.

Motion by Commissioner Plummer to approve the extension of the current contract for pod renovations to include the smaller pods as requested, at a cost of \$9,900 for materials and labor. The funding should be attempted from the CIP accounts, and if that is not possible or only partially possible, the approval for the remaining funding from the contingency account will be brought back before the Commissioners for approval. Second by Commissioner Feeney, so voted.

01-49 Bid Report, Stairwell Painting, Parking Garage

Mr. Tarbox reported that a condition analysis study was done on the garage in 2000, and one of the concerns then was the deteriorating paint on the steel in the stairwells. He noted that he has just received the final report, and would be presenting it to the Commissioners after he has had time to study the report and make recommendations. He noted that the low bidder had requested that 30%, if required, be added to their bid. Four bids have been received for the stairwell painting:

New England Restorations:	\$5,500 (+ \$1,650 = \$7,150)
James G. Sanders:	\$12,910
Steve Hilton Painting:	\$14,870
Knowles Industrial Services	\$35,000

Mr. Tarbox noted that funds were set aside in the CIP for this item, and recommended the bid be awarded to the low bidder for \$5,500-\$7,150. The County Manager concurred with the recommendation.

Motion by Commissioner Plummer to award the bid to the low bidder, New England Restorations, for \$5,500-\$7,150. Second by Commissioner Feeney, so voted.

01-50 Bid Report, Carpet, Jail

Mr. Tarbox reported that carpet replacement in five pods was part of the ongoing pod repairs, and that two bids had been received:

Paul G. White Tile Co.	\$7,720
Capozza Tile Co.	\$8,540

He recommended that the bid be awarded to the low bidder. Mr. Crichton concurred with the recommendation.

Major Jeffery Newton, Jail Administrator, noted that this did not replace the carpeting in all areas of the pods, only those noted during the Commissioners visit.

Motion by Commissioner Feeney to award the bid to the low bidder, Paul G. White Tile Co., for \$7,720. Second by Commissioner Plummer, so voted.

01-51 Examination of Sheriff and Chief Deputy's Bonds

Mr. Crichton reported that this was a formality required by statute, done on a yearly basis at the second meeting in June as directed by the District Attorney.

Motion by Commissioner Plummer to approve the Sheriff's bond coverage, finding it adequate and in full force through the policy coverage of the MCCA Risk Pool. Second by Commissioner Feeney, so voted.

Motion by Commissioner Plummer to approve the Chief Deputy's bond coverage, finding it adequate and in full force through the policy coverage of the MCCA Risk Pool. Second by Commissioner Feeney, so voted.

01-52 Contract, Justice Benefits, Inc.

Major Newton reported that Justice Benefits Inc. (JBI) had given a presentation before the Commissioners last fall regarding their services, which specializes in federal revenue maximization for local governmental entities. He noted that he and John Joy, MIS Administrator, have finally been able to work out a contract for their services. He reported that JBI has been providing this service to other counties in Maine for a couple of years. No cost is associated with signing the contract, JBI will only make money if they find new federal programs to tap for reimbursement to the County, and payment to JBI would come from funding received through those programs. JBI would be entitled to 22% of any federal funds received through their efforts. Mr. Crichton concurred with Major Newton's recommendation that the contract be approved, noting that the County's legal counsel had reviewed the contract and made necessary changes.

Discussion ensued on certain sections of the contract, with Major Newton reminding the Commissioners that they must approve any action to seek reimbursement through a federal program prior to any effort by JBI to seek reimbursement. One of Commissioner Plummer's concerns was the indemnification clause, which he felt should be worded stronger.

Motion by Commissioner Plummer to authorize the Chairperson to sign the contract with JBI, pending the County's legal counsel's review of the indemnification clause. Second by Commissioner Feeney, so voted.

01-53 Bid Report, Vehicle for Detective, CCSO

Mr. Crichton reported that this vehicle was included in the CIP, and although the bid amount exceeded the \$18,000 amount in the CIP, he found it reasonable to take the remaining funds from the amount saved in the earlier purchase of patrol vehicles.

Bill Holmes of the Sheriff's Department reviewed the two bids received:

Augusta Chevrolet: \$19,890
Forest City Chevrolet: \$18,943

Motion by Commissioner Feeney to award the bid to the low bidder, Forest Chevrolet, for \$18,943. Funding from the CIP for \$18,000 with the remaining \$943 to be taken from funds saved in the purchase of patrol vehicles. Second by Commissioner Plummer, so voted.

01-54 Approval, Vehicles for Pre-Release Staff, Jail

Major Newton reported that he was asking to be authorized to go out to bid for new vehicles for the additional Pre-Release Center staff, to be hired once the County takes over the PRC in July. He noted that he was trying to anticipate having vehicles available for the new staff when they begin. There would be no fiscal impact to the County budget, funding would be from the Adult Diversion Account, the same account used to purchase the vehicles used by the current PRC staff.

Mr. Crichton stated that he was withholding his recommendation on the request, since they have not figured out yet what will happen with the PRC. He suggested a workshop be held on the issue of the PRC.

Motion by Commissioner Feeney to table this item until after a workshop has been held regarding the Pre-Release Center. Second by Commissioner Plummer, so voted. The Commissioners also requested that a financial report be part of the workshop information provided.

Mr. Crichton asked Major Newton to review the accreditation audit last week. Major Newton reported that the staff had performed admirably, and the jail had only failed one mandatory standard out of 39, with a final score of 97.9% out of 100%. He noted that DOC officials were present for part of the audit, as they are preparing to apply for this same distinction over the next two years. As usual, Cumberland County was again leading the way for the rest of the State. He thought it was good for the staff to realize that this would not be a formality or a token inspection. He was hopeful that they would meet all standards needed when the accreditation team returned in the fall to review the ones that they failed to meet.

Commissioner Plummer commended Major Newton and his staff on their impressive first attempt towards accreditation.

01-55 Approval, COPS Grant, CCSO

Bill Holmes presented an agreement for additional law enforcement services at MSAD#6 (Bonney Eagle High School) provided through a three-year COPS grant. He noted that the Sheriff's Office has been providing a deputy for the school district, and this would provide an additional officer. There was no fiscal impact, and the school has agreed to pay for the fourth year as required by the COPS grant conditions.

Motion by Commissioner Plummer to authorize the Chairperson to sign the grant to provide an officer to MSAD#6. Second by Commissioner Feeney, so voted.

01-56 Request for deputy sheriff commission

The following request for a deputy sheriff commission was received from Sheriff Dion: George Berry, South Portland PD.

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

01-57 Contract for Police Services, Town of Standish

Bill Holmes presented the Standish contract for police services, effective July 1, 2001 through June 30, 2002, for 4 fulltime deputies and one part-time deputy at a cost of \$257,822.37.

Motion by Commissioner Plummer to authorize the Chairperson to sign the contract with the Town of Standish in the amount of \$257,822.37 for 4 full time deputies and one part-time deputy. Second by Commissioner Feeney, so voted.

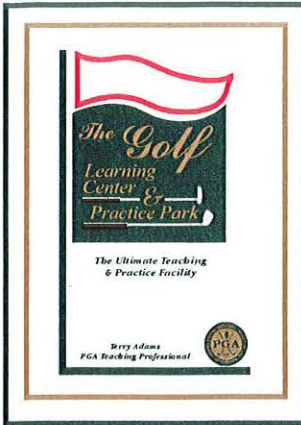
No further business conducted; motion to adjourn at 8:34 PM.

ATTEST:



Timothy J. Jarvis
Deputy Clerk

Next regular meeting: Monday, July 9, 2001 at 7:00 PM.



Home of
The Coast of
Maine Golf School

was in
Packets
7-9-01

Stephen Moriarty, Chairman
Town Council
Town of Cumberland
290 Tuttle Road
Cumberland, ME. 04021

6/28/01

Dear Mr. Moriarty,

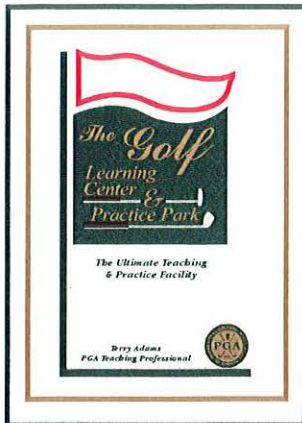
This year marks the fourth season of The Golf Learning Center & Practice Park. From our initial encounter with the then Cumberland Town Planner, Donna Larsen, to the issuing of a building permit, each step along the way was a positive experience. Thanks to the members of the various Boards to whom we presented our project, the construction and opening of our facility was made easy and extremely pleasant. We are currently meeting our goal of providing a quiet, family oriented facility for golfers of all ages and skill levels.

We are pleased to invite members of the Town Council to our facility on July 20, 2001, to witness the Center in action.

We are hosting Maine Junior Golf Day on that date, in association with the Maine State Golf Association and the New England Chapter of the Professional Golf Association(PGA). This is a fun filled free event designed to introduce youngsters to the great game of golf. This event offers instruction clinics to kids ages 5-17, from the Greater Portland area . This cost free day is open to the first 100 registrants.

The Golf Learning Center & Practice Park
P.O. Box 395 • 147 Bruce Hill Road • Cumberland, Maine 04021
Toll Free: 877-749-3788 • 207-829-9116
www.cmgolfschool.com • E-mail e571@aol.com





Home of

The Coast of Maine Golf School

Starting at 8:30 am and continuing until 2:30 pm, Maine Junior Golf Day will begin with a series of clinics taught by certified Class A Professionals from The New England Section of the PGA. Participants will rotate through stations where instruction on swing technique, pitching & chipping, and putting, will be provided, as well as fundamental rules and etiquette which are so important to the game. Skills competitions and golf demonstrations are also on the schedule, and lunch will be provided.

Please feel free to drop by at any time during the day. We would be delighted to share this special day with you.

Sincerely,

Elaine Godsoe, President

Terry Adams, PGA Teaching Professional
& General Manager
The Golf Learning Center
& Practice Park

The Golf Learning Center & Practice Park
P.O. Box 395 • 147 Bruce Hill Road • Cumberland, Maine 04021
Toll Free: 877-749-3788 • 207-829-9116
www.cmgolfschool.com • E-mail e571@aol.com

THE GREATER PORTLAND CHAMBERS OF COMMERCE PRESENT

BUSINESS AFTER HOURS

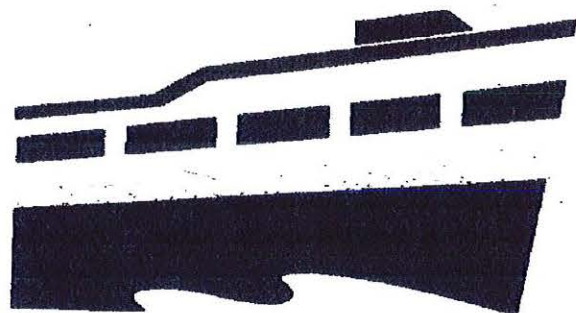
THE GREATER PORTLAND BUSINESS COMMUNITY'S
TOP NETWORKING EVENT

SPECIAL SUMMER EVENT

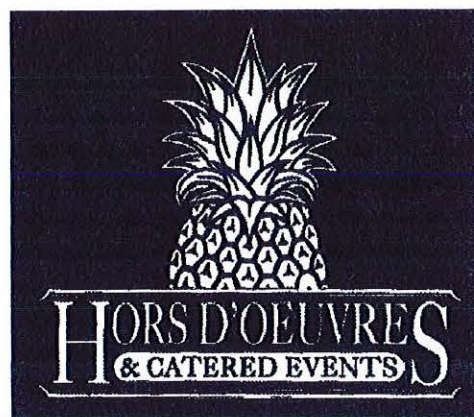
Tuesday, July 24, 2001 6:00 p.m. to 8:30 p.m.

Sponsored by:

Catered by:



Casco Bay Lines



Join us for a summer cruise aboard Casco Bay Lines *Bay Mist*
with networking, a cash bar and
delicious food by Hors D'oeuvres & Catered Events
Departing from Casco Bay Ferry Terminal, Commercial & Franklin Streets, Portland

July 24, 2001- boat leaves promptly at 6:00 p.m.

BUSINESS AFTER HOURS

ADVANCE REGISTRATION (PAID BY 7/20/01) PRICE - \$13.00

—OR \$15.00 ON THE DOCK—

PLEASE COPY AND CIRCULATE!

NAME: _____

COMPANY: _____

ADDRESS: _____

PHONE: _____

FAX: _____

PLEASE RETURN TO: CHAMBER FAX 772-1179

**OR MAIL TO: CHAMBERS OF COMMERCE, 60 PEARL STREET, PORTLAND, ME 04101
FOR MORE INFORMATION CALL THE CHAMBERS AT 772-2811**

REGISTER ONLINE AT www.portlandregion.com/calendar.taf

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, JUNE 11, 2001**

Approved

Present: Stephen Moriarty, Peter Bingham, Jeffrey Porter, Harland Storey, Mark Kuntz
Excused: James Phipps
Tardy: John Lambert

I. The meeting was called to order at the West Cumberland Community Hall at 7:10 p.m.

II. Approval of Minutes

a) March 21, 2001

Councilor Bingham moved to adopt March 21, 2001 minutes.

Seconded by Councilor Porter

VOTE: UNANIMOUS (5)

b) May 10, 2001

Councilor Bingham moved to adopt May 10, 2001 minutes.

Seconded by Councilor Storey

VOTE: IN FAVOR (4)

ABSTAINED (1)

Councilor Porter

c) May 23, 2001

Councilor Porter moved to adopt May 23, 2001 minutes.

Seconded by Councilor Storey

VOTE: IN FAVOR (4)

ABSTAINED (1)

Councilor Bingham

d) May 31, 2001

Councilor Bingham moved to adopt May 31, 2001 minutes.

Seconded by Councilor Porter

VOTE: IN FAVOR (4)

ABSTAINED (1)

Councilor Kuntz

III. **Manager's Report**

Town Manager announced a Planning Board Workshop to discuss site-planning issues for the new middle school on June 21, 2001 at 7:00 pm. Architect Stephen Blatt will be making the presentation.

IV. **Public Discussion**

Blanche Hutchins presented personal notes regarding alleged contamination of her property from the Cumberland Auto Salvage Yard, 40 Blackstrap Road, West Cumberland. She provided no legal documentation to back up her claims.

Councilor Lambert arrived.

Ms. Hutchins stated that D.E.P. conducted tests however she had no documentation to prove so. She also claimed that she had to relocate from her Cumberland home due to the toxic nature and hasn't visited the house since 1985.

Chairman Moriarty recommended that Ms. Hutchins present the legal documents that backup her claim so the Town could look into it further. No action was taken.

V. Legislation & Policy

01-32 To approve planting program – Cumberland Commons Gazebo

Assistant Town Manager Carla Nixon and Mary Dickinson Ward presented the Cumberland Commons Gazebo planting proposal. The Council directed them to send out the proposal to the Cumberland Commons residents. Chairman Moriarty suggested a Public Hearing date of June 25, 2001 to consider and act on the proposal.

Note: At this point in the meeting, Assistant Town Manager Carla Nixon addressed the Greater Portland Council of Governments (GPCOG) 'Coastal Corridor Coalition Concept' issue to the Council. The Council briefly discussed the traffic flow concerns throughout the town and the assessments of certain roads traveled. Councilor Lambert addressed the Route 1 to I295 not being a great concern for such studies. It was agreed that roads such as Blanchard Road and Route 26/100 have much greater concerns regarding speed, pedestrians and bicyclists, and much needed site studies. Ms. Nixon said that the information of this discussion will be taken to the next GPCOG meeting for further review.

01-23 To issue Commercial Haulers License

Councilor Lambert moved to issue Commercial Haulers Licenses to Pine Tree Waste, Inc., Reynolds & Sons Disposal, Inc., Troiano Waste Services, Inc., and Waste Management of Maine, Inc.
Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

01-34 To set date for Public Hearing – Impact Fee Ordinance

Chairman Moriarty announced a Town Council Workshop to discuss the adoption of an Impact Fee Ordinance on Monday, June 18, 2001 at 7:00 p.m. in the East Conference Room at the Cumberland Town Offices.

Councilor Bingham moved to set date for a Public Hearing to consider and act on the adoption of an Impact Fee Ordinance on Monday, June 25, 2001 at 7:00 pm in the Council Chambers at the Cumberland Town Offices.
Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

01-35 To set date for Workshop – Revaluation

Councilor Bingham moved to set a date for a Workshop to discuss the Revaluation on June 25, 2001 at 6:00 pm in the Council Chambers.

Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

VI. Correspondence

- ◆ Cumberland Commons Gazebo Planting Proposal and diagram dtd 5/29/01
- ◆ Commercial Hauler's Licenses 2001/2002
- ◆ Town Planner Impact Fee Draft Proposal
- ◆ GPCOG "Coastal Corridor Coalition Concept Paper"
- ◆ Memo to Town Manager fm Town Clerk RE: Election Info
- ◆ Chebeague Long Range Planning Committee minutes of 5/19/01
- ◆ Chebeague Long Range Planning Committee minutes of 4/28/01 & packet
- ◆ Meeting on Home Heating Oil Tank Replacement Program summary 5/1/01
- ◆ Board of Adjustment & Appeals Public Hearing Notice 6/14/01
- ◆ Planning Board Meeting Agenda 6/19/01
- ◆ MSAD 51 Minutes 5/23/01
- ◆ MSAD 51 Agenda 6/4/01
- ◆ April 2001 Building Permit Summary
- ◆ May 2001 Building Permit Summary
- ◆ Portland Press Herald news article dtd 5/30/01 "County.....to local taxpayers"
- ◆ Commissioners' Meeting Minutes of 5/14/01
- ◆ Financial Reports
- ◆ Solid Waste to RWS Report
- ◆ Blanche Hutchins personal documentation of alleged toxicity in her home.
- ◆ Vision Letter (See Bob)

VII. New Business

Chairman Moriarty complimented the Town regarding the split rail fence installed at Twin Brook Recreation Area.

Councilor Lambert commended Councilors Bingham and Porter on a great job putting together the Candidates Night Forums that were aired numerous times on Cumberland's Channel 2.

Chairman Moriarty expressed appreciation to Councilor Jim Phipps for his 6 years of service to the Town Council and service to the town. Gift suggestions were made.

Councilor Kuntz recommended that the Cemetery Association look into the conditions of the available plots and to consider taking action to clean them up making them presentable and readily available. A workshop is being considered.

Councilor Storey suggested that the Town focus some of the Town funds to the cemeteries.

VIII. EXECUTIVE SESSION

Councilor Lambert moved to go into Executive Session to discuss Land Acquisition.
Seconded by Councilor Bingham

VOTE: UNANIMOUS (6)

Councilor Lambert moved to come out of Executive Session at 9:06 pm.
Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

Councilor Kuntz moved to hold a Public Hearing to discuss a proposal for the Housing Authority to purchase nine (9) acres on Greely Road for future Senior Housing.
Seconded by Councilor Lambert.

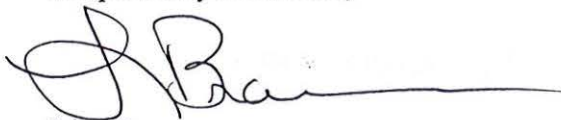
VOTE: UNANIMOUS (6)

VIII. Adjourn

No further business was conducted.
Councilor Kuntz moved to adjourn meeting at 9:07 pm. Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Lisa Brown', with a long horizontal flourish extending to the right.

Lisa Brown
Administrative Assistant

Approved

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MAY 14, 2001**

Councilors Present: Stephen Moriarty, Peter Bingham, John Lambert, Jeffrey Porter, Harland Storey, Mark Kuntz
Councilors Absent: James Phipps (excused)

- I. The meeting was called to order by Chairman Moriarty in the Council Chambers at Cumberland Town Hall at 7:06 p.m.

II. Approval of Minutes

- (a) April 9, 2001

Councilor Lambert moved to approve the minutes of the meeting of April 9, 2001 as written.

Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

- (b) April 23, 2001

Councilor Bingham moved to approve the minutes of the meeting of April 23, 2001 as written.

Seconded by Councilor Storey.

VOTE: IN FAVOR: 5

ABSTAIN: 1 (Lambert)

III. Manager's Report

None

Public Discussion

None

IV. Legislation & Policy

01-23 To hold a Public Hearing to hear report from Assessor regarding assessment to sales ratio in certain areas of town.

Town Attorney Natalie Burns gave a brief summary of the interaction of State law, local ordinance and the Town Charter on assessment matters.

Town Assessor Bill Healey answered Council questions with regard to his constitutional obligation and methodology used in arriving at a fair value in this assessment to sales ratio process.

Chairman Moriarty opened the Public Hearing at 7:40 p.m. About 150 residents were present, many of whom expressed concerns that the proposed method of assessment is flawed, arbitrary and unfair. The public's general consensus was, to be equitable to all, a town-wide assessment needed to be done instead.

The Public Hearing was closed at 9:15 p.m.

The Council voiced their various concerns and that of the public, and questioned whether the Assessor should continue to pursue the proposed sales to assessment ratio mechanism as had been outlined tonight. It was the sense of the Council not to pursue this method. Instead, it was agreed to wait to hear alternatives from the Assessor by scheduling a workshop, to discuss the cost and timing of a re-evaluation as well as other options.

Chairman Moriarty called for a ten-minute break.

01-24 To consider and act on a Special Amusement Permit application of Innco, Inc d/b/a Chebeague Island Inn

Councilor Storey moved to approve a Special Amusement Permit to Innco, Inc., d/b/a/ Chebeague Island Inn conditionally through June 30th, 2001, concurrent with their liquor license, both to come up for review at the June 25, 2001 Council meeting.

Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

01-25 To consider and act on a Swimming Pool License – Chebeague Recreation Center.

Councilor Storey moved to approve a Swimming Pool License to Chebeague Recreation Center contingent upon Health Officer's final inspection.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (6)

01-26 To adopt 2001-2002 Municipal Budget

Councilor Bingham moved to approve a Municipal Budget for the fiscal year 2001-2002 of \$5,762,781.00.

Seconded by Councilor Storey.

VOTE: UNANIMOUS (6)

01-27 To set date for Special Meeting to swear in newly elected Councilors

Councilor Lambert moved to set the date of June 18, 2001 for a Special Meeting to swear in newly elected Town Councilors.

Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

01-28 To set date for Public Hearing – Blanchard Road reconstruction

It was decided not to set a date for a public hearing. Instead, the Council agreed upon May 23rd as the second Town Council meeting in May. At that time, a workshop will be held on Impact Fees and "To set the date for a Special Meeting on the Blanchard Road reconstruction project" will be on the agenda.

V. Correspondence

- ◆ Assessor's Packet
- ◆ Carole & Fred James Letter RE: Middle school location concern dtd 5/8/01
- ◆ News Article – Maine Communities should look for cuts dtd 5/6/01
- ◆ News Article – SAD 51 can fight sprawl with new school location dtd 5/10/01
- ◆ News Article – Families find subdivisions offer best kid-friendly neighborhoods dtd 5/8/01
- ◆ MSAD 51 4/23/01 Minutes
- ◆ MSAD 51 5/07/01 Agenda
- ◆ Town of Cumberland Planning Board 5/15/01 Agenda
- ◆ Solid Waste to RWS April 2001 report
- ◆ Finance Department Revenue Control Report
- ◆ Finance Department Appropriation Control Report

VI. New Business

Councilor Storey stated that this year's Bulky Waste Pick up was not done in its usual timely and organized fashion.

Councilor Lambert spoke of exploring the possibility of the Council being more aggressive about what the expectation would be for property being put aside in the subdivisions for recreational purposes. Generally, to the extent that its been done, its been for passive recreation. He thought it might work out well where the town could have, as part of the subdivision process, a certain amount of land that is segregated for future use on a more active recreational basis. It might actually enhance the subdivision that is put in by having a soccer or ballfield a part of it. This would benefit both the town and the developer. The Chairman will contact Phil Hunt to ask the Planning Board to explore this in a workshop context.

Councilor Lambert also spoke about a meeting with the Town Manager, Councilor Porter and Bill Landis, Recreational Director on issues with Twin Brook's use in terms of priorities, availability and terms. He felt the Council should meet soon with the appropriate officials to develop priorities for Twin Brook. He will get out a memo to the Council which outlines the issues identified and starts the process of developing a systematic, coherent policy on uses at Twin Brook.

Councilor Kuntz noted that traffic on Route 100 seems to be increasing at a rapid pace. He requested to explore, in conjunction with the Maine Dept. of Transportation, the need for a traffic light at the intersection of Skillin Road and Route 26/100 (Gray Road).

Councilor Bingham moved to authorize Town Manager Bob Benson to discuss with the Falmouth Town Manager any mutually beneficial programs that could benefit the two towns.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (6)

Councilor Bingham also reported on the schedule for "Candidates Night" for the June 12, 2001 Municipal Election. Chebeague Island will hold their Candidates Night on May 30th and the Mainland schedule is for June 6th for the M.S.A.D. 51 School Board candidates, and June 7th for Town Councilors, all starting at 7:00 p.m.

Chairman Moriarty asked the status of the Chebeague Island Water Study. The Town Manager stated that it was presently underway. The data will provide much needed information with regard to maintaining water quality on the island and identify areas of risk to future development.

It was decided to hold the June 11th Town Council meeting at West Cumberland Hall.

The Town Manager advised the Council that, per the State's requirements, the Town Attorney has been asked to prepare a Sewer License Agreement to use for individuals who are requesting access to the sewer on State roads such as Tuttle Road and Route 88.

VII. EXECUTIVE SESSION

Councilor Bingham moved to go into Executive Session at 10:22 p.m. to discuss Land Acquisition.

Second by Councilor Kuntz.

VOTE: UNANIMOUS (6)

Councilor Bingham moved to come out of Executive Session at 10:45 p.m.

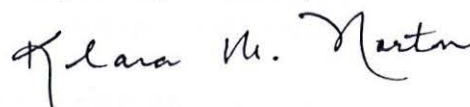
Second by Councilor Kuntz.

VOTE: UNANIMOUS (6)

VIII. Adjourn

No further business was conducted. The meeting adjourned at 10:50 p.m.

Respectfully submitted,



Klara M. Norton, Town Clerk

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, JUNE 25, 2001**

Councilors Present: Stephen Moriarty, Peter Bingham, John Lambert, Jeffrey Porter, Harland Storey, Mark Kuntz, Donna Damon

I. Call to order in the Council Chambers at 7:10 p.m.

II. Approval of Minutes

a) June 18, 2001

Councilor Kuntz moved to adopt June 18, 2001 minutes as written.

Seconded by Councilor Lambert.

VOTE: UNANIMOUS (7)

III. Manager's Report

Town Manager introduced Susan McGinty, representative to Regional Waste Systems, to update the Council of activities at RWS. Ms. McGinty suggested a bimonthly report in the future.

IV. Public Discussion

None

V. Legislation & Policy

01-36 To hold a Public Hearing and consider taking action on proposed Impact Fee Ordinance

Chairman Moriarty opened the Public Hearing. Town Attorney Ken Cole was present to answer legal questions.

This was the 6th meeting to discuss the Impact Fee Ordinance DRAFT. Town Planner, Andy Fillmore suggested estimated calculations of \$1.36 per square foot impact fee to be imposed on new homebuilders and developers. Broken down calculations of \$.87 per square foot for Recreational Facility Improvements and \$.49 per square foot for Open Space Acquisition equaled the \$1.36 per square foot figure for residential development. The building code defines 'Habital Space' as an area that has a ceiling height of greater than 7'6". It was noted that if a cellar had a ceiling height greater than 7'6", it will be assessed as habital living space. Spaces below a sloped ceiling of less than 5' high will not be assessed. Calculations of square footage will be based on those required for building permit applications. Town Planner agreed to provide a more definitive description of 'Habital Space' to be worded into the Impact Fee Ordinance by the next meeting.

Represent

Meeting was set for Thursday June 28th, 2000 to adopt the Impact Fee Ordinance.

Chairman Moriarty opened the Public Hearing for comments from the public.

7 residents were in attendance, each giving negative testimonials of the proposed Impact Fee.

Chairman Moriarty recited an excerpt from the Comprehensive Plan, "To encourage the Town to explore alternative revenue sources other than property taxes". This Comprehensive Plan was endorsed by the Planning Board and Town Council approximately three years prior. Chairman also stated from listening to residents, that property taxes are already burdensome, the Town should seek other methods of procuring revenue. The Impact Fee is an attempt to generate other services of revenue without the exclusive reliance upon the property taxes. Approximately a year ago, the Council adopted as an amendment to the Comprehensive Plan, the 'Cumberland Open Space Plan' which clearly recommend Impact Fees on page 18 as an option that the Council should consider as an alternative to reliance on the property tax. This issue was discussed in a workshop with the Planning Board in the past year.

Chairman Moriarty closed the Public Hearing

Councilor Porter moved to recess agenda item until June 28, 2001 at 7:00 pm.

Seconded by Councilor Kuntz

VOTE: IN FAVOR (6)

OPPOSED (1) Storey

01-37 To hold Public Hearing to consider and act on a proposal for the Cumberland Housing Authority to purchase 9 acres of land on Greely Road (owned by PWD) as a possible site for Senior Housing

Town Manager stated that the Town's Comprehensive Plan recommended purchasing the 9 acres of land on Greely Road, now owned by the Portland Water District. The issue of a portion of the parcel now used by Val Halla is in question. Town Attorney Ken Cole advised the Town to conduct a survey before a Council Vote.

Chairman Moriarty opened Public Hearing at 9:15 pm.

No Public Comments

Chairman Moriarty closed Public Hearing at 9:18 pm.

01-38 To review the Growth Management Ordinance

Building Inspector/Codes Officer Barbara McPheters, proposed a change to a ~~calendar year~~ ^{Delete} instead of fiscal year to allow a smoother transition for ~~the Chebeague Island~~ homebuilders. Chairman Moriarty recommended that a draft with proposed amendments be presented to the Council and Planning Board.

Amend

Coincide w/ Building
Donna Jeff

Unanimous

Adop

Unanimous

A Town Council/Planning Board Workshop was set for 6:00 pm July 9, 2001 in the Town Council Chambers to discuss recommendations and suggestions.

01-39 To authorize Town Manager to enter into contract with Vision Appraisal

This item was taken out of order prior to approval of minutes.

Councilor Lambert moved to authorize Town Manager to enter into contract with Vision Appraisal.

Councilor Bingham seconded the motion.

Discussion to the motion

This motion includes a committee headed by the Town Assessor, Bill Healey as Chairman, of 7-10 members, stipulating 2 shall be Chebeague residents.

Councilor Storey amended the motion that the project not exceed \$75,000.

Nominating Committee will select Advisory Committee.

VOTE: IN FAVOR (6)
OPPOSED (1) Damon

01-40 To consider and act on annual applications for Victualer's licenses

Councilor Kuntz moved to approve annual applications for Victualer's licenses for 2001-2002. The Little League was added to the list.

Seconded by Councilor Bingham.

VOTE: UNANIMOUS (7)

01-41 To consider and act on application for Innco, Inc. d/b/a Chebeague Island Inn for Liquor License renewal

01-42 To consider and act on a Special Amusement Permit application for Innco, Inc. d/b/a Chebeague Island Inn

These two items taken out of order.

Councilor Damon moved to approve application for Innco, Inc. d/b/a Chebeague Inn Liquor License renewal and Special Amusement Permit.

Seconded by Councilor Storey.

VOTE: UNANIMOUS (7)

VI. Correspondence

- ◆ Impact Fee Ordinance Draft
- ◆ Growth Management Ordinance
- ◆ Growth Permits Spreadsheets
- ◆ Vision Appraisal Letter to Assessor dtd 6/7/01
- ◆ Forest Lake Association packet
- ◆ Memo from Council Chairman Moriarty dtd 6/21/01 – Cumberland Farmer's Club

- ◆ Memo from Council Chairman Moriarty dtd 6/21/01 – Councilor Lambert Resignation
- ◆ Letter of Resignation from John Lambert dtd 6/18/01
- ◆ Memo to Town Manager/Public Works director from Tom Calder, Gail Miller, Mac Passano & Beth Howe dtd 6/15/01 RE: Bottle Redemption on Chebeague.
- ◆ Planning Board Minutes of 5/15/01
- ◆ MSAD 51 Minutes of 6/4/01
- ◆ MSAD 51 Agenda of 6/18/01
- ◆ MSAD 51 Minutes of 6/18/01
- ◆ MSAD 51 Agenda of 6/25/01
- ◆ Cumberland County Commissioners Minutes of 5/29/01
- ◆ Maine Municipal Association Letter and packet dtd 6/11/01 RE: Nomination for MMA Officers
- ◆ Maine Development Foundation Letter & Registration Form dtd 6/13/01 RE: Maine Education Symposium meeting announcement

Councilor Lambert submitted letter of resignation effective September 15, 2001.

VII. New Business

Chairman Moriarty brought up the Farmer's Club wanting to host a small circus. The Farmer's Club was told that they didn't comply due to zoning issues. Chairman Moriarty wants to go forth of putting it on a future agenda to look further into the subject.

Councilor Damon brought up the Stone Wharf issue on Chebeague. Chebeague Island Long Range Planning Committee recommends the Council to form a new committee to look into the Stone Wharf focusing on short and long term goals for maintenance and upgrading of the Stone Wharf. Chairman Moriarty advised the Town to advertise for this committee. August 1 – deadline for applications. Nominating Committee will appoint members.

VIII. Adjourn

No further business was conducted. Meeting was adjourned at 10:10 p.m.
Chairman Moriarty moved to adjourn meeting.

Second by Councilor Porter.

VOTE: UNANIMOUS (7)

Respectfully Submitted,



Lisa Brown
Administrative Assistant

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
THURSDAY, JUNE 28, 2001**

******* SPECIAL MEETING *******

Councilors Present: Stephen Moriarty, Peter Bingham, John Lambert, Jeffrey Porter, Harland Storey, Mark Kuntz, Donna Damon

I. Called to order at the Cumberland Town Offices Council Chambers at 7:05 p.m.

II. Legislation and Policy

01-36 To hold a Continued Public Hearing to discuss a proposed Impact Fee Ordinance and to consider taking action.

Chairman Moriarty opened the Public Hearing.

7 residents attended. Town Planner, Andy Fillmore, explained the Ordinance. Attorney Ken Cole was in attendance to explain legal aspects of the Ordinance. All residents present spoke regarding Impact Fee Ordinance and its effects if enacted.

Chairman Moriarty closed the Public Hearing 7:45 pm.

Chairman Moriarty ~~amended~~ ^{SUGGESTED AMENDMENT} the Impact Fee Ordinance adding to the Article I. GENERAL PROVISIONS; Section 1.4 Applicability, Number 3 to read:

Peter John Unanimous

This Ordinance shall not apply to developers who have been issued or applied for a Town Cumberland growth permit by the Code Enforcement Officer prior to date of the adoption of this ordinance, provided however, that the said Growth Permit is converted into a building permit as prescribed in the Growth Management Ordinance.

Councilor Damon moved to amend the Impact Fee Ordinance to change the exemption from 500 square feet to 750 square feet.

Second by Councilor Kuntz.

VOTE: IN FAVOR (3)
OPPOSED (3)
ABSTAINED (1) Lambert

Motion failed.

~~Chairman Moriarty~~ ^{Jeff} moved to adopt the Impact Fee Ordinance as written in final draft by the Town Planner with revisions made by Chairman Moriarty noted prior.

Second by ~~Councilor Porter~~ ^{Peter}

VOTE: IN FAVOR (4)
OPPOSED (2)
ABSTAINED (1) Lambert

Mark

Unanimous

Councilor Bingham moved to amend the Comprehensive Plan to include the Recreational Facilities and Open Space Impact Fee Methodology.
Second by Councilor Porter

VOTE: IN FAVOR (4)
OPPOSED (2)
ABSTAINED (1) Lambert

III. Adjourn

Councilor Kuntz moved to adjourn meeting at 8:10 pm .
Second by Councilor Porter

VOTE: UNANIMOUS (7)

Respectfully Submitted,



Lisa Brown
Administrative Assistant

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, JULY 9, 2001**

Councilors Present: Jeffrey Porter, Peter Bingham, John Lambert, Harland Storey, Mark Kuntz, Donna Damon
Excused: Stephen Moriarty

I. Call to order in the Council Chambers at 7:05 p.m.

Special Recognition of Officer John Dalbec on behalf of the Cumberland/North Yarmouth Lions Club was named 'Citizen of the Year'.

II. Manager's Report

None

III. Public Discussion

None

IV. Legislation & Policy

01-43 To approve Collective Bargaining Agreement between the Town of Cumberland and the Cumberland Police Benevolent Association.

Councilor Bingham moved to go into Executive Session 7:10 pm to discuss the Collective Bargaining Agreement between the Town of Cumberland and the Cumberland Police Benevolent Association.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (6)

Councilor Bingham moved to come out of Executive Session 7:35 pm to continue the meeting.

Seconded by Councilor Kuntz

Councilor Lambert moved to set date of July 23, 2001 to approve Collective Bargaining Agreement between the Town of Cumberland and the Cumberland Police Benevolent Association.

Seconded by Councilor Storey

VOTE: UNANIMOUS (6)

V. Town Council Assignments FY 2001-2002

The Town Council selected the following for Town Council Appointments.

Archangel Committee:

Robert Humphreys

Chebeague Island Lib. Bd of Trustees (~~Growth Mgmt~~)

Donna Damon

Amend
↳ (see

Cumberland/Yarmouth Joint Standing Committee:	John Lambert
	Donna Damon
	Stephen Moriarty – Advisory
GPCOG	Stephen Moriarty
Nominating Committee:	Harland Storey
	Mark Kuntz
	Jeff Porter
Prince Memorial Library Advisory Board	Stephen Moriarty
Recreation/Community Education Advisory Board	Jeff Porter
Regional Waste Systems Board	Susan McGinty
Budget Committee	Peter Bingham
Val Halla Board of Trustees	Mark Kuntz
Liaison to Board of Appeals	Harland Storey
Liaison to Conservation Committee	Stephen Moriarty
Liaison to Falmouth/Cumberland Chamber of Commerce	Joe Taylor
Liaison to Planning Board	Peter Bingham
Liaison to Recycling Committee	Jeff Porter
Liaison to CHAT (SAD 51)	Peter Bingham
Liaison to Landing Committee	Donna Damon
Liaison to Islands Committee	Donna Damon
Liaison to Cable TV Regulatory Board	Jeff Porter
Cousins Island/Wharf Agreement Committee	Jim Phipps
	John Lambert

VI. Correspondence

- ◆ Memo fm Town Planner dtd 7/9/01 RE: Growth Management Ordinance Recommendations – DRAFT
- ◆ Growth Management Ordinance Recommendations
- ◆ Growth Management Ordinance – Current
- ◆ Collective Bargaining Agreement – Police Department
- ◆ Letter fm Police Chief dtd 5/22/01 RE: Officer John Dalbec, ‘Citizen of the Year’
- ◆ Letter fm Rescue Department dtd 5/14/01 RE: Cumberland Rescue Department and its Medics
- ◆ Town Council Assignments Worksheet
- ◆ Letter fm Town to Cumberland Common Residents dtd 7/2/01 RE: Cancellation of Public Hearing – Gazebo Landscaping Project
- ◆ Letter fm The Coast of Maine Golf School dtd 6/28/01 RE: Maine Junior Golf Day
- ◆ Chebeague Long Range Planning Committee Minutes of 6/16/01
- ◆ Cumberland County Commissioners’ Meeting Minutes of 6/11/01
- ◆ Growth Trends in Cumberland County by GPCOG

Councilor Kuntz - Letter regarding vacancy for Region 1 – County Budget Committee.

VII. New Business

Councilor Kuntz inquired about the status regarding the traffic light proposal for Rt 26/100. Town Manager said the letter went out 2-3 months ago and are still waiting for response.

Town Manager reviewed the semi-annual report for the Chebeague Island Landfill completed 6/26/01 by Sevee & Mahar. Data shows no significant changes.

VIII. EXECUTIVE SESSION

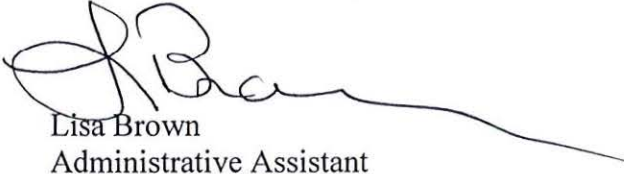
Councilor Kuntz moved to go into Executive Session to discuss Hardship Abatement and Land Acquisition.
Second By Councilor Bingham

Motion to come out of Executive Session Councilor Kuntz
Second By Councilor Bingham

IX. Adjourn

No further business was conducted. Meeting was adjourned at 8:10 p.m.

Respectfully Submitted,



Lisa Brown
Administrative Assistant

Committee Vacancy: **Board of Assessment Review**

of Current Openings: **1 (Term Expiration 2003)**

of Applicants: **4**

App Year	Committee Interest	First Name	Last Name	Address	Town	State	Zip	Home	Work Phone
1999	Board of Assessment Review	Greg	Connors	13 Karole Ln	Cumberland	ME	04021	829-4360	622-9386
1999	Board of Assessment Review	Adrian	Kendall	190 Main St	Cumberland	ME	04021	829-2769	774-7000
2001	Board of Assessment Review	Andrew	Black	80 Idlewood Dr	Cumberland	ME	04021	829-6810	829-6054
2001	Board of Assessment Review	Richard	Wolfe	43 Blanchard Road	Cumberland	ME	04021	829-6027	

Notes:

Committee Vacancy: **Cumberland Housing Authority**

of Current Openings: **1 Regular (Term Expiration 2003)**
1 Resident Seat (Term Expiration 2003)

of Applicants: **10**

6 Regular

4 Resident Applications - ***

App Year	Committee Interest	First Name	Last Name	Address	Town	State	Zip	Home	Work Phone
1999	Cumberland Housing Authority	Gordon	Mason	6 Orchard Rd	Cumberland	ME	04021	829-6649	
1999	Cumberland Housing Authority	Priscilla	Payne	226 Bruce Hill Rd	Cumberland	ME	04021	829-3586	829-4819
1999	Cumberland Housing Authority	Greg	Connors	13 Karole Ln	Cumberland	ME	04021	829-4360	622-9386
1999	Cumberland Housing Authority	Adrian	Kendall	190 Main St	Cumberland	ME	04021	829-2769	774-7000
2001	Cumberland Housing Authority	Marilyn	Brown ***	67 Hawthorn Court	Cumberland	ME	04021	829-3886	
2000	Cumberland Housing Authority	Andrew	Black	80 Idlewood Dr	Cumberland	ME	04021	829-6810	829-6054
2001	Cumberland Housing Authority	Mildred	McGoldrick ***	52 Hawthorne Ct	Cumberland	ME	04021	829-4389	
2001	Cumberland Housing Authority	Angela	Fox ***	61 Hawthorne Ct	Cumberland	ME	04021	829-4213	
2001	Cumberland Housing Authority	Joan	Banks ***	65 Hawthorne Court	Cumberland	ME	04021	829-3784	
2001	Cumberland Housing Authority	Richard	Wolfe	43 Blanchard Road	Cumberland	ME	04021	829-6027	

Notes:

Committee Vacancy: **Cumberland Islands Committee**

(Councilor Damon will be addressing this committee's name and function at the 7/23/01 Council Meeting)

of Current Openings: **3 (Term Expiration 2002)**
2 (Term Expiration 2003)

of Applicants: **2**

App Year	Committee Interest	First Name	Last Name	Address	Town	State	Zip	Home	Work Phone
2001	Cumberland Islands Committee	Randy	Harriman	20 Country Charm Road	Cumberland	ME	04021	829-2106	
2001	Cumberland Islands Committee	Milton	Calder	10 Willow Lane	Cumberland	ME	04021	829-6185	

Notes:

Committee Vacancy: **Cable TV Regulatory Board**

(Current name for this committee is the Cable TV Regulatory Board. Carla Nixon suggests that it would be desirable to rename the committee to CABLE TV REGULATORY & ADVISORY BOARD; to cover both functions with one board.)

of Current Openings: ?

of Applicants: 7

App Year	Committee Interest	First Name	Last Name	Address	Town	State	Zip	Home	Work Phone
1999	Cable TV Regulatory Board	Matthew	Gilbert	393 Main St	Cumberland	ME	04021	829-4536	
1999	Cable TV Regulatory Board	John	Fehlau	205 Bruce Hill Rd	Cumberland	ME	04021	829-6124	
1999	Cable TV Regulatory Board	William	Barry	21 Crossing Brook Rd	Cumberland	ME	04021	829-5759	800-510-7099
1999	Cable TV Regulatory Board	Adrian	Kendall	190 Main St	Cumberland	ME	04021	829-2769	774-7000
1999	Cable TV Regulatory Board	Elfi	Shaak	35 Crossing Brook Rd	Cumberland	ME	04021	829-6763	
2000	Cable TV Regulatory Board	Gary	Ellsworth	39 Old Gray Rd	Cumberland	ME	04021	829-3312	829-3545 x217
2001	Cable TV Regulatory Board	Angela	Fox	61 Hawthorne Ct	Cumberland	ME	04021	829-4213	
2001	Cable TV Regulatory Board	Richard	Wolfe	43 Blanchard Road	Cumberland	ME	04021	829-6027	

Notes:

Committee Vacancy: **Personnel Appeals Board**

Committee Vacancy: **Personnel Appeals Board**

of Current Openings: **1 (Term Expiration 2003)**

of Applicants: **3**

App Year	Committee Interest	First Name	Last Name	Address	Town	State	Zip	Home	Work Phone
2000	Personnel Appeals Board	Andrew	Black	80 Idlewood Dr	Cumberland	ME	04021	829-6810	829-6054
2001	Personnel Appeals Board	Randy	Harriman	20 Country Charm Road	Cumberland	ME	04021	829-2106	
2001	Personnel Appeals Board	Richard	Wolfe	43 Blanchard Road	Cumberland	ME	04021	829-6027	

Notes:

Committee Vacancy: **Recreation/Community Education Advisory Board**

of Current Openings: **1 (Term Expiration 2003)**

of Applicants: **4**

App Year	Committee Interest	First Name	Last Name	Address	Town	State	Zip	Home	Work Phone
2001	Recreation/Community Education Advisory Board	Charles	Burnie	30 Lower Methodist Rd	Cumberland	ME	04021	829-5208	
1999	Recreation/Community Education Advisory Board	Robyn	Pinette	31 Mazertine Dr	Cumberland	ME	04021	829-4851	
2000	Recreation/Community Education Advisory Board	Andrew	Black	80 Idlewood Dr	Cumberland	ME	04021	829-6810	829-6054
2001	Recreation/Community Education Advisory Board	Richard	Wolfe	43 Blanchard Road	Cumberland	ME	04021	829-6027	

Notes:

Committee Vacancy: **Recycling Committee**

of Current Openings: **2 (Term Expiration 2002)**

1 (Term Expiration 2003)

of Applicants: **3**

App Year	Committee Interest	First Name	Last Name	Address	Town	State	Zip	Home	Work Phone
2001	Recycling Committee	Mindy	Schott	3 Meadow Way	Cumberland	ME	04021	829-9720	
2001	Recycling Committee	Nathan	Hayelin	19 Maple Street	Cumberland	ME	04021	829-9201	828-3501
2001	Recycling Committee	Richard	Wolfe	43 Blanchard Road	Cumberland	ME	04021	829-6027	

Notes:

Committee Vacancy: **Shellfish Conservation Commission**

of Current Openings: **1 (Term Expiration 2003)**

of Applicants: **2**

App Year	Committee Interest	First Name	Last Name	Address	Town	State	Zip	Home	Work Phone
1999	Shellfish Conservation Commission	Roger	Monthey	3 Sylvan Ln	Cumberland Foreside	ME	04110	781-3045	603-868-7699
2001	Shellfish Conservation Commission	Milton	Calder	10 Willow Lane	Cumberland	ME	04021	829-6185	

Notes:

Master List of Current Applicants

App Year	First Name	Last Name	Committee Interest	Address	Town	State	Zip	Home	Work Phone
2001	Gregory	Poitras	Board of Adjustment & Appeals	5 Gayles Way	Cumberland	ME	04021	829-4040	774-2635
2001	Charles	Burnie	Board of Adjustment & Appeals	30 Lower Methodist Rd	Cumberland	ME	04021	829-5208	
1999	Stephen	Sloan Sr.	Board of Adjustment & Appeals	367 Main St	Cumberland	ME	04021	829-5889	774-5961
2001	Andrew	Black	Board of Assessment Review	80 Idlewood Dr	Cumberland	ME	04021	829-6810	829-6054
2001	Richard	Wolfe	Board of Assessment Review	43 Blanchard Road	Cumberland	ME	04021	829-6027	
1999	Greg	Connors	Board of Assessment Review	13 Karole Ln	Cumberland	ME	04021	829-4360	622-9386
1999	Adrian	Kendall	Board of Assessment Review	190 Main St	Cumberland	ME	04021	829-2769	774-7000
1999	Adrian	Kendall	Cable TV Regulatory Board	190 Main St	Cumberland	ME	04021	829-2769	774-7000
1999	Elfi	Shaak	Cable TV Regulatory Board	35 Crossing Brook Rd	Cumberland	ME	04021	829-6763	
1999	John	Fehlau	Cable TV Regulatory Board	205 Bruce Hill Rd	Cumberland	ME	04021	829-6124	
2001	Richard	Wolfe	Cable TV Regulatory Board	43 Blanchard Road	Cumberland	ME	04021	829-6027	
1999	Paul	Argereow	Cable TV Regulatory Board	168 Haskell Rd	North Yarmouth	ME	04097	829-5691	871-5749
2000	Gary	Ellsworth	Cable TV Regulatory Board	39 Old Gray Rd	Cumberland	ME	04021	829-3312	829-3545 x217
1999	William	Barry	Cable TV Regulatory Board	21 Crossing Brook Rd	Cumberland	ME	04021	829-5759	800-510-7099
2001	Angela	Fox	Cable TV Regulatory Board	61 Hawthorne Ct	Cumberland	ME	04021	829-4213	
1999	Matthew	Gilbert	Cable TV Regulatory Board	393 Main St	Cumberland	ME	04021	829-4536	
2000	Peter	DelBianco	Coastal Waters Commission	21 Maple St	Cumberland	ME	04021	829-4607	871-7033
1999	Adrian	Kendall	Coastal Waters Commission	190 Main St	Cumberland	ME	04021	829-2769	774-7000
2001	Milton	Calder	Coastal Waters Commission	10 Willow Lane	Cumberland	ME	04021	829-6185	
1999	Adrian	Kendall	Cumberland Housing Authority	190 Main St	Cumberland	ME	04021	829-2769	774-7000
1999	Greg	Connors	Cumberland Housing Authority	13 Karole Ln	Cumberland	ME	04021	829-4360	622-9386
2001	Richard	Wolfe	Cumberland Housing Authority	43 Blanchard Road	Cumberland	ME	04021	829-6027	
2001	Joan	Banks	Cumberland Housing Authority	65 Hawthorne Court	Cumberland	ME	04021	829-3784	
2001	Angela	Fox	Cumberland Housing Authority	61 Hawthorne Ct	Cumberland	ME	04021	829-4213	
2001	Mildred	McGoldrick	Cumberland Housing Authority	52 Hawthorne Ct	Cumberland	ME	04021	829-4389	
2000	Andrew	Black	Cumberland Housing Authority	80 Idlewood Dr	Cumberland	ME	04021	829-6810	829-6054
1999	Gordon	Mason	Cumberland Housing Authority	6 Orchard Rd	Cumberland	ME	04021	829-6649	
1999	Priscilla	Payne	Cumberland Housing Authority	226 Bruce Hill Rd	Cumberland	ME	04021	829-3586	829-4819
2001	Marilyn	Brown	Cumberland Housing Authority	67 Hawthorn Court	Cumberland	ME	04021	829-3886	
2001	Milton	Calder	Cumberland Islands Committee	10 Willow Lane	Cumberland	ME	04021	829-6185	
2001	Randy	Harriman	Cumberland Islands Committee	20 Country Charm Road	Cumberland	ME	04021	829-2106	
1999	Paul	Dyment	Greenbelt Committee	29 Pond Shore Dr	Cumberland	ME	04021	829-5725	
1999	Adrian	Kendall	Greenbelt Committee	190 Main St	Cumberland	ME	04021	829-2769	774-7000
1999	Adrian	Kendall	Lands & Conservation Committee	190 Main St	Cumberland	ME	04021	829-2769	774-7000
1999	Paul	Dyment	Lands & Conservation Committee	29 Pond Shore Dr	Cumberland	ME	04021	829-5725	
1999	Ted	Chadbourne	Lands & Conservation Committee	50 Stockholm Dr	Cumberland	ME	04021	829-6384	
1999	Adrian	Kendall	Long Range Planning Committee	190 Main St	Cumberland	ME	04021	829-2769	774-7000
1999	Ted	Chadbourne	Long Range Planning Committee	50 Stockholm Dr	Cumberland	ME	04021	829-6384	

2001	Charles	Burnie	Long Range Planning Committee	30 Lower Methodist Rd	Cumberland	ME	04021	829-5208	
1999	Greg	Connors	Long Range Planning Committee	13 Karole Ln	Cumberland	ME	04021	829-4360	622-9386
2001	Gregory	Poitras	Long Range Planning Committee	5 Gayles Way	Cumberland	ME	04021	829-4040	774-2635
2000	Andrew	Black	Personnel Appeals Board	80 Idlewood Dr	Cumberland	ME	04021	829-6810	829-6054
2001	Randy	Harriman	Personnel Appeals Board	20 Country Charm Road	Cumberland	ME	04021	829-2106	
2001	Richard	Wolfe	Personnel Appeals Board	43 Blanchard Road	Cumberland	ME	04021	829-6027	
2000	Joseph	Taylor	Planning Board	14 Lawn Ave	Cumberland	ME	04021	829-5751	
2001	Chris	Neagle	Planning Board	568 Pleasant Valley	Cumberland	ME	04021	829-3272	253-4506
2001	Charles	Burnie	Planning Board	30 Lower Methodist Rd	Cumberland	ME	04021	829-5208	
2000	William	Richards	Planning Board	6 Sturbridge Ln	Cumberland	ME	04021	829-4269	
2000	Susan	Larabe	Planning Board	36 Newell Ridge Rd	Cumberland	ME	04021	829-2114	
1999	Ted	Chadbourne	Planning Board	50 Stockholm Dr	Cumberland	ME	04021	829-6384	
2000	Mary	Dinan	Planning Board	17 Island Pond Rd	Cumberland Foreside	ME	04110	781-7333	
1999	Agnes	Gormley	Planning Board	400 Range Rd	Cumberland	ME	04021	829-4086	829-2038
2001	Gregory	Poitras	Planning Board	5 Gayles Way	Cumberland	ME	04021	829-4040	774-2635
2001	Randy	Harriman	Planning Board	20 Country Charm Road	Cumberland	ME	04021	829-2106	
1999	Greg	Connors	Planning Board	13 Karole Ln	Cumberland	ME	04021	829-4360	622-9386
1999	Adrian	Kendall	Planning Board	190 Main St	Cumberland	ME	04021	829-2769	774-7000
2000	William	McFarlane	Planning Board	51 Wild Way	Cumberland	ME	04021	829-9295	829-3871
1999	Matthew	Gilbert	Prince Memorial Library Advisory Board	393 Main St	Cumberland	ME	04021	829-4536	
1999	Paul	Dyment	Prince Memorial Library Advisory Board	29 Pond Shore Dr	Cumberland	ME	04021	829-5725	
2001	Mary	Porter	Prince Memorial Library Advisory Board	37 Crossing Brook Rd	Cumberland	ME	04021	829-4129	
2001	Charles	Burnie	Recreation/Community Education Advisory Board	30 Lower Methodist Rd	Cumberland	ME	04021	829-5208	
2000	Andrew	Black	Recreation/Community Education Advisory Board	80 Idlewood Dr	Cumberland	ME	04021	829-6810	829-6054
2001	Richard	Wolfe	Recreation/Community Education Advisory Board	43 Blanchard Road	Cumberland	ME	04021	829-6027	
1999	Robyn	Pinette	Recreation/Community Education Advisory Board	31 Mazertine Dr	Cumberland	ME	04021	829-4851	
2001	Richard	Wolfe	Recycling Committee	43 Blanchard Road	Cumberland	ME	04021	829-6027	
2001	Mindy	Schott	Recycling Committee	3 Meadow Way	Cumberland	ME	04021	829-9720	
2001	Nathan	Hayelin	Recycling Committee	19 Maple Street	Cumberland	ME	04021	829-9201	828-3501
1999	Adrian	Kendall	Sewer Appeals Board	190 Main St	Cumberland	ME	04021	829-2769	774-7000
2001	Milton	Calder	Shellfish Conservation Commission	10 Willow Lane	Cumberland	ME	04021	829-6185	
1999	Roger	Monthey	Shellfish Conservation Commission	3 Sylvan Ln	Cumberland Foreside	ME	04110	781-3045	603-868-7699
1999	Adrian	Kendall	Town Forest Board	190 Main St	Cumberland	ME	04021	829-2769	774-7000
1999	Paul	Dyment	Town Forest Board	29 Pond Shore Dr	Cumberland	ME	04021	829-5725	
1999	Matthew	Gilbert	Town Forest Board	393 Main St	Cumberland	ME	04021	829-4536	
2001	Randy	Harriman	Val Halla Board of Trustees	20 Country Charm Road	Cumberland	ME	04021	829-2106	
1999	Greg	Connors	Val Halla Board of Trustees	13 Karole Ln	Cumberland	ME	04021	829-4360	622-9386
1999	George	Collins	Val Halla Board of Trustees	11 Candlewick Ln	Cumberland	ME	04021	829-5779	761-8181
1999	Craig	Milne	Val Halla Board of Trustees	12 Crystal Ln	Cumberland	ME	04021	829-6680	773-4205
1999	Chester	Woods	Val Halla Board of Trustees	22 Hillcrest Dr	Cumberland	ME	04021	829-2814	
2001	Charles	Burnie	Val Halla Board of Trustees	30 Lower Methodist Rd	Cumberland	ME	04021	829-5208	
1999	Adrian	Kendall	Val Halla Board of Trustees	190 Main St	Cumberland	ME	04021	829-2769	774-7000

Committee Vacancy Listing with Term of Expiration

Last Name	Committee	Term Expiration
VACANCY	Board of Assessment Review	12/31/03
VACANCY	Cumberland Housing Authority	12/31/03
VACANCY	Cumberland Housing Authority	12/31/03
VACANCY	Cumberland Islands Committee	12/31/03
VACANCY	Cumberland Islands Committee	12/31/02
VACANCY	Cumberland Islands Committee	12/31/02
VACANCY	Cumberland Islands Committee	12/31/02
VACANCY	Cumberland Islands Committee	12/31/03
VACANCY	Personnel Appeals Board	12/31/03
VACANCY	Recreation/Community Education Advisory Board	12/31/03
VACANCY	Recycling Committee	12/31/02
VACANCY	Recycling Committee	12/31/03
VACANCY	Recycling Committee	12/31/02
VACANCY	Shellfish Conservation Commission	12/31/03

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NEW INTERNET SERVICE OPTIONS FOR MAINE CUSTOMERS

Since the day that the Internet was invented by Al Gore, rural customers in Maine have had to choose an Internet Service Provider (ISP) within their local calling area in order to avoid expensive toll charges. In some cases, there was none to choose from. Those days may soon be over thanks to a brand-new service called PRI-Hub service. This new service will allow any person in Maine to dial a special toll-free number beginning with 500 to connect with any ISP that participates in that service. ISPs will need to make special arrangements with their phone company for construction of facilities that enable them to take advantage of this new system. Some of the financial and technical details are still being worked out. For a list of participating ISP's and updates on the availability of this service, check our web site (<http://janus.state.me.us/meopa>), call our office, or call the PUC.

ABOUT THE PUBLIC ADVOCATE'S OFFICE

Stephen G. Ward, the Public Advocate, and his staff of eight represent Maine's telephone, electric, gas, and water customers before the Maine Public Utilities Commission, the courts, and federal agencies. Our mission is to work for reasonably priced, safe, and reliable utility services for Maine people.

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RATEWATCHER PHONE GUIDE

BONUS - SPECIAL
2-PAGE WIRELESS
PLAN REPORT

VOLUME 8

JULY 2001

RATEWATCHER GUIDE

VERIZON'S LOCAL RATES TO INCREASE AGAIN AFTER CONTROVERSIAL DECISION BY THE PUBLIC UTILITIES COMMISSION

After litigation and hearings, the Public Utilities Commission has approved a 5-year regulation plan for Verizon that allows residential and business rates to increase by \$1.78 per month and that deregulates prices for most of Verizon's services. The Public Advocate opposed any increase and introduced substantial evidence, including the testimony of three expert witnesses, demonstrating that:

- Verizon's losses in the competitive toll market and its decreasing access revenues are small compared to the productivity (efficiency) savings it achieves every year - especially after two huge mergers.
- Verizon's residential customers and most business customers have virtually no competitive choices for local telephone service.
- Without sufficient regulation, Verizon will raise prices well above costs for a host of services not subject to competitive forces.

The Public Advocate believes that the Commission's decision is unfair, particularly to ratepayers. At a time when the costs of providing services are decreasing substantially, the PUC is allowing Verizon to shift costs to local service customers. However, when the Legislature authorized new forms of regulation for telephone companies, it required local rates to be the same or lower than rates that would result from traditional regulation. Despite this law, and over the Public Advocate's strong protests, the PUC refused to examine Verizon's actual costs and revenues. Instead, it accepted unsubstantiated information from Verizon about various financial effects. As of the date of this newsletter publication, we are waiting to see the PUC's written order in this case.

Maine
Public
Advocate

THE BOTTOM LINE

For customers who make a combination of instate and interstate calls, Norcom and GTC offer attractive rates, especially with credit card billing (GTC) or email billing (Norcom). For customers of independent local telephone companies (not Verizon), consider MCI's Regional Calling Plan for instate calls and OneStar for interstate calls. All customers can make domestic long-distance calls (instate or interstate) for about 4¢ per minute using the Sam's Club/AT&T prepaid calling card or using www.bigzoo.com. For heavy-offpeak callers, consider Excel's 3-Penny Plan. International callers should look at GFI 800 service.

Look for information on Internet Service Providers in the next issue.

THE SURCHARGE CRAZE GETS WORSE

Seizing the opportunity to raise prices by means of bill surcharges without raising *advertised* per minute rates, long-distance companies continue to increase surcharges on phone bills. Now, MCI/Worldcom charges 12% of interstate and international usage as its USF surcharge. Therefore, when you see an advertised rate of 7 cents, think 8 cents; when you see an advertised rate of 15 cents, think 17 cents. The charts on pages 4 and 5 incorporate these charges to make rate comparisons easier. Complaints about surcharges or other problems with interstate long-distance telephone companies may be sent to the FCC at 445 12th St., S.W., Washington, DC 20554.

HOW TO PAY \$5 PER MINUTE WITHOUT EVEN TRYING

Almost every week, the Public Advocate hears from a customer who finds an unpleasant surprise in his or her phone bill. In some cases, just a few short calls have resulted in a long-distance bill of over \$100. There are several common mistakes that can result in such huge toll charges.

1. Old Calling Cards - Many people still have old AT&T or New England Telephone calling cards that were issued before the breakup of AT&T in the early 1980s. While these cards are still honored by telephone companies, it's not always clear which telephone company is actually carrying the call. For example, if you make an interstate call using a New England Telephone card, that call will most likely be carried by AT&T. Similarly, if you use an old AT&T card and make a call within Maine, it may be that Verizon will carry that call. (Verizon-Maine is one of the pieces of the old AT&T). In those and many other cases involving old calling cards, the rate applied to your call will likely be among the highest rates charged. These rates are commonly known as default rates – the rates that are charged to customers who apparently made no attempt to find a competitive rate. It's not unusual to incur a charge of \$4.99 per minute plus a high per-call surcharge when using an obsolete calling card.

What to do - For calls away from home, buy a low-cost prepaid calling card, such as the AT&T card sold at Sam's Club stores -- priced at 4.1 cents per minute -- or buy calling minutes on the Internet at a site such as www.bigzoo.com at 3.9 cents per minute. If you prefer a traditional calling card, don't use the cards sold by the big long-distance and local carriers. Look for cheaper alternatives, using the chart on pages 4 and 5. Some companies offer their low-cost calling cards without requiring that you subscribe to their other phone services.

2. Operator Assisted and Collect Calls - Any call that involves assistance by a live operator is likely to cost you plenty. This can happen when you dial "0", when you accept a collect call, when you allow directory assistance to dial your call, or when you use a payphone connected to an operator service (commonly in hotels or other private buildings). Recently, a customer in Maine was billed \$15.13 by AT&T for a single person-to-person call lasting 1 minute and 53 seconds.

What to do - Avoid dialing "0". Use your calling card by dialing the 800 number of the carrier who issued the card. Ask friends and family to avoid calling collect – instead provide them with a prepaid or regular calling card.

3. Unintentional Computer Modem Calls - Beware of Internet web sites that automatically dial international calls when you click on a link. You may not even be aware when an innocent mouse click results in your Internet connection being replaced with a modem-dialed connection to an international number. Unfortunately, even legitimate phone companies were sometimes involved in such scams. In one case, a pornography web site link causes your computer modem to dial a number allocated to Madagascar in Africa. The resulting phone charge of as much as \$3.99 per minute was split between the operator of the web site and companies such as AT&T and Sprint who may have carried and billed for those calls. More recently, unscrupulous "adult" web site operators have billed consumers directly by capturing the phone number of the modem-dialed call through "Automatic Number Identification", a process similar to caller ID. These modem calls are not blocked by 900 or 936 number blocking.

What to do - Be careful when you use an untrustworthy Internet site, especially those dealing with pornography, astrology or other marginal "services". Read the fine print on web sites before clicking "I Accept". Make sure teenagers in your household know how to recognize that the modem is dialing out and know how to turn it off. If you are billed for such calls that you did not intentionally make, don't pay the bill – make complaints to the billing company, to the Federal Communications Commission, and to the Federal Trade Commission. (continued on page 3)

to make driving safer and may reduce your exposure to radio waves. But at least one article asserts that it could, in some circumstances, increase radio wave exposure.

Although three web sites appear to offer unbiased information about wireless phones and plans, (www.point.com, www.getconnected.com, and www.telebright.com) they offer limited, if any, coverage of plans available in Maine. Therefore, the Public Advocate has compiled details of some of the major plans available in Maine. As with regular phone service, always confirm rates and ask about current promotions before you sign up. Also be sure to ask about the penalty imposed if you terminate a plan before its expiration.

SAMPLE OF WIRELESS PHONE PLANS - - Unless otherwise noted, all plans require a one-year contract, with penalties for early termination. Featured plans are for lower volume usage - - higher volume customers should ask about other options.

BEWARE - Wireless service rates, terms, and promotions change frequently and are not regulated by any agency of the state of Maine. Not all plans are available in all areas in Maine and national service coverage may vary.

Company	Monthly Price	Monthly Minutes Included	Phone	Toll Free/Roaming Free Area	Toll Rate	Roaming Rate
AT&T 800-IMAGINE	\$29.99	250 (40¢ per additional min.)	\$49 - \$200	ME, NH, MA, CT, NY, RI, MD, DE and parts of PA	15¢	60¢
Sprint PCS - National Plan	\$29.95	180 (40¢ per additional min.)	Free digital phone	National	25¢	69¢
Sprint PCS - National Plan	\$34.99	200 peak/1000 offpeak (40¢ per additional min.)	Free digital phone	National	0	0
Unicel (Sam's Club Special)	\$10.00	Zero monthly minutes (10¢ per minute within ME)	1¢	Most of Maine	25¢	60¢
Unicel - 1 Region Plan (Sam's Club Special)	\$30.00	250 peak/1000 offpeak (30¢ per additional min.)	Free phone	ME, NH, VT, MA and upstate NY	25¢	60¢
Unicel - Simply 1 Rate Plan (Sam's Club Special)	\$29.95	120 peak/1000 offpeak (35¢ per additional min.)	Free phone	Lower 48 states and parts of Canada	0	0
US Cellular 1-888-944-9400	\$29.95	200 peak/1000 offpeak (35¢ per additional min.)	\$19.95	ME, NH, MA, VT	10¢ - 25¢	50¢
US Cellular 1-888-944-9400	\$25.00	150 peak (35¢ per additional min.)	\$20 - \$200	ME, NH, VT, MA, CT, NY, RI and NJ	10¢ - 25¢	50¢
Verizon - Northeast Single Rate 1-888-466-4646	\$35.00	300 (40¢ per additional min.)	\$20 - \$500	ME, NH, VT, MA, RI, CT, NY, NJ, PA, MD, DE, DC & Northern VA	30¢	60¢
Verizon - Coast-to-Coast Single Rate	\$35.00	150 (40¢ per additional min.)	\$99 - \$500	US—except parts of Alaska	0	0

PREPAID WIRELESS PLANS

Company	Initial Setup Cost w/Phone	Cost Per Minute	Expiration of Prepaid Minutes	Minimum Recharge	Plan Details
AT&T - Prepaid Advantage	\$100.00	15¢-35¢ - local plan (roaming 85¢) 25¢-65¢ - national plan - depending on # mins. purchased	90 days	\$25.00 - phone number forfeited 60 days after minutes expire	Local = coastal ME & NH - Recharges range from \$25-\$200
Verizon - National Prepay Wireless	\$125.00	33¢ (60 initial minutes)	60 days	\$30.00 - Phone number forfeited 60 days after minutes expire	Available in Auburn, Bath, Brunswick, Portland
US Cellular—Talk Tracker	\$80.00 - \$130.00	35¢ ME north of Augusta & NH 60¢ elsewhere	60 days	\$10.00 - Phone number forfeited 60 days after refill	Check local coverage

ARE INDEPENDENT TELEPHONE COMPANY CUSTOMERS SECOND CLASS CUSTOMERS?

If you are served by one of Maine's 23 independent rural local telephone companies, you have two disadvantages and one advantage. The advantage is that your monthly local rate has generally been lower than that of the average rate for a Verizon customer. But the PUC is now in the process of allowing local rate increases for independent companies in exchange for reductions in access rates that are paid by long-distance companies.

One disadvantage is that customers of independent local companies generally have smaller toll-free calling areas. The second disadvantage is that independent telephone company customers have fewer long-distance options because many of the companies that offer the best long-distance rates have refused to make their services available in independent territories. Long-

distance companies may withhold service because it takes extra effort to make separate arrangements to provide service in each local territory that has relatively few customers. In addition, it is currently more costly to provide long-distance service through independent local telephone companies because the access charges of those companies are currently higher than those of Verizon. For those reasons, some companies charge higher rates in independent areas. For example, Norcom may be available at 8.5¢ per minute instead of 5.9¢ per minute for rural customers making an instate call. In addition to regular presubscribed phone service, many popular "dial around" numbers are unavailable in independent territories. However, that problem can be avoided -- a low-priced prepaid calling card (as low as 3.9 cents per minute) will work anywhere and generally provides a better rate than dial-around services. Before shopping for a new long-distance provider or dial around service, call your local telephone company for a complete list of available long-distance options.

SHOPPING FOR WIRELESS PHONE SERVICE

Shopping for a wireless service can be even more confusing than shopping for long-distance telephone plans. In addition to the usual task of selecting from a number of plans offering different rates and terms, shopping for a wireless service requires that you understand where you will be roaming, where long-distance charges apply, how many minutes will you'll be likely to use each month, and which phone to select. You'll also have to figure in any installation or activation fee as well as the cost of the phone. Since you will probably be required to sign up for a one-year plan, and because the phone itself is usually offered as part of the deal, the best way to compare services is by computing the anticipated annual cost of each plan. It probably makes little sense to sign up for more than a year because prices are generally falling. Low-volume users should consider a prepaid option to avoid monthly charges and to avoid paying for unused minutes. Prepaid plans allow purchase of blocks of minutes without monthly service bills.

The first hurdle is to figure out the number of minutes per month that you expect to use during weekdays and during nights and weekends. Many plans offer a limited number of daytime minutes plus many "free" night and weekend minutes. Once you've determined how many minutes you're likely to use, you must also determine where you will be calling, and if you frequently travel, where you will be. Typically, a plan will offer an area that is free of roaming and long-distance charges and a wider area that is free of roaming charges but not long-distance charges. (Roaming charges can be as high as \$.99 per minute and long-distance charges are typically about \$.15 per minute). If you use many minutes, look for a plan that offers toll-free and roaming-free minutes in your area of use. Some plans offer national toll-free and roaming free service.

When figuring the total cost of a given plan, deduct any savings that you may enjoy by avoiding regular long-distance minutes or the cost of a second line at home. However, few customers regard wireless service as a substitute for normal telephone service. Disadvantages of wireless services include sound quality (depending upon local conditions), the inability to have extension phones at home, questions about health risks (still an open questions subject to ongoing research), and less reliable access to emergency services (e.g., 911). Consider an ear-piece/microphone set as an accessory (about \$20). It frees your hands (continued on page 9)



4. International Calls - Prices for international calls vary dramatically. If you make an occasional call to a foreign country by dialing direct, you may find that your presubscribed phone company charges a very high rate to that country. For example, an AT&T customer may be charged \$2.57 per minute for a call to Madagascar (or \$3.95 per minute using AT&T's Lucky Dog 10-10-345 dial around service) while a rate of 56 cents per minute is available from another pay-per-call (dial around) carrier.

What to do - Research rates before making an international call if you're not familiar with the rate for the country you're calling. For countries not featured in the Ratewatcher Guide, international rates can be found on the Internet at sites such as www.abtolls.com or the websites of individual telephone companies. For many countries, the lowest rate may be had by signing up for a dial around service such as GFI 800 service (application by FAX - 1800 350-1336 or email dseldon@home.com). Computer savvy customers may also consider IP (Internet Protocol) programs that allow cheap or even free calls over the Internet using your computer's sound card, microphone and speakers. (For example, www.dialpad.com, www.net2phone.com or www.speakfreely.org). Only Speakfreely is entirely free even for international calls but it requires modem to modem conversation - not modem to phone.

5. Accessing an Internet Service Provider Beyond Your Local Calling Area - Always be certain that your computer is dialing a local number when you begin to use a new Internet Service Provider. Many customers have received bills for hundreds or thousands of dollars based on per-minute long-distance charges caused by long periods of Internet use.

What to do - Be sure you access the Internet using a local or toll-free number. Beware that some ISP's charge per minute rates when you use their toll free numbers.

SHOPPING SHORTCUTS

Low-Volume (Few calls each month)	⇒	GTC, VarTec, Prepaid Calling Cards, 10-10 Numbers
High-Volume (Over 500 minutes each month)	⇒	Sprint 1000 plans, GTC, Norcom
Only Instate Calls	⇒	Norcom, MCI (Regional Calling Plan), GTC, Verizon (Pine Tree Plan)
Only Interstate Calls	⇒	GTC, Norcom, ECG, IDT
Calling Card Calls	⇒	One Star, Prepaid cards under 5¢/min. (Sam's Club/AT&T)
International Calls	⇒	VarTec, GFI 800 (dial around)
Many Calls Under 5 minutes	⇒	Norcom, IDT, One Star
Few Calls Under 5 minutes	⇒	VarTec
Many Night and Weekend Calls	⇒	Sprint 1000 Nights, MCI/Worldcom, Excel Three Penny Plan

MAINE REMAINS A ONE AREA CODE STATE - AT LEAST UNTIL 2005

Thanks to the timely and aggressive efforts of the Maine PUC, the depletion of numbers under 207 has substantially decreased. Although the official new exhaust date is October, 2005, we expect that all Mainers will have the 207 area code well beyond that date.

SAMPLING OF RESIDENTIAL LONG-DISTANCE TELEPHONE RATES AS OF JULY 2001

COMPANY FEATURED PLAN	AT&T*		Excel		GTC		IDT		MCI WorldCom		Norcom	
	One Rate 7c Plan		Simply More		5c Plan II		5 Cents Plan		12c Any Time Plan		Coastal Communications	
	Instate	Interstate	Instate	Interstate	Instate	Interstate	Instate	Interstate	Instate	Interstate	Instate	Interstate
PER MINUTE RATE (including percentage-based surcharges)	8c	7.693c	8c	7c	8c	5.415c	9c	5.295c	7c	13.44c	5.9c	6.189c
Minimum	None		None		None		None		\$5.00		None	
Monthly Fee	\$4.38*		\$4.50		None*		\$4.22		None		\$4.18*	
CALLING CARD RATES												
- Rate Per Minute	82c	98.701c	15c	15c	None	None	10c	10c	55c	77.97c*	14.9c	15.77c
- Additional Charge Per Call	\$1.15	\$1.25	None		N/A				89c	\$1.41	30c	
**DIR. ASSIST. CHARGE PER CALL	3 free/40c	\$1.25	3 free/40c	\$1.25	3 free/40c	85c	3 free/40c	\$1.25	3 free/40c	\$1.25	3 free/40c	95c
Number of Dial for Lowest Cost Directory Assistance	411		411		411	()+555-1212	411		411		411	()+555-1212
Includes 50% instate/50% interstate minutes (50% peak, 50% off-peak) and monthly fees. Totals do not include directory assistance, calling card calls or international calls.												
SAMPLE MONTHLY COSTS:												
LOW @ 10 mins. per month	\$5.16		\$6.69		67c		\$4.93		\$5.00		\$4.78	
MEDIUM @ 100 mins. per month	\$12.22		\$13.44		\$6.70		\$11.37		\$10.22		\$10.22	
HIGH @ 500 mins. per month	\$43.61		\$43.44		\$33.53		\$39.96		\$51.10		\$30.22	
HIGHEST @ 1,000 mins. per month	\$82.84		\$80.94		\$67.07		\$75.69		\$102.20		\$60.44	
INTERNATIONAL RATES												
Canada	7.693c		7c		9.747c		9.531c		7.84c**		15.83c	
UK	9.891c		10c		10.83c		9.531c		11.2c		12.58c	
France	16.485c**		17c		16.245c		13.767c		19.04c		19.93c	
Germany	16.485c**		17c		16.245c		13.767c		19.04c		20.98c	
Japan	15.386c		13c		17.328c		14.826c		29.12c		37.76c	
UNIVERSAL SERVICE CHARGE (% included in per-minute rates)	9.9%		\$1.44		8.3%		5.9%		12%		4.9%	
To Subscribe, Call:	1(800)222-0300		1(800)875-9235		1(888)486-4030		1(888)802-0082		1(800)444-3333		1(888)262-7864	
ADDITIONAL DETAILS AND ALTERNATIVE PLANS	*Monthly fees drop by \$1 with on-line billing.		Simply More subscribers can receive a personal 800/8XX number with no monthly service fee. The inbound rates is 15c per minute.		\$1.95 monthly fee applies unless customer agrees to credit card billing.		6-second billing.		*Regional Calling Plan* offers 5c/minute instate, 13.44c/minute interstate with \$3.00/month fee.		Norcom sells its service only through agents. The number listed belongs to Coastal Connections, which appears to offer the lowest Norcom rates.	
*411 instate Directory Assistance 3 free plus 40c for each additional.	No fee basic plan is 17.5c/minute for instate and interstate.								MCI WorldCom offers other plans with lower interstate rates and higher monthly fees.		*No monthly fee if bill exceeds \$20.00 or if customer accepts bill via email.	
Interstate Directory Assistance by Verizon (411) is \$1.25. Area Code + 555-1212 rate is listed only where lower than \$1.25.	5c interstate weekend rate available for additional \$1 per month.		Off-peak callers should consider Three Penny Plan - 3c/minute evenings - 10c/day - \$5.95 per month.								6-second billing and 30-second minimum per call.	
											Same rates available for business customers.	

ALTERNATIVE WAYS TO CALL

Low-volume customers should consider terminating their pre-subscribed long-distance service. This may save money at the cost of less convenient calling. If you have access to the Internet, you can purchase prepaid calling minutes at 3.9c per minute from www.bhazoo.com or www.net2phone.com. If you have access to Sam's Club or other large discount stores, you may find calling cards from AT&T and others priced as low as 4.1c per minute. Computer to computer calls can be made for free anywhere in the world using Speakfreely (www.speakfreely.org) and other similar free programs.

Number	Company	DOMESTIC									
		AT&T	Qwest	Excel	Excel	Excel	Excel	World Access	MCI/WorldCom	MCI/WorldCom	VarTec FiveLine
10-10-345	Lucky Dog	10-10-432	10-10-297	10-10-457	10-10-399	NEW	800	10-10-220	10-10-321	10-10-811	
Interstate Rate	15c/min. plus 15c/call	16c/min. peak 16c/min. off-peak - 3 min. minimum	10c/min.	10c/min. peak 4c/min. off-peak 5 min. minimum	9c for first 10 min., then 5c/min.	6.9c/min.		9c for first 20 min., then 7c/min.	18c/min. under 10 min., 9c/min. over 10 min.	50c for first 10 min., then 5c/min.	
Instate Rate	Same as interstate	30c/min. peak 25c/min. off-peak - 3 min. minimum	20c/min.	18c/min. 80c min. minimum	\$2.00 for first 10 min., then 18c/min.	6.9c/min.		Same as interstate	up to 54c/min. for daytime calls under 10 min.	Same as interstate	
INTERNATIONAL											
Canada	8c/min.	39c/min. peak 33c/min. off-peak - 3 min. minimum	10c/min.	9c/min. 45c min. minimum	99c for 10 min., then 7c/min.	8.78c/min.		99c for 20 min., then 7c/min.	20c/min. under 10 min., 10c/min. over 10 min.	5c/min. 50c min. minimum	
UK	22c/min.	\$1.21/min. 3 min. minimum	11c/min.	10c/min. 50c min. minimum	\$1.10 for 10 min., then 9c/min.	7.97c/min.		\$1.99 for 10 min., then 19c/min.	67c/min. under 10 min., 34c/min. over 10 min.	10c/min.	
France	19c/min.	\$1.49/min. 3 min. minimum	23c/min.	21c/min. \$1.05 minimum	\$2.30 for 10 min., then 21c/min.	10.14c/min.		\$1.99 for 10 min., then 19c/min.	67c/min. under 10 min., 34c/min. over 10 min.	12c/min.	
Germany	22c/min.	\$1.39/min. 3 min. minimum	27c/min.	20c/min. \$1.00 minimum	\$2.30 for 10 min., then 21c/min.	9.86c/min.		\$1.99 for 10 min., then 19c/min.	67c/min. under 10 min., 34c/min. over 10 min.	12c/min.	
Japan	13c/min.	\$1.62/min. 3 min. minimum	27c/min.	26c/min. \$1.25 minimum	\$2.70 for 10 min., then 25c/min.	10.52c/min.		\$1.19 for 10 min., then 9c/min.	68c/min. under 10 min., 34c/min. over 10 min.	15c/min.	
*UNIVERSAL SERVICE FUND SURCHARGE (USF) & CUSTOMER SERVICE #s											
USF*	15c/call	6.85%	\$1.12/mo.	\$1.12/mo.	\$1.12/mo.	0% USF	12% USF	12% USF	75c/month	1-800-383-2789	
Customer Service	1-800-317-2667	1-877-825-5432	1-800-787-7887	1-800-787-3333	1-888-399-0002	1-800-350-1336	1-800-728-6161	1-800-728-6161			

*Ask for GFI form, must sign up prior to use.

NOTE: Per minute rates and monthly fees include the percentage surcharge applied by each company for its universal service surcharge.

SAMPLING OF RESIDENTIAL LONG-DISTANCE TELEPHONE RATES AS OF JULY 2001

COMPANY	OneStar		Sprint		VarTec		Verizon	Qwest	
FEATURED PLAN	Meridian		Sprint 1000 Anytime Anywhere		Fiveline Service		Pine Tree State Service	"5¢ Plan"	
	Instate	Interstate	Instate	Interstate	Instate	Interstate	Instate Only	Instate	Interstate
PER MINUTE RATE (including percentage-based surcharges)	8.81¢	7.583¢	1000 minutes included** 10¢ 10.99¢		5¢	5.341¢	9¢ first 60 minutes - 8¢ each additional minute	7¢	5.495¢
Minimum	\$3.00		None		50¢ per call		\$5.40*	None	
Monthly Fee	\$1.05		\$60.99		None		None	\$4.38*	
CALLING CARD RATES									
- Rate Per Minute	13.9¢	15.415¢	69¢	76.52¢	20.497¢/minute + \$1.95/month*		If you call 1-800-255-CALL, rate is 15¢/min. instate at all times***	69¢	76.52¢
- Additional Charge Per Call	20¢		99¢		None		75¢***	\$1.25	
**DIR. ASSIST. CHARGE PER CALL	3 free/40¢	\$1.25	3 free/40¢	\$1.25	3 free/40¢	\$1.25	3 free/40¢ each additional call	3 free/40¢	\$1.25
Number of Dial for Lowest Cost Directory Assistance	411		411		411		411	411	
SAMPLE MONTHLY COSTS: Includes 50% instate/50% interstate minutes (50% peak, 50% off-peak) and monthly fees. Totals do not include directory assistance, calling card calls or international calls.									
LOW @ 10 mins. per month	\$4.05		\$60.99		\$1.03 to \$5.17**		\$5.40**	\$5.00	
MEDIUM @ 100 mins. per month	\$9.25		\$60.99		\$5.17 to \$51.70**		\$8.60	\$10.62	
HIGH @ 500 mins. per month	\$42.03		\$60.99		\$26.25 to \$258.53**		\$40.60	\$35.61	
HIGHEST @ 1,000 mins. per month	\$81.97		\$60.99		\$51.71 to \$517.05**		\$80.60	\$66.85	
INTERNATIONAL RATES									
Canada	12.08¢		7.693¢		5.344¢ (10 min. minimum)		No International Service	9.891¢	
UK	10.99¢		10.99¢		10.688¢			10.99¢	
France	16.48¢		17.564¢		12.825¢			17.584¢	
Germany	15.38¢		17.584¢		12.825¢			17.584¢	
Japan	20.88¢		14.287¢		16.032¢			17.584¢	
UNIVERSAL SERVICE CHARGE (% included in per-minute rates)	9.9%		9.9%		6.8823%		None - no interstate service		9.9%
To Subscribe, Call:	1(800)482-0000		1(800)877-4646		1(800)583-8811		1(800)585-4466		1(800)860-2255
ADDITIONAL DETAILS AND ALTERNATIVE PLANS	Monthly fee is waived if usage exceeds \$50.00, or a 1-year agreement is signed.		High-volume users should consider "Sprint 1000" plans: >1000 interstate night minutes - \$20/month >1000 interstate weekend minutes - \$20/month >1000 interstate anytime minutes - \$40/month >1000 night instate and interstate - \$30/month plus Internet access *For \$8.95/month, Sprint offers 5¢/min. nights & weekends instate and interstate. **Minutes exceeding 1000 are priced at 10¢.		*Higher calling card rates apply with no monthly fee. Other more conventional rate plans also available. **Sample monthly costs: each minimum based on 10 minute calls; each maximum based on 1 minute calls. Cost depends on average length of calls.		*Low volume customers should consider Sensible Minute Plan at 10¢ per minute with no monthly minimum or fee. **Totals do not reflect monthly costs associated with an interstate plan which is also required by most customers - totals assume all calls are within Maine. ***Regular calling card rate is 58¢ per call plus time of day and distance sensitive per minute rates.		*Includes \$2.00 discount for online billing or credit card billing.
*411 instate Directory Assistance 3 free plus 40¢ for each additional. Interstate Directory Assistance by Verizon (411) is \$1.25. Area Code + 555-1212 rate is listed only where lower than \$1.25.									

DIRECTORY ASSISTANCE – THE WAY LIFE SHOULD BE?

Finding a Maine telephone number is still relatively cheap compared to national directory assistance (DA) services that charge as much as \$1.99 per call. To get a Maine telephone number from Verizon, the cost is 40 cents per call after an allowance of 3 free DA calls. This rate applies whether you dial 411, 555-1212, or 207 555-1212 because all three numbers reach Verizon's DA service. (This may not be true in every independent local telephone company area). However, getting a number in another state is more complicated. If you dial 411, you'll get Verizon's national directory assistance service now priced at \$1.25 per request. AT&T's 00 INFO will cost \$1.99 per request (but don't let AT&T dial the call for you unless you are subscribed to AT&T and know the rates). If you dial the area code plus 555-1212, you will be billed for DA by your presubscribed long-distance company, at the rates listed on pages 4 and 5.

If you have access to the Internet, you have access to free directory assistance. Try the following web sites: <http://worldpages.altavista.com/whitepages/>, <http://www.who哪里.lycos.com/Phone>, <http://people.yahoo.com/>. You can even find a name and address from a phone number at www.reversephonedirectory.com. A list of many other DA web sites can be found on the Public Advocate's web site – http://janus.state.me.us/meopa/directory_assistance.htm

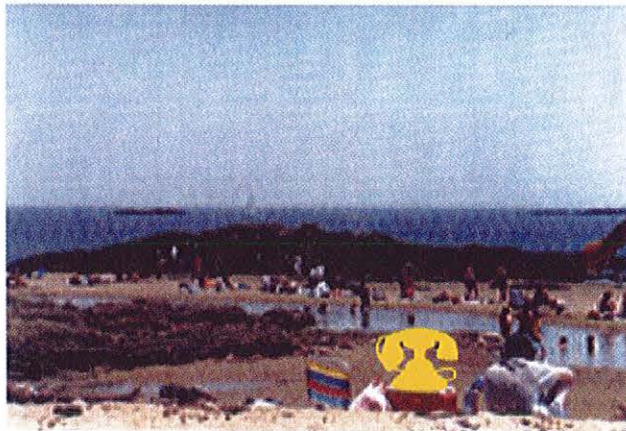
THE COST OF PUTTING YOUR PHONE ON VACATION

If you own a seasonal home or travel for extended periods, you have three choices – you can continue to pay the full monthly charge, you can pay to temporarily suspend your service, or you can

discontinue service. Not surprisingly, keeping your service active is the most expensive option because you pay the full monthly charge even if you make no calls in a given month. If you choose to suspend your service, you will pay \$32 plus half of your normal monthly service rate (plus surcharges). Since you'll pay \$32 in order to save about \$10 per month, it would not be economical to suspend your service unless your absence will last four months or more. Another option is to simply discontinue service – while discontinuing service is free, you'll lose your existing telephone number unless it still happens to be available when you decide to resume service. And you'll pay \$44.75 for a new installation fee (Lifeline customers pay \$10).

WHAT ABOUT LOCAL SERVICE COMPETITION?

So far, Verizon's residential and small business local service customers have few options. One Star Long Distance resells Verizon's service at discounts ranging from 5% to 12.5%. Time Warner offers Line Runner cable telephone to some customers in Portland and Presque Isle. Customers of independent rural local telephone companies have no local service alternatives. However, for some customers, wireless phone service is a viable option. See pages 8 and 9 for a sample of current wireless plans.



WATCH OUT FOR NEW (OPTIONAL) "SINGLE BILL" SURCHARGE

Long-distance companies, including AT&T, MCI, and Sprint have begun to charge \$1.50 per month to customers whose long-distance charges appear on their local phone bill. To avoid this charge, customers may switch to another long-distance company, or call their existing long-distance company to arrange for a separate long-distance bill or on-line billing. The Public Advocate believes that surcharges for specific costs are deceptive because they are rarely disclosed in advertised rates and because surcharges make it difficult to compare rates offered by different companies. However, no law prevents such anti-consumer pricing strategies.

Bingham - motion out of X sess
Stoney 2nd - unan.

HARDSHIP ABATEMENT MOTION:

Bingham...motion to grant abatement requests made pursuant to
36 MRSA subsection 841(2) in the sum of \$4651.21.

2nd Kuntz - unan.

"GRIZZLIES" PREMIERES ON EXPLORER, CNBC, JULY 22, 8 P.M. ET/PT

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JULY 2001

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Grizzly

Cornered!

Marco Polo III
Homeward Bound 26

Urban Sprawl
The American Dream? 48

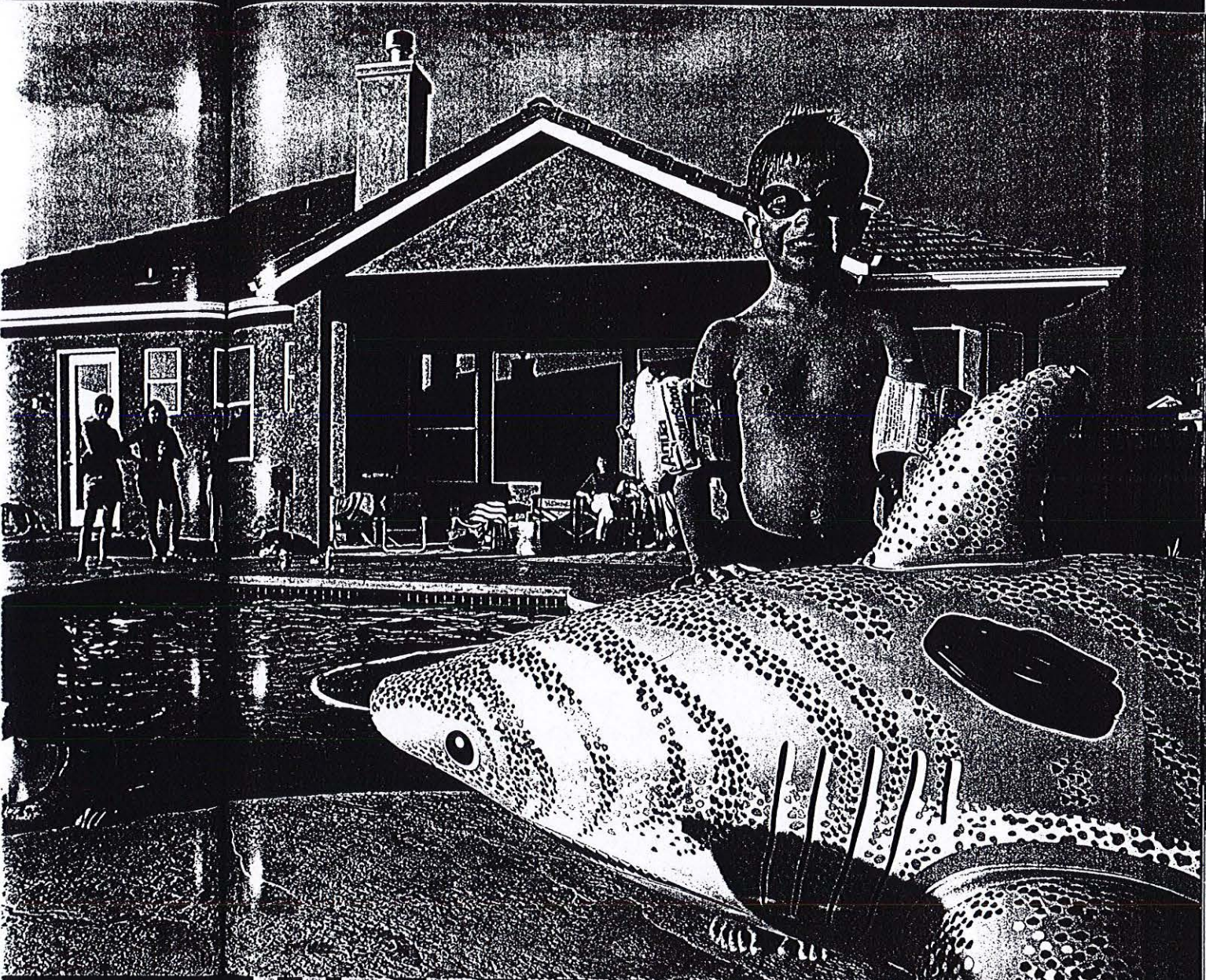
Cuba's Gold
Treasure From
Sunken Galleons 74
Plus: Map Supplement

Monhegan Island
Cool Welcome
in Maine 92

Kingdom of Aksum
Ethiopia's Keepers
of the Faith 110

ZipUSA: 70085
On the Bayou in
Delacroix, LA 126

HAYDEN AUSTIN'S FIRST DAY AT HIS NEW HOME: CLOVIS, CALIFORNIA



: THE IRONY OF

URBAN SPRAWL

THE AMERICAN DREAM

HAS LONG PROMISED LIFE, LIBERTY, AND

THE PURSUIT OF A SPACIOUS SINGLE-

FAMILY HOME IN THE SUBURBS (WITH A

POOL, EVEN). BUT AS NEW GENERATIONS

OF HOME SEEKERS LOOK FOR BREATHING

ROOM IN THE BURBS AND THE LANDS BE-

YOND, THE DREAM HAS BEEN DISPLACED

BY ALL TOO FAMILIAR WORLDS—PLACES

PLAGUED BY TRAFFIC JAMS, HIGH TAXES, AND POLLUTION: THE IRO



BY JOHN G. MITCHELL

SENIOR EDITOR

PHOTOGRAPHS BY SARAH LEEN

TOM SPELLMIRE lives with his mother on an 87-acre farm in Turtle Creek Township, Warren County, Ohio. One county away, to the south, lies Cincinnati. One county north, Dayton. Spellmire's is a place of silos and barns and a turn-of-the-century white frame farmhouse with a green roof. Another farm or two can be seen along the road in one direction. But going the other way, after a mile or so, you begin to run out of green roofs and open fields, and what you see instead are the kinds of manicured lawns and picture windows that for half a century have signified fulfillment of the American dream.

One blustery day late last year I traveled with Tom Spellmire to see how that dream had been playing around Warren County. Harvest time was behind him then, the corn and soybeans taken in, the winter wheat planted. Crops from a homestead of 87 acres couldn't begin to pay all his taxes, so Spellmire leases 2,400 acres from other landowners, though this is not as many acres as were once available to him. As we drove south, then west into an adjoining county, he could point to a subdivision (like Four Bridges) or an industrial site (Mitsubishi Electric) saying, "We used to farm all this land."

Spellmire is a tall, ruddy, intensely focused man who served on Ohio's Farmland Preservation Task Force in the 1990s. And he is not happy about the prospects for farming in Warren County. "Believe it or not," he says, "this county is promoted as having rural character, but the zoning codes, in effect, say: 'We want to develop everything.' That's why the county is a haven for real estate investors."

When investors come, can developers be far behind? And behind the developer comes the family in search of a home in the suburbs. We drove past or through a dozen new subdivisions that day. The Meadows at Mason. Heritage Club. Hickory Woods. Simpson Creek Farms. Presently we arrived

at a subdivision called Trailside Acres, featuring homes that we figured might sell for up to half a million dollars apiece. At the end of a cul-de-sac Spellmire gestured toward a wide, open field we could see in the distance beyond the slim side yards of the big houses.

"We lease that farm," he said. "We rotate corn, soybeans, and wheat on it." Then he shook his head. "And what I find so ironic is that all these people who live here look out their back windows and see this fine old farmstead. When I'm out there on a tractor, the subdivision kids are hanging over their fences, watching me. And you know what their parents say to the people who own that farm? They say, 'You're not going to sell it for development, are you? Are you?'"

AN OLD SAYING has it that you can't have your cake and eat it too. So it would seem in the land of the manicured lawn and the picture window, the treeless cul-de-sac, the sterile shopping center, the blockbuster mall, the corporate campus, the amorphous parking lot, the clogged highway that inevitably fails to serve its desired function as soon as it is built. Yet most Americans who live among these icons of suburban growth aren't terribly troubled by them. It's the way things are, a tolerable nuisance even if the process does gobble up the land, skewer the fabric of community life, and erode the economic base of older towns and central cities. And perhaps it is tolerable to so many because it has become so familiar. After all, outward growth of this kind has been occurring in most regions of the country since the end of World War II. Region to region the scenario has almost always been the same: As a city ages, crime and other urban problems induce many of the affluent residents to move out.

Cincinnati, for example, a century and a half ago the second most populous municipality west of the Appalachians, had by the 1960s begun to hemorrhage its



FIELD OF DREAMS

When home developers build them, people do indeed come—and in record numbers to Loudoun County, Virginia (below). The population today is roughly 170,000, compared with a steady 19,000 to 25,000 from 1790 to 1960. One cost of sprawl: huge losses of farmland.



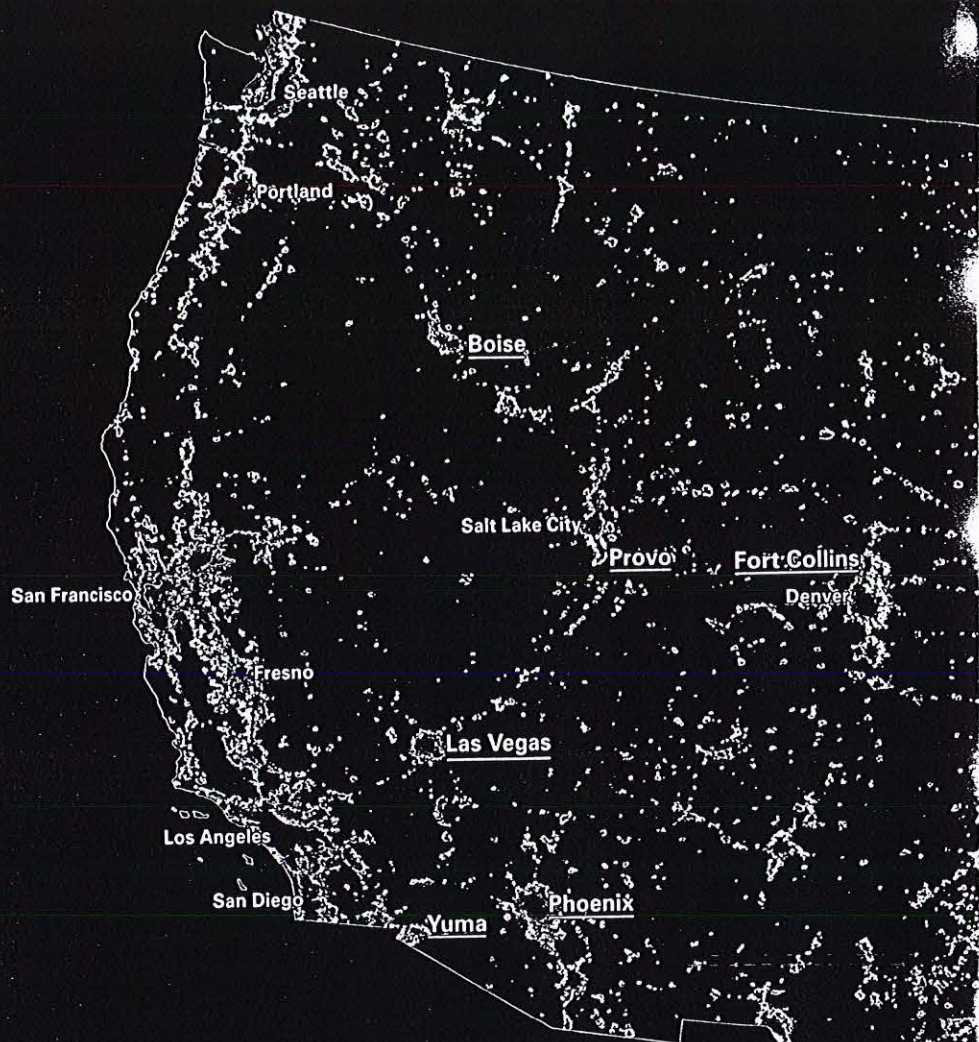
population into the exurbs of its own county, Hamilton. And by and by Hamilton began hemorrhaging too, into Warren and other adjacent counties.

"Why are the people leaving?" John Dowlin, a Hamilton County commissioner, put the question to himself when I called on him at the county courthouse in downtown Cincinnati. "I don't think it's just a racial situation." African Americans now make up 43 percent of the city's population of 330,000. "All the polls show that the people moving out are unhappy with the public schools. And they want larger homes on larger lots. I think what we're seeing is that same old thing—people wanting a piece of the American dream."

The media and the professional planners have long had another name for it. They call it sprawl. And they have measured its imprint on the nation in a hundred and one different ways. Here are just a few of them:

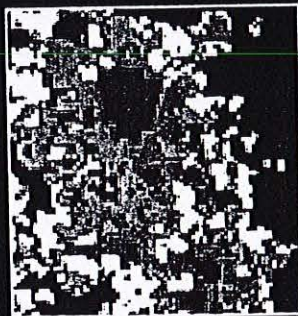
Seventy million Americans lived in the nation's urbanized areas in 1950; these regions covered some 13,000 square miles. By 1990 the urban-suburban population had more than doubled, yet the area occupied by that population almost quintupled—to more than 60,000 square miles.

Phoenix, Arizona, one of the Sunbelt's fastest growing communities, has been spreading outward at the rate of an acre an hour. Atlanta, Georgia, another overachiever, boasts

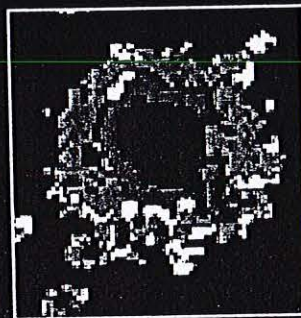


Galaxies of light across the United States illuminate the scope of sprawl; yellow and red reveal its radiating creep just since 1993. People have migrated to the periphery of cities "to find more housing for less money," says Alex Krieger of Harvard University. "Until this advantage is neutralized, sprawl will remain in our future."

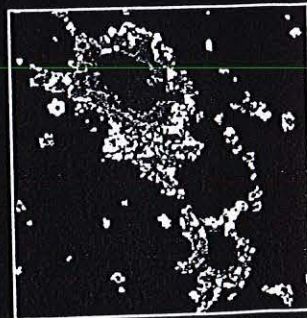
SPRAWL AT NIGHT: SEEING THE LIGHT



FRESNO, CALIF.

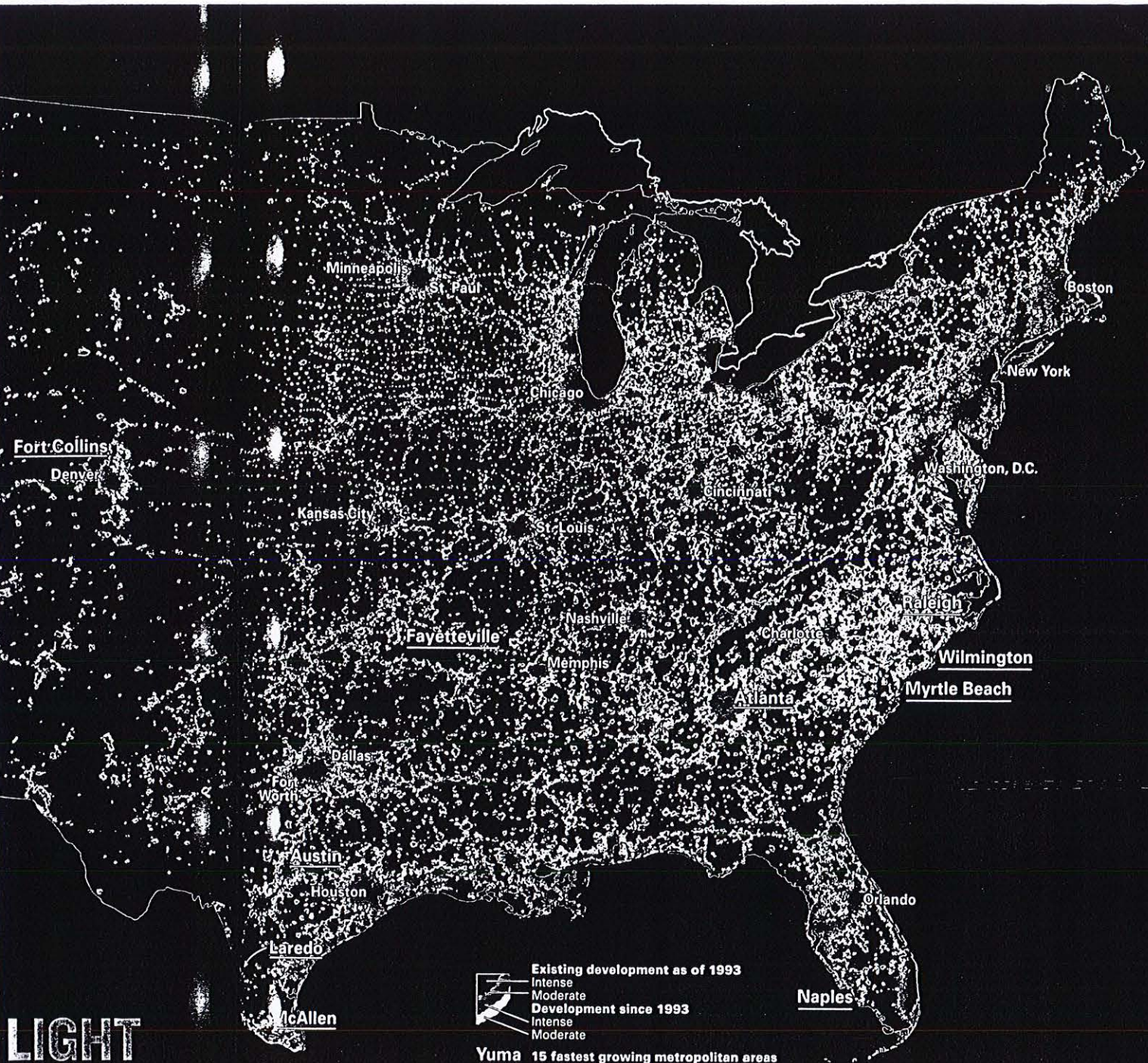


LAS VEGAS, NEV.



PHOENIX/TUCSON, ARIZ.

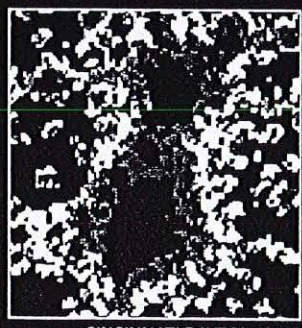
COMPOSITE IMAGE: NATIONAL GEOPHYSICAL DATA CENTER, NOAA. RAW SATELLITE DATA: U.S. AIR FORCE DEFENSE METEOROLOGICAL SATELLITE PROGRAM. NATIONAL GEOGRAPHIC



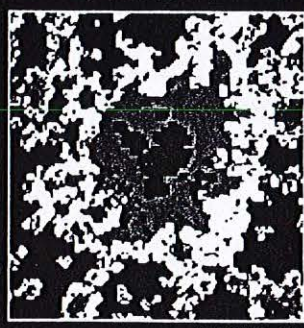
LIGHT



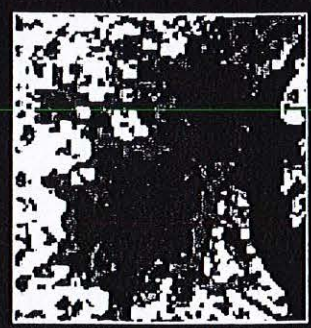
PHOENIX/TUCSON, ARIZ.



CINCINNATI/DAYTON, OHIO



ATLANTA, GA.



WASHINGTON, D.C./BALTIMORE, MD.

a metropolitan area that is already larger than the state of Delaware.

Sprawl is claiming farmland at the rate of 1.2 million acres a year. Throw in forest and other undeveloped land and, for net annual loss of open space, you're waving good-bye to more than two million acres.

Sprawl keeps a person in the driver's seat. The suburban family, on average, makes ten car trips a day (keeping in mind that most families have two vehicles). A commuter living an hour's drive from work annually spends the equivalent of 12 workweeks, or 500 hours, in a car. Traffic delays rack up more than 72 billion dollars in wasted fuel and productivity.

developed raw land into residential subdivisions. The one I remember best was way out near what was then the far north edge of Greater Cincinnati, in the village of Woodlawn, at a place called Mayview Forest. It really was a forest then—oaks and hickories, and big sycamores down where the West Fork of Mill Creek cut through. I loved going to that forest with my father, seeing the limestone pools in the stream and smallmouth bass in the pools and squirrels in the hickory trees. While I fished or hunted, my father drove wooden stakes into the ground at the corners of his house lots. Now Mayview is just another old subdivision, and the north edge of Greater Cincinnati is

PERHAPS IT IS TOLERABLE TO SO MANY BECAUSE I

ODDS FAVOR THE HOUSE

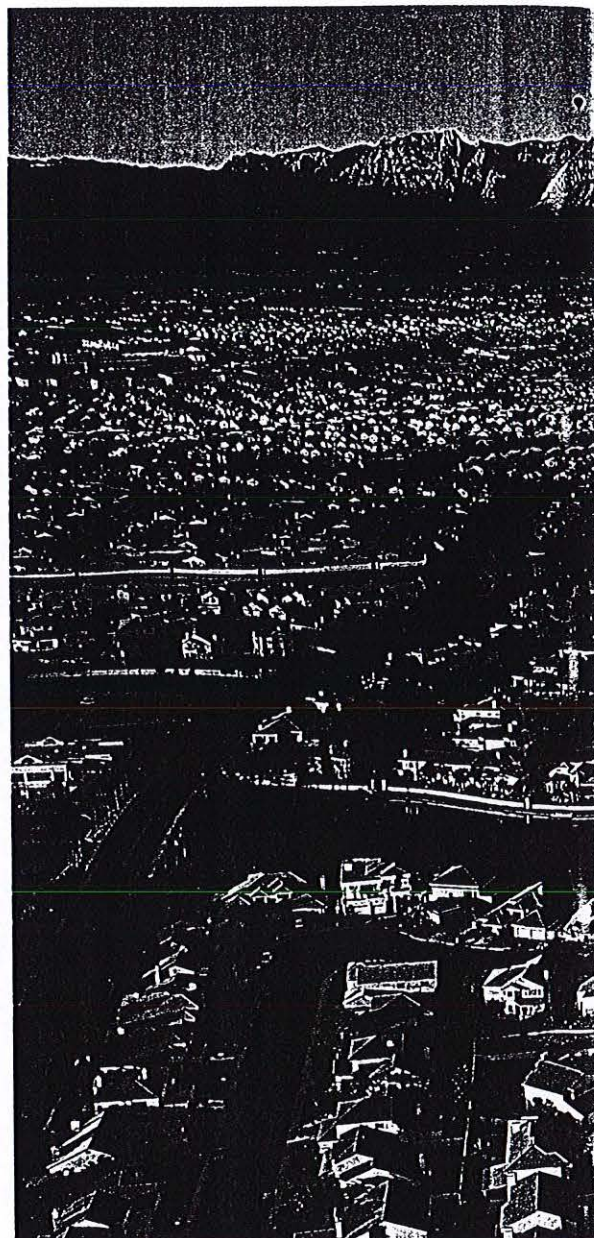
In Las Vegas—the fastest growing metropolitan area in the country—new homes are as plentiful as public parks and other common areas are scarce: For every thousand residents, two acres of the city are devoted to open spaces; Phoenix offers 31.5 acres.

So pervasive is sprawl, extremists are using it to justify their acts of ecoterrorism. Last year in suburban New York several houses and a condominium, all newly built and unoccupied, were set afire; earlier, gasoline was used to torch a luxury house for sale in Colorado.

By 2025 the United States will be home to nearly 63 million more people than are here today. If current trends prevail, they're going to need more than 30 million new homes. Most of those homes will be single-family, detached units built beyond the edge of today's newest suburbs. And most of the families occupying those houses will be in and out of their cars at least ten times a day.

A PART FROM THE FACT that the Greater Cincinnati area today ranks high on almost anyone's list of the nation's most sprawl-threatened metropolitan regions, I suspect it was the homing instinct that brought me back to southwestern Ohio. I grew up there through the 1930s and '40s, in a quiet neighborhood only four miles from downtown Cincinnati, in a house near the end of a winding sylvan street called Garden Place.

My father was in the real estate business. He

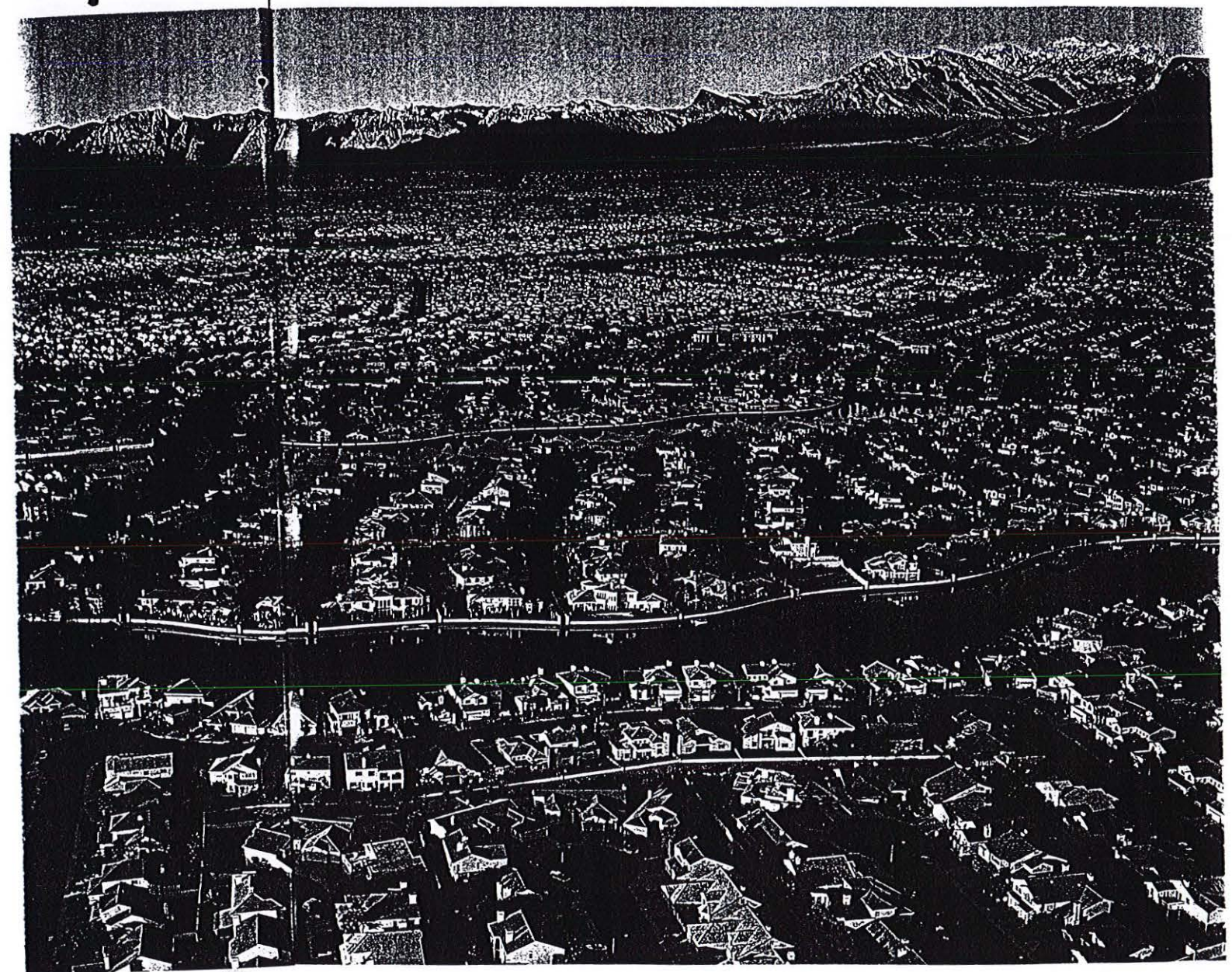


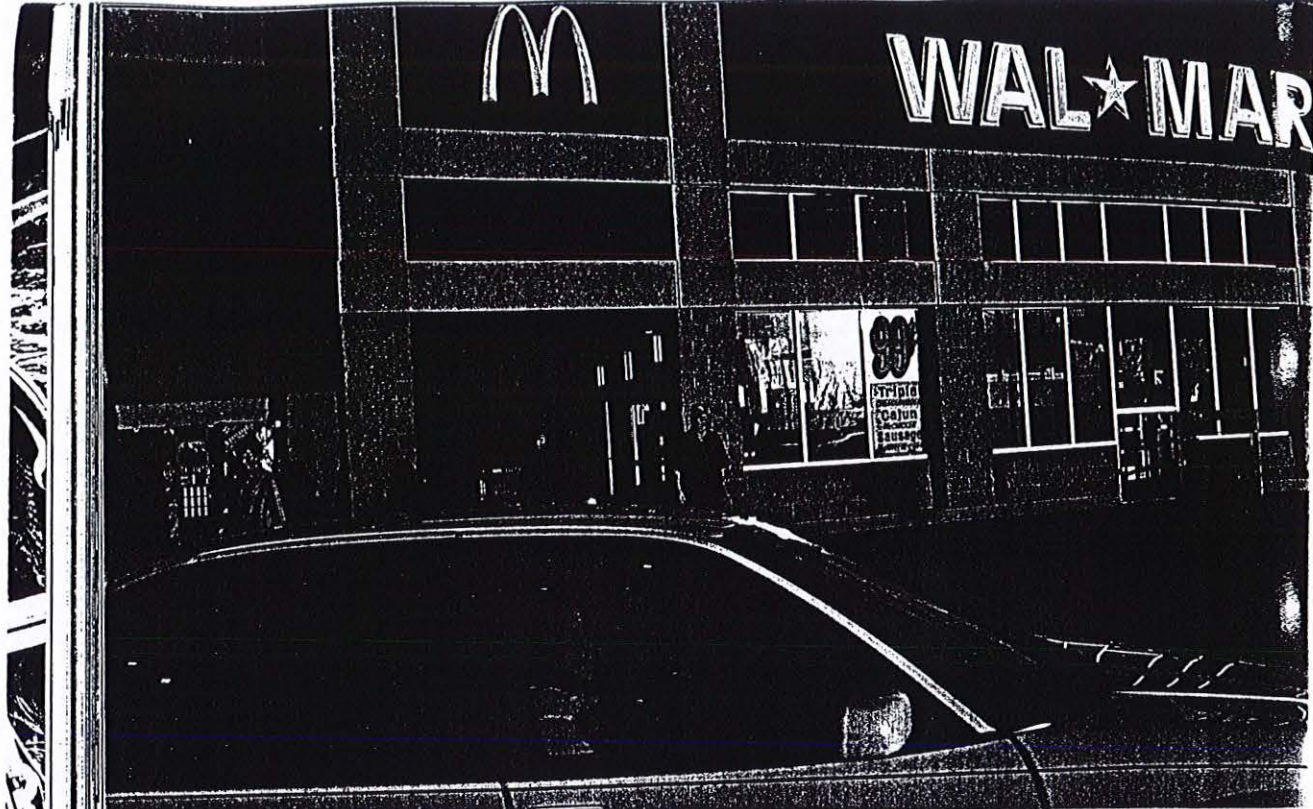
BECAUSE IT

"This is one of the largest and fastest growing communities in Warren County," Dan Theno was saying with a proud smile. Theno is the director of economic development and community relations for Deerfield Township. We were sitting in his office just off U.S. 22, a thoroughfare so congested at rush hour that the township trustees are begging the state for a major widening. Theno said, "We're more than 25,000 residents now. We're heading on a hundred million dollars of new development a year. We're putting up 600 new homes a year."

To illustrate how aggressively the township is inviting such growth, Theno handed me a slick 24-page special advertising section that appeared in *Cincinnati Magazine*. Describing Deerfield as “a township for tomorrow,” the promotional copy reflected Dan Theno’s enthusiasm for the way Greater Cincinnati has expanded into this corner of Warren County. “Where rolling fields of corn once flourished,” the lead article declared, “businesses and residential communities have sprouted seemingly overnight, providing jobs and housing for the Tristate population as it moves north. . . .”

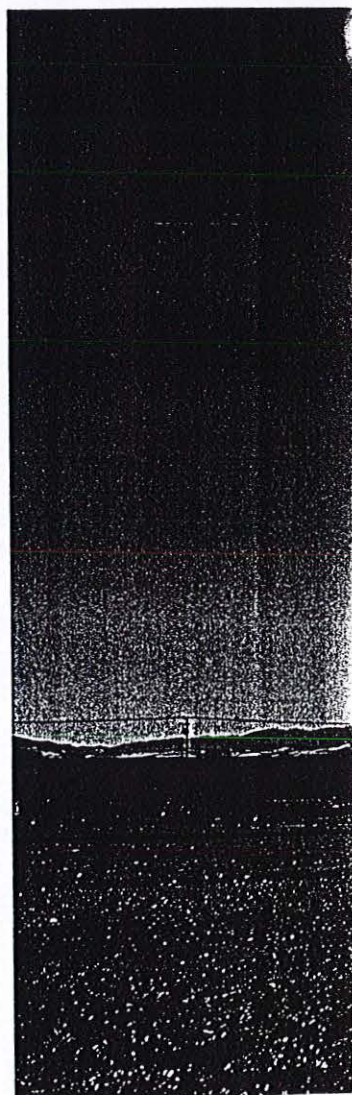
HAS BECOME SO FAMILIAR.



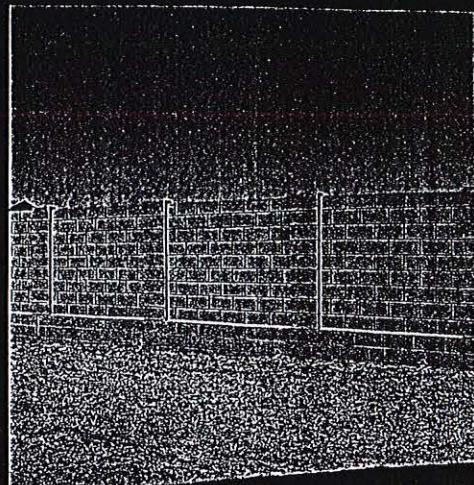
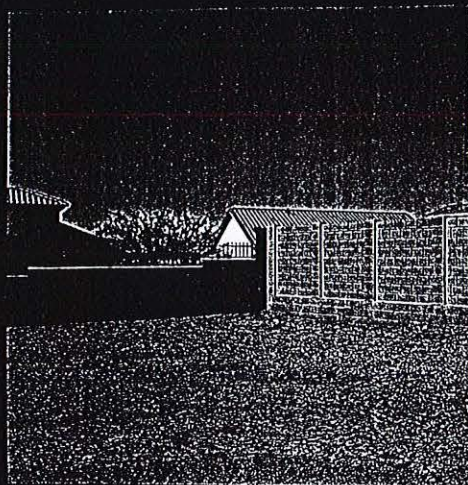


DEFINING CHOICES

Start with a dream—of a new, affordable home in a safe place with good schools. Maybe it's in sub-suburban California (right), or near Phoenix, Arizona (top right), or in Fulton County, Georgia (above). Wherever it is, when it comes time to shop, odds are you'll drive miles to the nearest mall or to a "big box" retailer—megastores that have helped close the Main Streets of America. "Short term we get cheap underwear at Wal-Mart," says Al Norman, founder of Sprawl-Busters, which helps towns repel the big companies. "But in the long run we raise our taxes and hurt our local economy and community. Everything you buy is an investment in something."



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But not everyone in southern Warren County feels as cheerful as Dan Theno—or, for that matter, as threatened as Tom Spellmire, the farmer. Over in Mason I turned into a subdivision cul-de-sac to visit the home of Jim and Helen Fox, neither of whom believes that growth necessarily means progress. Jim Fox was born and raised in Mason and is now the city's vice-mayor. Helen Fox is co-founder of a small grassroots group called Balance, which seeks to put a brake on the way Mason and Deerfield have been growing.

"Every other day there was a story in the newspaper," Helen Fox said, explaining what motivated her to get active. "Traffic snarls one day, schools can't keep up the next—800 new students projected for Mason every year for the foreseeable future. And the day after that it's something else. So rather than get sick about it, we decided—Hey! What can we try to do to slow down this runaway train?"

We sat in the kitchen over coffee. The vice-mayor was away at work. She explained that the mission for Balance was just getting out the word about sprawl and maybe finding the funds to buy up a few of the green spaces remaining. "But let's be realistic," she said. "We're not going to change Mason now. It's so far along. I just hope it's not too late to make other parts of Warren County see what's happening so that they can become more thoughtful about how they want to grow in the future."

THE URGE TO MOVE ON lies entrenched in most Americans. It is a kind of cultural impulse, as one historian has defined it, "to withdraw from the great world and begin a new life in a fresh, green landscape." Here is the tired city, out there the fresh country, the pastoral Jeffersonian ideal, the sort of place where that fellow Thoreau built a hut and grew beans, far from the townies living lives of quiet desperation.

So begins the succession from country to suburb to sprawl.

Contrary to popular opinion, the suburb was not an invention of the 20th century. By the late 1800s suburbs galore—rural communities brought closer to the urban workplace by the moving miracles of streetcars and steam—ringed most of the older cities in the East. If Boston could have its Concord, then Manhattan would have the Bronx and Staten

"THE PEOPLE MOVING OUT ARE UNHAPPY WITH THE PUBLIC SCHOOLS. AND THEY WANT LARGER HOMES ON LARGER LOTS."

Island too. After the Civil War there were even a few new communities designed specifically for suburban living. One of the first was Riverside, Illinois, straddling a rail line nine miles west of the Chicago Loop. Laid out by the landscape architect Frederick Law Olmsted and his parkmaking partner Calvert Vaux, Riverside would become what one Olmsted biographer described as an "agreeable" community, "knit in upon itself by curving streets, a place apart but in convenient reach of a great city."

With Chicago's Riverside as an inspiration, if not a model, the great cities reached out to enlarge or establish other convenient and agreeable places apart—Scarsdale and Swarthmore and Shaker Heights, and Mariemont, right there on the eastern flank of Cincinnati.

At the end of World War II the United States faced an acute shortage of housing and promptly declared war on that. Loan programs previously created under the Federal Housing Administration and the Veterans Administration encouraged the development of single-family, detached houses in the suburbs. And the secret to that effort was the guaranteed fixed-interest mortgage, which in many cases made it cheaper to buy a house than to rent an apartment.

By most accounts nothing moved the suburbs so efficiently toward sprawl as a certain stroke of President Dwight Eisenhower's pen, signing into law the Federal-Aid Highway Act of 1956, which launched a 41,000-mile interstate highway system. Among other things, the interstates would grease the skids for commerce, industry, and a burgeoning roster of fast-food emporiums to roll off the exit ramps into a countryside previously reserved for corn. And it was thought at the time that the interstates would facilitate the evacuation of central cities in the event that our Cold War nemesis might post an intercontinental ballistic missile into

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city hall. *Voilà!* A warhead did explode, but it wasn't nuclear. It was sprawl.

One of the most congested peripheral corridors in the nation is the stretch of Greater Cincinnati's own beltway, I-275, as it brushes the topside of Hamilton County to scoop up I-75 from Dayton and I-71 from Columbus before sending them on their converging way to and through inner neighborhoods of the central city. From his Turtle Creek farmhouse north of

YOU'D NEVER GUESS it from the looks of Greater Cincinnati and most other metropolitan regions around the country, but there is an alternative to mindless sprawl. Some people call it smart growth.

Smart growth rests on the assumption that we can curb sprawl by building better kinds of new communities, by fixing up and filling in the old ones, by finding ways to get people out of at least *some* of their cars, and by going out



MAGNET SCHOOLS

The schools in Clovis, California—including the Reagan Center (above)—are so respected that real estate agents use them as selling points. To sustain growth and a small-town feeling, the city channels development around three small urban centers rather than one big downtown.

the beltway Tom Spellmire can get to either of these interstates in less than 20 minutes. That fact alone may explain why, given the bracketing proximity of three superhighways, Warren County is on such a roll, and why Tom Spellmire's farming future isn't.

into the countryside to preserve large tracts of open space before the developers can pave them. This is one tall order, and only time will tell to what extent it can be filled.

One measure of how the nation might be willing to tackle the smart-growth agenda is the ballot box. Last November referenda authorizing bonds or tax increases to pay for land conservation, neighborhood redevelopment, or mass transit passed overwhelmingly; voters said yes to seven of every ten growth-related initiatives in state and local elections. And in Ohio voters approved a 400-million-dollar measure for redevelopment of abandoned

During the late 19th and early 20th centuries cities were crowded and often unhealthy places, especially when compared with early suburbs like New Jersey's Llewellyn Park (1853) and New York's Forest Hills Gardens (1909). By the 1950s the stream toward the suburbs had become a surge, thanks in part to changes in laws, finance, technology, and culture.

CULTURAL CURRENTS

Following World War II, the nation's supply of housing cannot satisfy demand fueled by economic prosperity, the baby boom, the availability of affordable automobiles, and roads to run them on.

1920

The number of people in the U.S. for every car: 13

1921

First drive-in restaurant in U.S.—the Pig Stand—opens near Dallas.

1947

Levittown, New York, provides mass-produced, inexpensive homes for returning GIs and ushers in the age of the post-World War II car-dependent suburb.

new middle-class homes, providing comfortable entertainment at home rather than in public places.

1970s

More Americans live in suburbs than in cities. Those who both live and work in the suburbs outnumber by two to one suburbanites who commute to jobs in cities.

1973

The Arab oil embargo drastically (though temporarily) raises the economic costs of the car culture.

1980

U.S. office space in suburbs surpasses that in downtowns. By 2001 suburbs will have almost two times more office space than city centers, much of it located in

OVER FRUITED PLAIN, WAVES OF GRAIN

WASHINGTON PAVES THE WAY
Congress and the courts encourage suburban growth.

1926

The U.S. Supreme Court in *Village of Euclid, Ohio v. Ambler Realty Co.* provides legal protection for local governments that pass zoning laws in order to separate different land uses, such as the exclusion of multifamily housing from single-family neighborhoods.

1934

The newly created Federal Housing Administration (FHA) insures long-term mortgages, enabling ordinary citizens to buy homes.

1944

The Serviceman's Readjustment Act—the GI Bill—creates a mortgage program that helps returning World War II veterans buy homes.

1956

The Federal-Aid Highway Act authorizes construction of a 41,000-mile interstate highway system, with the federal government paying 90 percent of the costs.

1950

The number of people in the U.S. for every car: 4

1955

The low glass buildings of the General Motors Technical Center in Warren, Michigan, are completed, heralding the age of the modern suburban office park.

1956

America's first enclosed shopping mall opens near Minneapolis. Its designer, Victor Gruen, argues that with proper planning malls can provide "crystallization points for suburbia's community life."

1950s and '60s

Air-conditioning and television become standard amenities of

"edge cities"—residential and commercial centers along highway corridors outside older cities.

1990

The number of people in the U.S. for every car: 2

RACE, RIOTS, AND RENEWAL
After African Americans migrate from the rural South to the urban North, they find themselves trapped in decayed urban housing and face racial discrimination.

1933

The Home Owners Loan Corporation standardizes methods for appraising homes. The new rules favor houses in white neighborhoods outside city cores.

1949

Congress authorizes federal loans for cities to redevelop blighted urban areas. "Urban renewal" razes not only slums but also stable low-income ethnic and African-American neighborhoods. The net effect is a loss of affordable housing.



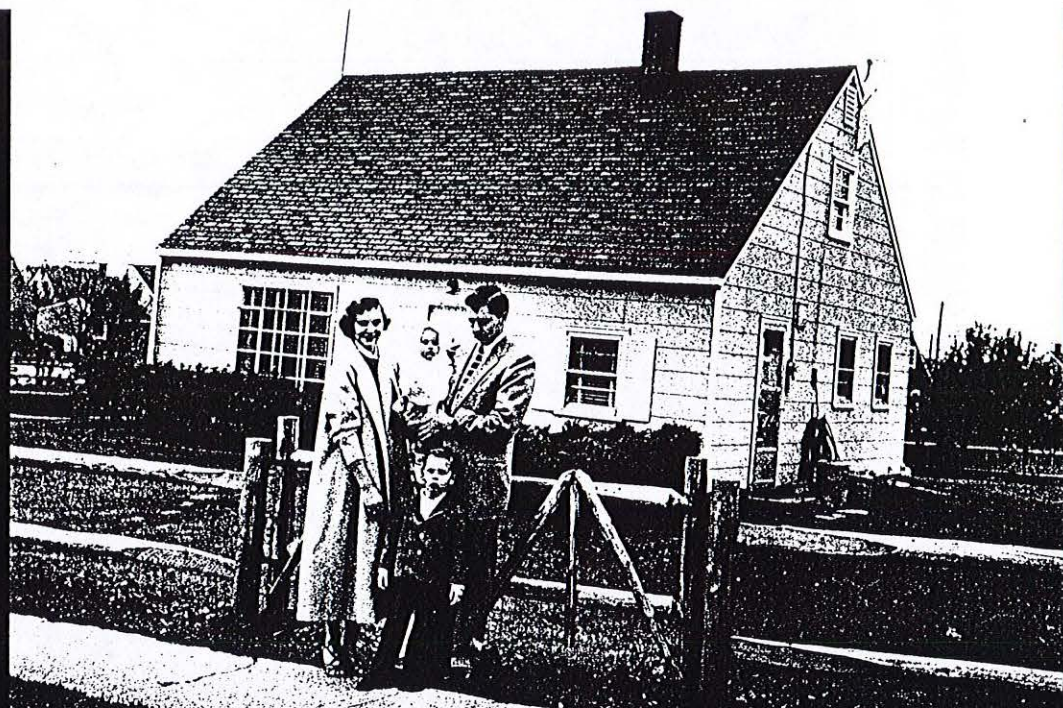
NEW JERSEY TURNPIKE OPENS, 1951

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COMING HOME: LEVITTOWN, NEW YORK, 1957

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SCHOOL DESEGREGATION: ARKANSAS, 1957

1954
The Supreme Court decision in *Brown v. Board of Education of Topeka* is the first in a series of judicial and legislative acts that outlaw racial segregation in schools, housing, and public transportation.

1950s and '60s
Exploiting whites' fears of racial integration and urban unrest, land speculators engage in "blockbusting"—buying homes in the city on the cheap, then selling them to black families at inflated prices.

1960s
Media coverage of race riots in Newark, Detroit, Los Angeles, and elsewhere frighten many white

Americans, convincing them that cities are unstable and dangerous.

1968
The Fair Housing Act prohibits discrimination in housing and lending.

1993
The federal Hope VI program funds redevelopment of old public housing projects—such as Chicago's Cabrini-Green—into mixed-income, mixed-use communities.

2000
African Americans are moving to the suburbs too. From 1970 to 2000 the black population in Maryland's Prince George's County, outside Washington, D.C., jumped from 14 to 63 percent.

SEEDS OF A TURNAROUND
Americans begin to reclaim cities even as suburbs swell.

1959
San Francisco residents pressure city officials into halting several planned highways. News of the "freeway revolt" mobilizes activists elsewhere.

1970s
The Clean Air Act and the Clean Water Act force cities to clean up their own backyards.

1973
Oregon enacts legislation that requires its 240 cities to establish urban-growth boundaries to control suburban sprawl.

1991
Congress grants localities more flexibility in using federal highway dollars for mass transit and other non-highway transportation.

2000
Nationwide, voters approve 400 of 553 growth-related ballot measures. Most promote "smart growth," which encourages pedestrian-friendly communities, a mix of housing types, and less dependence on the car.



THE "NEW URBANISM": SOUTH CAROLINA, 2000

industrial sites and—good news for Tom Spellmire—farmland and green-space preservation.

Smart-growth advocates looking for further encouragement or inspiration are likely to turn to the one state that has managed better than any other to put a brake on runaway sprawl. That state is Oregon. And the man who designed the brake was its governor from 1967 to 1975, Tom McCall.

Early on, McCall ordered a study of land use patterns in the crop-rich Willamette Valley. Among other things, the study found that in the 1960s Clackamas County lost 100,000 acres of farmland to development flowing outward from Portland. Oregon, said McCall, was under

density, he is simply putting a spin on that impossible human urge to have it both ways. Obviously, to avoid hateful sprawl outside, density somewhat less hateful must be accommodated inside the urban-growth boundary.

And yet today there isn't a whole lot to dislike about Portland. It is a handsome, tight little city of some 529,000 people (up from 366,000 in 1980) tucked into the confluence of the Willamette and Columbia Rivers; its downtown, pedestrian friendly; its residential areas growing *up* rather than out; its growth in transit use outpacing its increase in auto use. Its open spaces range from Forest Park, at nearly 5,000 acres the largest woodland park

THERE IS AN ALTERNATIVE TO MINDLESS SPRAWL.

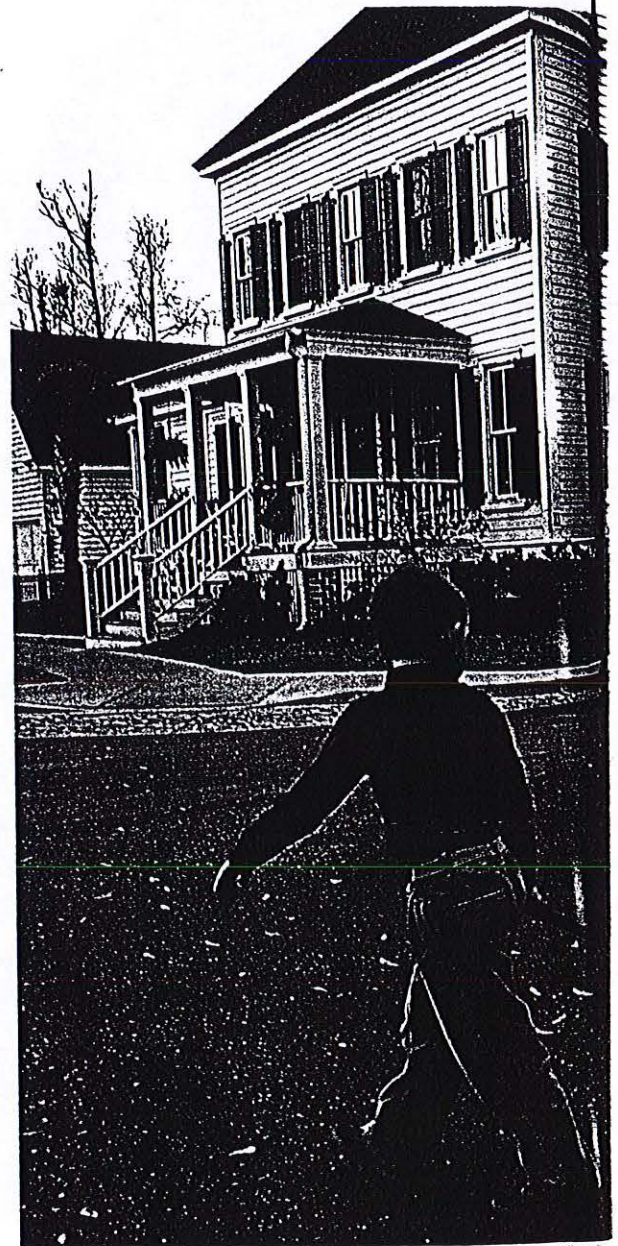
NEW-FASHIONED OLD

Front porches, plenty of sidewalks, more houses (and people) on each acre—such neo-traditional elements define “new urbanist” communities like l’On Village near Charleston, South Carolina. Such solutions to sprawl aren’t cheap: Homes here start at \$300,000.

siege from a “buffalo-hunter mentality” inserting “cancerous cells of unmentionable ugliness into our rural landscape.” The legislature agreed and enacted a law mandating urban-growth boundaries for Oregon’s 240 cities. Development was to be contained inside the boundaries. Outside the boundaries, farmland and forestland were to be protected by zoning, the minimum lot size set at 80 acres.

As a result of the rural zoning program, some 25 million acres of privately owned farmland and forestland are now shielded from sprawl throughout the state. There’s no way you can make a subdivision out of houses on 80-acre lots.

“**O**REGONIANS HATE two things,” Mike Burton was saying. “They hate sprawl. And they hate density.” Burton is the executive officer of Metro, Portland’s metropolitan planning agency and the nation’s first (and, so far, only) popularly elected regional government. Metro oversees land-use plans and the urban-growth boundary that encompasses 24 cities, including Portland, in the three-county region. So when Burton speaks of people hating both sprawl and



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within any city in the United States, to a river-front greenway named in honor of the late Tom McCall.

Some critics, mostly homebuilders, contend that Portland's growth boundary is riddled with flaws, that it hasn't been as flexible as the law intended, that it has raised housing prices substantially. But defenders of the system say it's the region's hot high-tech economy that's inflating the housing market. And even with that, they say, it is still less expensive to live in Portland than in San Francisco or Los Angeles, which do not have urban-growth boundaries.

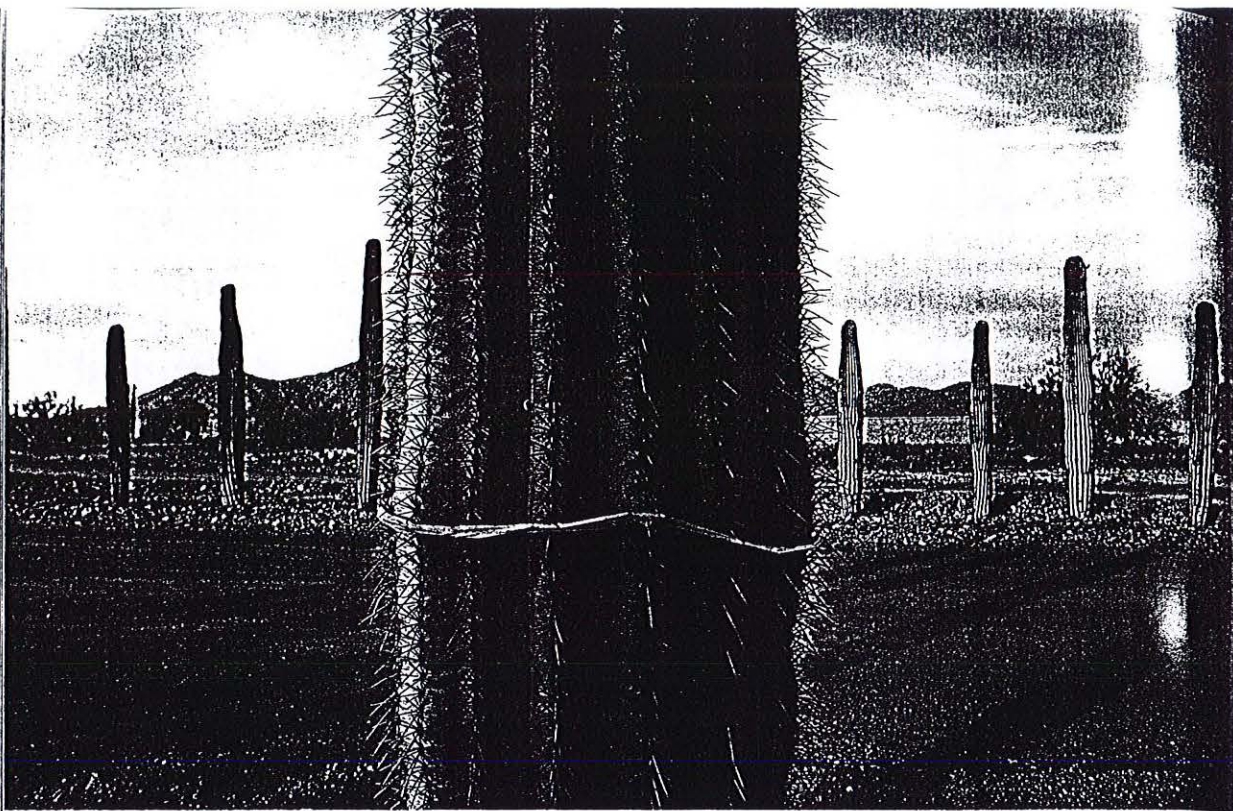
From downtown Portland I rode the MAX (the Metropolitan Area Express aboveground

light-rail system) out to the western suburbs to take a peek at a place I'd been hearing a lot about, a place called Orenco Station. MAX has 33 miles of light-rail track, and the idea at Metro is to use MAX as a magnet for new residential and commercial development, all within the growth boundary and all within walking distance of a light-rail station. Orenco is one of those stations.

From the station the walk to town center is a long quarter mile. You have the feeling, as you approach across an open field, that you are about to enter a village stylishly snatched from the 19th century. There are cottages and bungalows and Main Street shops with bay

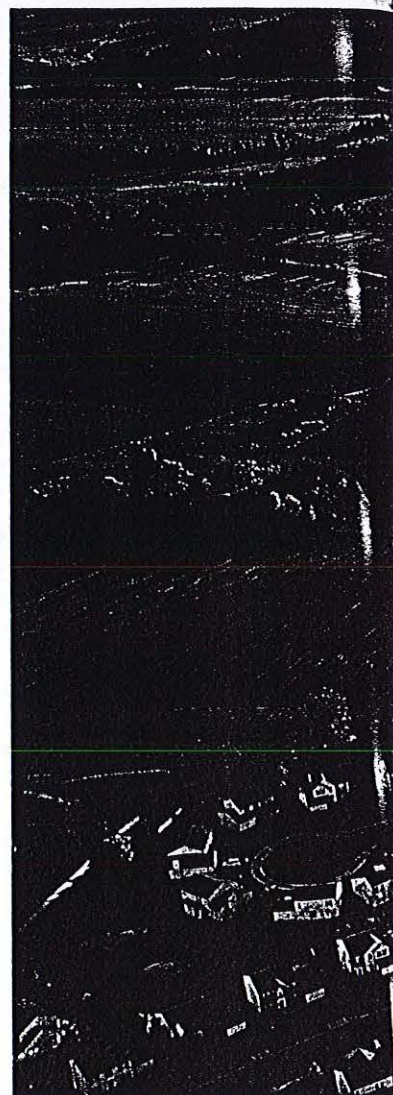
SOME PEOPLE CALL IT SMART GROWTH.





CLASH ON THE GREEN LINE

Cloaking themselves in bucolic names like Valley Springs or patriotic ones like Anthem, subdivisions advance on open space, which preservationists still rally to defend. In Northern Virginia, development not only devours farmland (right), it threatens historic battlefields too—mobilizing Civil War reenactors (above) to raise money to help preserve the past. Near Tucson, Arizona, cars and power lines often injure or kill birds like the Harris's hawk, but wildlife rehabilitators nurse survivors back to health (top right). At a nursery outside Phoenix, saguaro cactuses tagged for transplantation (top) await final relocation out of sprawl's way—at least for now.



windows. When the community's 200 acres are fully developed, there will be 1,800 units of mixed housing types, including home-office town houses, lofts, and rental apartments.

But just as there are those who would criticize Portland for being less than perfect, so can one also hear groans that Orenco and other so-called new urbanist experiments are simply attempts to disguise America's flight to the suburbs with a new suit of clothes.

OVER THE YEARS, I became addicted to reading the country through an airplane window. It is a habit I acquired before jet engines took us higher and faster than propellers could, before we began to lose, for any number of unearthly reasons, the visibility one would expect from a cloudless sky. Still, the visibility was pretty good the last time a jetliner lifted me out of Chicago's O'Hare International Airport. I could see the gleaming office towers down in the Loop and the big blue lake and the suburbs sprawling north. The suburbs looked gray.

I had been down there where the gray begins to get green a day or two before, to check out another new railside community called Prairie Crossing. This one is a bit different from Oregon's mixed-use Orenco Station. This one features roomy frame houses with rocking chair porches clustered around or within more than 350 acres of open space, including an organic farm, a swimmable lake, a restored prairie, and—in place of the concrete gutters and detention basins of a conventional development—a network of grassy swales and cattail marshes to filter the storm-water runoff.

Once upon a time the acres at Prairie Crossing might have been developed with conventional homes and non-native landscaping. But along came Victoria and George Ranney, Jr., with a better idea. Victoria Ranney is a conservation and cultural activist who edited a volume of the papers of Frederick Law Olmsted and who appears to see the land through Olmstedian eyes. George Ranney is president of Chicago Metropolis 2020, a group of business and civic leaders seeking to make some regional sense out of the chaos of Greater Chicago's 1,200 disjointed political jurisdictions.

Among the Ranneys' guiding principles for Prairie Crossing is a

"THERE'S NO END IN SIGHT. . . . WE JUST KEEP MOVING . . . FARTHER OUT UNTIL ONE OF THESE DAYS WE'LL ALL BE RUBBING ELBOWS."

statement on economic and racial diversity. It holds that "a mix of incomes and races is essential to the future of our society" and expresses an intent to keep prices down "so that some homes will be within the range of families needing affordable housing." Several African-American families have purchased homes in Prairie Crossing, and the community has done far better on the racial diversity scorecard than many of its neighboring subdivisions. Its homes, however, sell in the range of \$270,000 to \$428,000—hardly affordable to lower- and middle-income families.

When the Ranneys pursued the economic side of their diversity principle and presented a plan that included garage apartments, they hit a stone wall. Officials in Grayslake, Illinois, with permitting authority over Prairie Crossing, resisted the idea of any apartments. So did some of the Crossing's own residents, fearing that apartments might lower the value of their homes. And perhaps there was something else, some kind of unspoken distress, a glimpse through that crack that has never been fixed in the picture window of the American dream: the dread of living next door to a cultural stranger, to a person of noticeably lesser means.

I was mulling the issue of affordable housing as the plane from O'Hare began its wide turn east toward the lake. I was thinking of how, all too often in cities like Chicago and Cincinnati, efforts to make over the inner-ring neighborhoods only reduce what little affordable housing there is. A renovated brownstone downtown may look good to the empty nester who is sick of vehicular life in the suburbs.

But where does the dislocated downtowner of lesser means go when he cannot afford to buy into that gentrified brownstone? Move to a new subdivision in the suburbs? Can't often afford *that*.

MORE ON OUR WEBSITE

Is halting sprawl worth giving up a big house in the burbs?

Join the debate at nationalgeographic.com/ngm/0107.

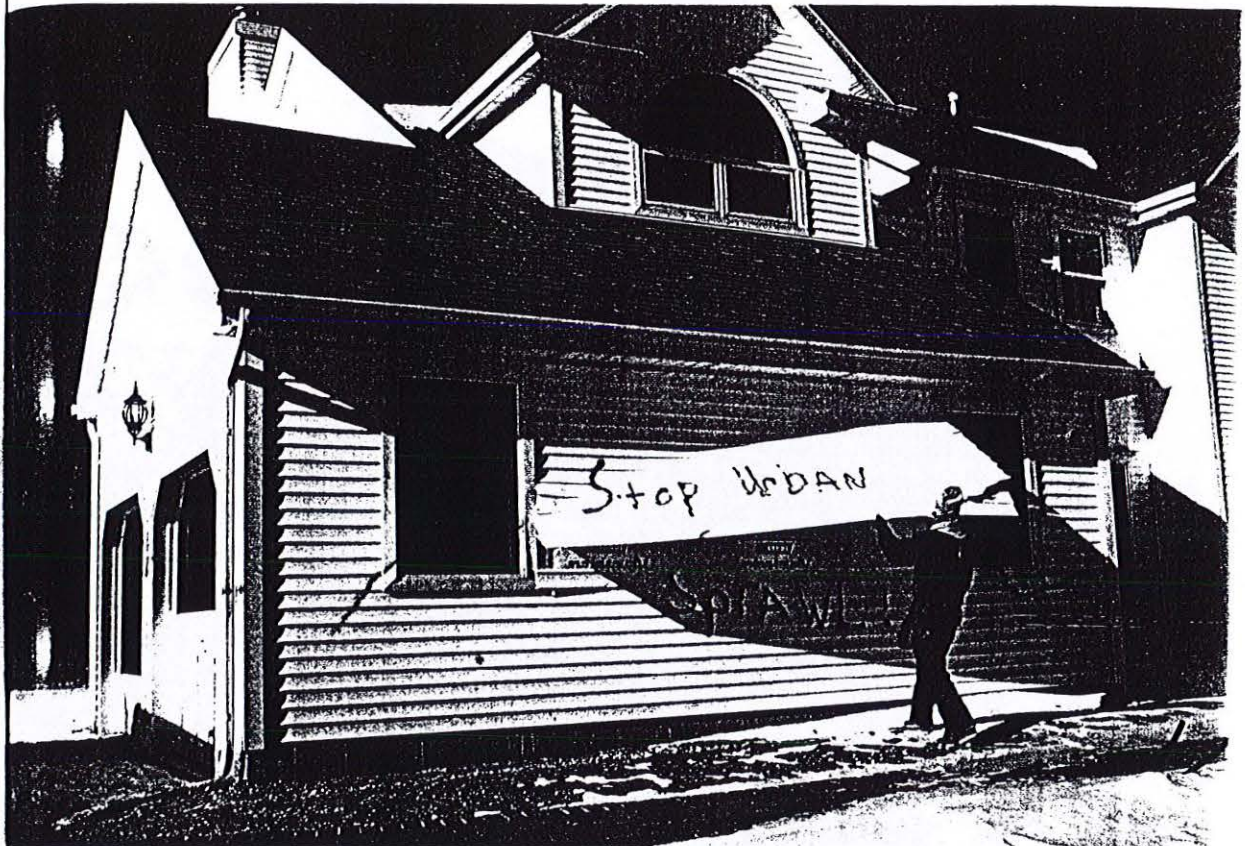
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Besides, most new subdivisions don't want him.

In my earlier peregrinations through Deerfield Township and Mason, Ohio—those booming communities with the trophy homes and the 800 businesses strung out between the bracketing interstate highways—I had heard that the lack of affordable housing was beginning to take its toll. I remembered one of Helen Fox's colleagues telling me that the folks in the trophy homes weren't taking the low-paying

beginning to address the problem of affordable housing. In the meantime a consortium of funding partners including the federal government has decided to subsidize JobBus, an expanded reverse-commute service that buses hundreds of workers from downtown Cincinnati to Deerfield and Mason to fill the low-paying jobs the locals don't want.

And then, as my jetliner flew out over Lake Michigan, Chicago's unofficial but effective



DON JACOBSEN, NEWSDAY

A CRIME IN THE NIGHT

Radical environmentalists of the Earth

Liberation Front spray-painted this home on Long Island, New York, and burned several others. "The Earth isn't dying, it's being killed," says a communiqué from the group, "and those who are killing it have names and addresses."

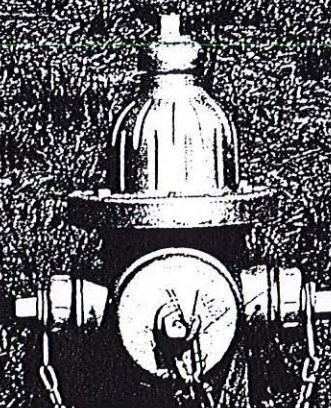
jobs. "You go into the supermarket and stand in line behind a dozen people," said Tracy Molitors. "And why? The store can't hire enough cashiers to man the empty checkout slots. You see 'Help Wanted' signs all over the place."

Officials in Warren County say that they are

urban-growth boundary, I remembered George Ranney saying, "Sooner or later it has to come. People have to live closer to their jobs. We've simply got to have housing that's affordable to the workforce where it works."

Then I heard another voice. It was Tracy Molitors', speaking to my memory of our meeting in a kitchen in Mason, Ohio. I had asked her where this national experience called sprawl was going to end. And she said, "End? Why there's no end in sight, the way it's going. We just keep moving farther and farther out until one of these days we'll all be rubbing elbows. All the way across America."

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CUMBERLAND CEMETERY ASSOCIATION

TRUSTEES REPORT TO TOWN COUNCIL

JULY 23, 2001

RE: Financial Report for 2000
Dated: March 11, 2001

RE: Report To Town Council
Dated: June 15, 1998

July 23, 2001

Cumberland Town Manager and Town Council,

Cumberland's cemeteries continue to be very attractive today with perpetual care being the primary focus of the Association. Our contractors have held the line on cost for several years while continuing their high level of professionalism and dedication. We commend them for their efforts.

Due to poor earnings on investments and low lot sales we are not able to fund any maintenance issues. We did allocate \$2,500 in 2000 to correct concerns with hazardous stones. We will not be able to fund such projects in the immediate future and obtain the Association's financial objectives.

The following is a list of legal, administrative, safety and aesthetic concerns that we have been unable to address due to limited resources:

- * Soil and turf rebuilding
- * Lot and sunken grave repair
- * Replace fence at Foreside Cemetery
- * Lighting of flagpole at Moss Side
- * Road alignment and maintenance
- * Debris removal
- * Weed control front of Moss Side
- * Tree removal and/or maintenance
- * Perimeter trim
- * New road on Chebeague
- * Expansion on Chebeague
- * Stone repair
- * Veteran grave markers
- * Veteran flags
- * Review/rewriting of by-laws
- * New rules and regulations
- * Mapping of cemeteries
- * Computerization of records
- * Preparing lots for sale at Moss Side and Methodist
- * Drain low area at Methodist
- * Loam at cemeteries
- * Fence at Allen Cemetery (Winn Road)

We would like to work with the Town Manager and Town Council to develop a long term plan (five to ten years) to correct these deficiencies.

Thank you on behalf of the Trustees of the Cumberland Cemetery Association.



Robert L. Storey, President

CUMBERLAND CEMETERY ASSOCIATION
2001 BUDGET- *Adopted*

	Budgeted	Actual	Adopted
Income	<u>2000</u>	<u>2000</u>	<u>2001</u>
Interest and dividends	4,300	7,595	3,500
Sale of Lots	6,900	7,100	7,200
Town Appropriation	6,000	3,000	6,000
Perpetual Care Fund interest income	6,200	12,306	6,400
Gifts		0	
Unrealized and Realized gain/ (loss) on Equities	9,600	(14,482)	9,000
Total Anticipated Income	33,000	15,519	32,100

Anticipated Expenses

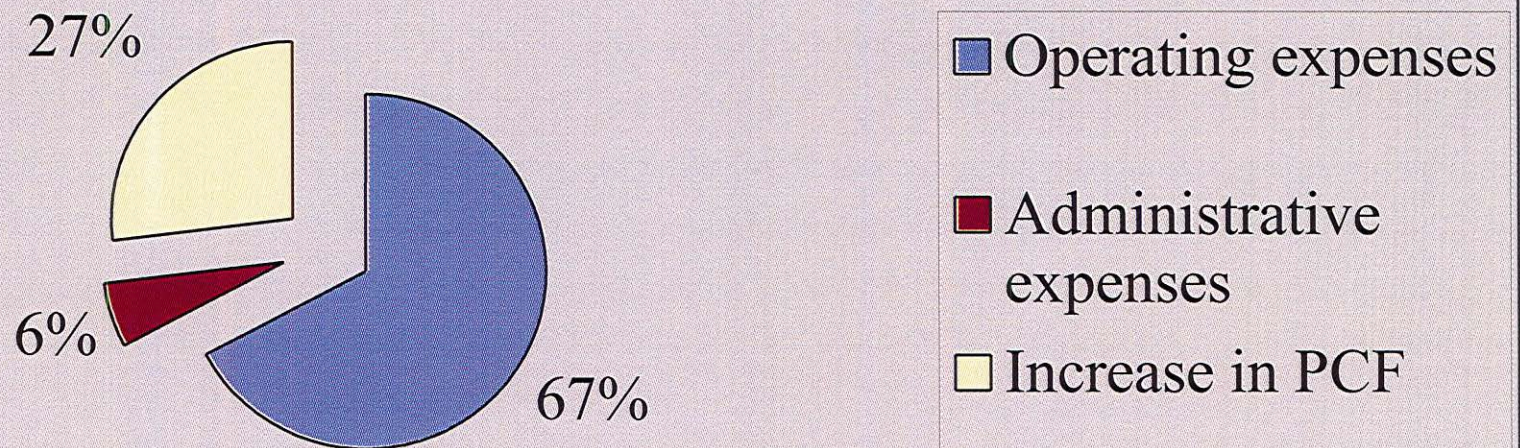
Half of sales proceeds to PCF	3,450	3,550	3,600
Association dues		0	100
Service charges	250	230	230
Office expenses and supplies	25	99	25
Utilities	150	146	150
Equipment and repairs	150	0	0
Supplies			300
Cemetery supplies and maintenance contractors	19,700	19,727	19,700
Officers' stipends	1,500	1,500	1,500
Special cemetery programs and projects		2,500	0
Contracted superintendent services	1,400	1,400	1,400
Miscellaneous		18	25
Total Expenses	26,625	29,170	27,030
Surplus	6,375	(13,651)	5,070
Target surplus is equal to half of PCF income/appreciation	6,409		7,700

CUMBERLAND CEMETERY ASSOCIATION

Finance Policies

1. Half of all sales proceeds shall be deposited into the Perpetual Care Fund (state law requires at least 30% of proceeds from sale of cemetery lots be placed in PCFs).
2. Half of all earnings on Perpetual Care Funds shall be left in the PCF each year to allow that fund to withstand inflation (waived this policy in two out of the last three years in order to afford essential repairs).
3. Up to 60% of CCA Funds shall be invested in equities to obtain greater yields than are possible with fixed income investments (36% in equities now).

CUMBERLAND CEMETERY ASSOCIATION



07/16/01

Cumberland Cemetery Association
Balance Sheet Comparison
As of July 16, 2001

	Jul 16, '01	Jul 16, '00	\$ Change	% Change
ASSETS				
Current Assets				
Checking/Savings				
Merrill Lynch Cash	0.36	0.75	-0.39	-52.0%
Merrill Lynch CMA Money Fund	8,919.00	2,110.68	6,808.34	322.6%
Total Checking/Savings	8,919.36	2,111.41	6,807.95	322.4%
Other Current Assets				
Cross Country Bk CD	10,000.00	10,000.00	0.00	0.0%
AIM Constellation Fd CI C	8,803.00	10,005.36	-1,202.36	-12.0%
Pilgrim Grw & Val CI C	8,349.00	10,005.35	-1,656.35	-16.6%
Total Other Current Assets	27,152.00	30,010.71	-2,858.71	-9.5%
Total Current Assets	36,071.36	32,122.12	3,949.24	12.3%
Other Assets				
Capital One CD 7/02	15,000.00	15,000.00	0.00	0.0%
US Bank of NA CD 12/01	15,030.66	15,030.66	0.00	0.0%
CMP Preferred Stock	2,975.00	2,887.00	88.00	3.1%
Merrill Lynch Global Allocation	10,259.00	9,590.34	668.66	7.0%
Oppenheimer IG Bond Fund ClassA	0.00	1,744.00	-1,744.00	-100.0%
Perpetual Care Assets				
ML Pacific Fund CI C	7,889.00	10,000.00	-2,111.00	-21.1%
Household Bank CD Aug 28 02	15,000.00	15,000.00	0.00	0.0%
MBNA Amer. Bk. CD 12/03	10,000.00	10,000.00	0.00	0.0%
CD US BK NTH Dakota	10,000.00	10,000.00	0.00	0.0%
First Deposit NB Tilton CD 10/0	10,041.95	10,041.95	0.00	0.0%
Provident Bk of MD CD 10/01	9,982.09	9,982.09	0.00	0.0%
Alliant Bk of Alex. CD 10/00	0.00	10,000.00	-10,000.00	-100.0%
Franklin Mutual Discovery Fund	8,574.25	8,103.42	470.83	5.8%
Oppenheimer Quest Oppor. V	13,356.00	12,235.00	1,121.00	9.2%
Franklin Strategic Ser. Sml Cap	9,207.00	10,286.00	-1,079.00	-10.5%
Templeton Dev. Mkts. Tr SBI II	3,615.00	5,346.00	-1,731.00	-32.4%
Davis NY Venture	15,876.17	14,521.00	1,355.17	9.3%
J.Hancock Sp. Eq. Fnd CI B	7,344.13	7,094.00	250.13	3.5%
Mfrs. & Trders CD (5/02)	9,117.89	9,117.89	0.00	0.0%
Bk of Amer. CD (7/01)	9,890.99	9,890.99	0.00	0.0%
ML PCF Cash	1.34	0.07	1.27	1,814.3%
ML PCF CMA Fund	24,035.00	15,723.00	8,312.00	52.9%
Total Perpetual Care Assets	163,930.81	167,341.41	-3,410.60	-2.0%
So. California Edison Bond	0.00	4,472.00	-4,472.00	-100.0%
Total Other Assets	207,195.47	216,065.41	-8,869.94	-4.1%
TOTAL ASSETS	243,266.83	248,187.53	-4,920.70	-2.0%
LIABILITIES & EQUITY				
Equity				
Cemetery Funds Balances				
McCall Fund (Chebeague)	14,554.03	18,166.19	-3,612.16	-19.9%
St. Clair Fund (Foreside)	21,896.25	24,064.21	-2,167.96	-9.0%
Total Cemetery Funds Balances	36,450.28	42,230.40	-5,780.12	-13.7%
General Fund Balance	46,059.68	46,722.83	-663.15	-1.4%
Perpetual Care Fund	160,890.55	164,548.04	-3,657.49	-2.2%
Net Income	-133.68	-5,313.74	5,180.06	97.5%
Total Equity	243,266.83	248,187.53	-4,920.70	-2.0%
TOTAL LIABILITIES & EQUITY	243,266.83	248,187.53	-4,920.70	-2.0%

07/16/01

Cumberland Cemetery Association
P&L Previous Year Comparison
 January 1 through July 16, 2001

	<u>Jan 1 - Jul 16, '01</u>	<u>Jan 1 - Jul 16, '00</u>	<u>\$ Change</u>	<u>% Change</u>
Ordinary Income/Expense				
Income				
Interest and Dividend Income	1,655.16	1,619.00	36.16	2.2%
Sales Proceeds	2,150.00	700.00	1,450.00	207.1%
Contributions Income				
Appropriation, Town of Cumber.	1,850.00	3,000.00	-1,150.00	-38.3%
Total Contributions Income	1,850.00	3,000.00	-1,150.00	-38.3%
Gains (losses) on sale of Inv.	604.10	0.00	604.10	100.0%
Interest, Perpetual Care Funds				
Custody of Association	3,040.26	2,793.37	246.89	8.8%
Custody of Town	0.00	969.21	-969.21	-100.0%
Total Interest, Perpetual Care Funds	3,040.26	3,762.58	-722.32	-19.2%
Total Income	9,299.52	9,081.58	217.94	2.4%
Expense				
Cemetery Maintenance	9,000.00	14,000.00	-5,000.00	-35.7%
Bank Service Charges	300.00	150.00	150.00	100.0%
Office Supplies & Expenses	0.00	99.00	-99.00	-100.0%
Utilities				
Water	133.20	146.32	-13.12	-9.0%
Total Utilities	133.20	146.32	-13.12	-9.0%
Total Expense	9,433.20	14,395.32	-4,962.12	-34.5%
Net Ordinary Income	-133.68	-5,313.74	5,180.06	97.5%
Net Income	<u>-133.68</u>	<u>-5,313.74</u>	<u>5,180.06</u>	<u>97.5%</u>



Merrill Lynch



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MERRILL LYNCH **WCMA** ACCOUNT

MASTER FINANCIAL
SERVICE

|||||
CUMBERLAND CEMETERY ASSOC
PETER MCKENNEY, TREASURER
36 BRUCE HILL RD
CUMBERLND CTR ME 04021-9709

Total Account Value As Of 06/29/2001

\$77,895.83

YOUR FINANCIAL CONSULTANT:
JOHN P BOYNE
John.Boyne@ml.com
(800) 689-6377

Your Merrill Lynch Office:
350 FORE STREET
PORTLAND ME 04104

FOR CUSTOMER SERVICE QUESTIONS:

1-800-MER-WCMA (1-800-637-9262)

Monthly Portfolio Summary

Asset	05/31/01 Value	%	06/29/01 Value	%
Cash/Money Accounts	7,014	9	8,919	12
CD's/Equivalents	40,554	54	40,568	53
Government Securities				
Corporate Bonds	3,185	4	3,290	4
Municipal Bonds				
Equities				
Mutual Funds	24,875	33	24,441	32
Options				
Other				
Long Market Value	75,629		77,218	
Short Market Value				
Estimated Accrued Interest	912		677	
Debit Balance				
Net Portfolio Value	76,541		77,895	

NEWS

Your statement will identify "unsolicited" trades and ML Online "client entered" trades placed on or after 6/11.

Income Summary

	This Statement	Year-to-Date
Money Fund Dividends	24.33	95.53
Tax-Exempt Funds		
Tax-Exempt Interest		
Reportable Interest	430.07	1,396.54
Reportable Dividends	.63	163.09
Income Not Reported		
Total	455.03	1,655.16

Items for Attention

Security	Message	Date
	No Items For Attention	

Purchasing Power 8,919

Financial Market Indicators

	This Statement	Last Statement	Previous Year-End
Dow Jones Industrial Average	10499.79	10911.94	10787.99
Three-Month Treasury Bills	3.64%	3.61%	5.88%
Long-Term Treasury Bonds	5.75%	5.74%	5.45%

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MASTER FINANCIAL
SERVICE

MERRILL LYNCH **WCMA** ACCOUNT

CUMBERLAND CEMETERY ASSOC

Cash Flow Summary

Activity Summary			Credits		Debits		
	This Statement	Year-to-Date	This Statement	Year-to-Date		This Statement	Year-to-Date
Opening Balance Cash & Money Accounts	7,014.33		Sales Income Funds Received Other	5,727.10 1,655.16 4,000.00 5,387.07	Purchases Withdrawals CMA Checks Other		10,755.74 300.00
Net Credits & Debits	1,905.03	5,713.59					
Closing Balance Cash & Money Accounts	8,919.36						
			Total Credits	2,205.03	16,769.33	Total Debits	300.00
							11,055.74

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
8,919	CMA MONEY FUND		1.00	8,919	1.00	8,919			378	4.24

Cash and Money Accounts

+ PLEASE SEE REVERSE SIDE





MERRILL LYNCH **WCMA** ACCOUNT

MASTER FINANCIAL
SERVICE

CUMBERLAND CEMETERY ASSOC

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
CDs, Deposit Notes and Equivalents										
15,000	ΔCD U.S.BK NA MINEAPOLIS MN FRMLY FIRST BANK NA 05.750% DEC 24 2001 SEMI ORIGINAL UNIT COST: 100.03	12/30/97	100.00	15,000	100.53	15,079	79	17	862	5.71
15,000	CD CAPITAL ONE BANK FSB FALLS CHURCH VIRGINIA 06.000% JUL 29 2002 SEMI	07/19/99	100.00	15,000	101.38	15,208	208	375	899	5.91
10,000	CD CROSS COUNTRY BANK WILMINGTON DE 06.750% JAN 27 2003 SEMI	01/14/00	100.00	10,000	102.80	10,280	280	285	675	6.56
Total CDs, Deposit Notes and Equivalents				40,000		40,568	567	677	2,437	6.01
Bonds purchased at a premium show amortization		Δ								
Bonds purchased at a discount show accretion		Θ								
Corporate Bonds										
70	CENTRAL MAIN POWER CO PFD CUM 3.5%	N/A	N/A	N/A	47.00	3,290	N/A		245	7.44
Total Corporate Bonds						3,290			245	7.45

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PLEASE SEE REVERSE SIDE

0016645

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4 of 17

Statement Period
06/01/01 TO 06/29/01

Account No.
824-04256

016022 4026



824051010011270003





MASTER FINANCIAL
SERVICE

MERRILL LYNCH **WCMA** ACCOUNT

CUMBERLAND CEMETERY ASSOC

Current Portfolio

Quantity	Security Description	Total Client Investment	Cumulative Investment Return	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Current Yield %
Mutual Funds and Defined Asset Funds									
Equity Funds									
316	AIM CONSTELLATION FD CL C (.9270 FRACTIONAL SHARE) INITIAL PURCHASE: 01/14/00	\$9,982	(\$2,607)	11,830	23.34	7,375	(4,454)		
				N/A	23.34	21	N/A		
492	ING PILGRIM GR & VAL C (.1150 FRACTIONAL SHARE) INITIAL PURCHASE: 01/14/00	\$9,984	(\$3,618)	10,976	12.94	6,366	(4,609)		
				N/A	12.94	1	N/A		
782	ML GLOBAL ALLOCATION A (.1500 FRACTIONAL SHARE) INITIAL PURCHASE: 08/15/94	\$5,011	\$5,662	10,703	13.65	10,674	(30)		
				N/A	13.65	2	N/A		
Total Equity Funds			(\$563)	33,510		24,441	(9,093)		
Total Funds			(\$563)	33,510		24,441	(9,093)		

TOTAL CLIENT INVESTMENT: Cost of shares directly purchased and still held.
Does not include shares purchased through reinvestment.

CUMULATIVE INVESTMENT RETURN: Estimated Market Value minus Total Client Investment. Cumulative Investment Return is the capital appreciation (depreciation) of all shares purchased, including shares purchased through reinvestment.

UNREALIZED GAIN or (LOSS): Estimated Market Value minus Total Cost Basis.

Provided for Tax Planning purposes only and is not applicable to retirement accounts "denoted by N/A".

INITIAL PURCHASE: Date of your initial investment in this fund.

Total of Long Portfolio

82,430*

77,218

(8,526)*

3,060

3.96

Total of Estimated Accrued Interest

677

* - Excludes N/A Items



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MASTER FINANCIAL
SERVICE

MERRILL LYNCH **WCMA** ACCOUNT

CUMBERLAND CEMETERY ASSOC

Date	Transaction	Quantity	Monthly Activity Description	Price	Debit	Credit
Dividends and Interest						
06/01	* Dividend		OPPENHEIMER BOND			.63
			FUND CLASS A			
06/22	□ Bond Interest		CD U.S.BK NA MINEAPOLIS			430.07
			MN FRMLY FIRST BANK NA			
			05.750% DEC 24 2001 SEMI			
06/29	Share Dividend	24	CMA MONEY FUND			
06/29	Cash Dividend		CMA MONEY FUND			.33
			FROM 05-31 THRU 06-28			
	Income Total		CMA MONEY FUND			24.00
			Net Total			455.03
Funds Received						
06/19	Funds Received		Check Deposits			1,750.00
			Net Total			1,750.00
Other Activity						
06/05	Annual Charge		WCMA ANNUAL FEE		300.00	
			Net Total		300.00	



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MASTER FINANCIAL
SERVICE

MERRILL LYNCH **WCMA** ACCOUNT

CUMBERLAND CEMETERY ASSOC

Daily Activity Review

Date	Transaction	Quantity	Description	Price	Amount	Cash Balance	Money Account Balance
05/31	Opening Balance					1.33CR	7,013
06/01	Purchase	1	CMA MONEY FUND		1.00		
06/01	* Dividend		OPPENHEIMER BOND FUND CLASS A		.63CR	.96CR	7,014
06/05	Annual Charge		WCMA ANNUAL FEE		300.00		
06/05	Sale	-300	CMA MONEY FUND		300.00CR	.96CR	6,714
06/19	Funds Received				400.00CR		
06/19	Funds Received				450.00CR		
06/19	Funds Received				900.00CR	1,750.96CR	6,714
06/21	Purchase	1,750	CMA MONEY FUND		1,750.00	.96CR	8,464
06/22	□ Bond Interest		CD U.S.BK NA MINEAPOLIS MN FRMLY FIRST BANK NA 05.750% DEC 24 2001 SEMI		430.07CR		
06/25	Purchase	431	CMA MONEY FUND		431.00	431.03CR	8,464
06/29	Share Dividend	24	CMA MONEY FUND			.03CR	8,895
06/29	Cash Dividend		CMA MONEY FUND		.33CR		
06/29	Closing Balance		FROM 05-31 THRU 06-28		.36CR	.36CR (R)	8,919 (R)

Customer Service

For information about your account, please call 1-800-MER-WCMA (1-800-637-9262). To report Lost or Stolen Visa Cards or Checks, please call 1-800-262-5678.

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*** END OF STATEMENT ***

0016648

Page 7 of 17
CODE # 6060F (R12-C)
Statement Period
06/01/01 TO 06/29/01

Account No.
824-04256

015022 4026





MERRILL LYNCH **WCMA** ACCOUNT

MASTER FINANCIAL
SERVICE

Total Account Value As Of 06/29/2001

\$159,663.49

|||||
CUMBERLAND CEMETERY ASSOC
PERPETUAL CARE FUND
ATTN: PETER MCKENNEY TREASURER
36 BRUCE HILL RD
CUMBERLAND CTR ME 04021-9709

YOUR FINANCIAL CONSULTANT:
JOHN P BOYNE
John.Boyne@ml.com
(800) 689-6377

Your Merrill Lynch Office:
350 FORE STREET
PORTLAND ME 04104

FOR CUSTOMER SERVICE QUESTIONS:

1-800-MER-WCMA (1-800-637-9262)

Monthly Portfolio Summary

Asset	05/31/01 Value	%	06/29/01 Value	%
Cash/Money Accounts	23,415	15	24,036	15
CD's/Equivalents	73,606	46	73,695	46
Government Securities				
Corporate Bonds				
Municipal Bonds				
Equities				
Mutual Funds	62,130	39	60,945	38
Options				
Other				
Long Market Value	159,151		158,677	
Short Market Value				
Estimated Accrued Interest	1,167		986	
Debit Balance				
Net Portfolio Value	160,318		159,663	

NEWS

Your statement will identify "unsolicited" trades and ML Online
"client entered" trades placed on or after 6/11.

Income Summary

	This Statement	Year-to-Date
Money Fund Dividends	79.81	655.11
Tax-Exempt Funds		
Tax-Exempt Interest		
Reportable Interest	541.02	2,269.90
Reportable Dividends	115.25	115.25
Income Not Reported		
Total	736.08	3,040.26

Items for Attention

Security	Message	Date
CD BANK OF AMERICA ARIZ	Maturing	07/24/01

Purchasing Power 24,036

Financial Market Indicators

	This Statement	Last Statement	Previous Year-End
Dow Jones Industrial Average	10499.79	10911.94	10787.99
Three-Month Treasury Bills	3.64%	3.61%	5.88%
Long-Term Treasury Bonds	5.75%	5.74%	5.45%

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MASTER FINANCIAL
SERVICE

MERRILL LYNCH **WCMA** ACCOUNT

CUMBERLAND CEMETERY ASSOC

Cash Flow Summary

Activity Summary			Credits			Debits		
	This Statement	Year-to-Date		This Statement	Year-to-Date		This Statement	Year-to-Date
Opening Balance Cash & Money Accounts	23,415.51		Sales Income Funds Received Other	736.08	3,040.26	Purchases Withdrawals Other	115.25	5,502.32
Net Credits & Debits	620.83	2,462.06DR						
Closing Balance Cash & Money Accounts	24,036.34							
			Total Credits	736.08	3,040.26	Total Debits	115.25	5,502.32

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
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Cash and Money Accounts

	CASH			1		1				
24,035	CMA MONEY FUND		1.00	24,035	1.00	24,035			1,019	4.24
Total Cash and Money Accounts				24,036		24,036			1,019	4.24



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**MERRILL LYNCH WICMA[®] ACCOUNT****MASTER FINANCIAL
SERVICE**

CUMBERLAND CEMETERY ASSOC

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
CDs, Deposit Notes and Equivalents										
9,000	ΔCD BANK OF AMERICA ARIZ FRMLY BANK OF AMER ILL 08.200% JUL 24 2001 SEMI ORIGINAL UNIT COST: 106.16	07/02/97	100.09	9,008	100.15	9,013	5	320	737	8.18
10,000	CD PROVIDENT BANK OF MARYLAND BALTIMORE MD 05.750% OCT 22 2001 SEMI	10/24/97	99.82	9,982	100.29	10,029	47	110	574	5.73
9,000	ΔCD MANUFACTURERS AND TRADERS TR CO BUFFALO NY 06.400% MAY 28 2002 SEMI ORIGINAL UNIT COST: 100.60	07/02/97	100.10	9,009	101.51	9,136	126	50	576	6.30
15,000	CD HOUSEHOLD BANK FSB PROSPECT HEIGHTS ILL 06.350% AUG 26 2002 SEMI	08/16/99	100.00	15,000	101.86	15,279	279	324	952	6.23
10,000	ΔCD PROVIDIAN N.B. TILTO N.H. FRMLY FIRST DEPOSIT 06.000% OCT 15 2002 SEMI ORIGINAL UNIT COST: 100.41	10/24/97	100.10	10,010	101.46	10,146	135	123	600	5.91
10,000	CD US BK NA NTH DAKOTA FMLY FST BK OF S DAKOTA 05.650% JUN 03 2003 SEMI	05/18/98	100.00	10,000	101.12	10,112	112	40	565	5.58
10,000	CD MBNA AMERICA BANK NEWARK, DEL 05.200% DEC 16 2003 SEMI	12/07/98	100.00	10,000	99.76	9,976	(23)	19	519	5.21
Total CDs, Deposit Notes and Equivalents				73,011		73,695	681	986	4,526	6.14

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MASTER FINANCIAL
SERVICE

MERRILL LYNCH **WCMA** ACCOUNT

CUMBERLAND CEMETERY ASSOC

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
	Bonds purchased at a premium show amortization	Δ								
	Bonds purchased at a discount show accretion	Θ								

Current Portfolio

Quantity	Security Description	Total Client Investment	Cumulative Investment Return	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Current Yield %
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Mutual Funds and Defined Asset Funds

Equity Funds

564	DAVIS NY VENTURE FD CL C (.8310 FRACTIONAL SHARE) INITIAL PURCHASE: 07/02/97	\$10,018	\$4,583	12,322	25.89	14,601	2,279		
				N/A	25.89	21	N/A		
238	FRANKLIN SML CAP GRW FD CL C (.6540 FRACTIONAL SHARE) INITIAL PURCHASE: 07/02/97	\$5,004	\$2,785	5,353	32.73	7,789	2,435		
				N/A	32.73	21	N/A		
456	FRANKN MUTUAL DISCOVERY FD CL C (.6380 FRACTIONAL SHARE) INITIAL PURCHASE: 07/02/97	\$6,008	\$2,942	8,886	19.63	8,951	64	93	1.03
				N/A	19.63	12	N/A		1.03
536	JOHN HANCOCK SMALL CAP GROWTH FD CL B (.5280 FRACTIONAL SHARE) INITIAL PURCHASE: 07/02/97	\$5,000	\$49	6,740	9.42	5,049	(1,689)		
				N/A	9.42	4	N/A		
429	ML PACIFIC FUND CL C	\$9,995	(\$2,509)	11,165	17.45	7,486	(3,677)		

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PLEASE SEE REVERSE SIDE





MASTER FINANCIAL
SERVICE

MERRILL LYNCH **WCMA** ACCOUNT

CUMBERLAND CEMETERY ASSOC

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
CDs, Deposit Notes and Equivalents										
9,000	ΔCD BANK OF AMERICA ARIZ FRMLY BANK OF AMER ILL 08.200% JUL 24 2001 SEMI ORIGINAL UNIT COST: 106.16	07/02/97	100.09	9,008	100.15	9,013	5	320	737	8.18
10,000	CD PROVIDENT BANK OF MARYLAND BALTIMORE MD 05.750% OCT 22 2001 SEMI	10/24/97	99.82	9,982	100.29	10,029	47	110	574	5.73
9,000	ΔCD MANUFACTURERS AND TRADERS TR CO BUFFALO NY 06.400% MAY 28 2002 SEMI ORIGINAL UNIT COST: 100.60	07/02/97	100.10	9,009	101.51	9,136	126	50	576	6.30
15,000	CD HOUSEHOLD BANK FSB PROSPECT HEIGHTS ILL 06.350% AUG 26 2002 SEMI	08/16/99	100.00	15,000	101.86	15,279	279	324	952	6.23
10,000	ΔCD PROVIDIAN N.B. TILTO N.H. FRMLY FIRST DEPOSIT 06.000% OCT 15 2002 SEMI ORIGINAL UNIT COST: 100.41	10/24/97	100.10	10,010	101.46	10,146	135	123	600	5.91
10,000	CD US BK NA NTH DAKOTA FMLY FST BK OF S DAKOTA 05.650% JUN 03 2003 SEMI	05/18/98	100.00	10,000	101.12	10,112	112	40	565	5.58
10,000	CD MBNA AMERICA BANK NEWARK, DEL 05.200% DEC 16 2003 SEMI	12/07/98	100.00	10,000	99.76	9,976	(23)	19	519	5.21
Total CDs, Deposit Notes and Equivalents				73,011		73,695	681	986	4,526	6.14



PLEASE SEE REVERSE SIDE



CUMBERLAND CEMETERY ASSOC

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
Bonds purchased at a premium show amortization		Δ								
Bonds purchased at a discount show accretion		Θ								

Current Portfolio

Quantity	Security Description	Total Client Investment	Cumulative Investment Return	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Current Yield %
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Mutual Funds and Defined Asset Funds
Equity Funds

564	DAVIS NY VENTURE FD CL C (.8310 FRACTIONAL SHARE) INITIAL PURCHASE: 07/02/97	\$10,018	\$4,583	12,322	25.89	14,601	2,279		
				N/A	25.89	21	N/A		
238	FRANKLIN SML CAP GRW FD CL C (.6540 FRACTIONAL SHARE) INITIAL PURCHASE: 07/02/97	\$5,004	\$2,785	5,353	32.73	7,789	2,435		
				N/A	32.73	21	N/A		
456	FRANKN MUTUAL DISCOVERY FD CL C (.6380 FRACTIONAL SHARE) INITIAL PURCHASE: 07/02/97	\$6,008	\$2,942	8,886	19.63	8,951	64	93	1.03
				N/A	19.63	12	N/A		1.03
536	JOHN HANCOCK SMALL CAP GROWTH FD CL B (.5280 FRACTIONAL SHARE) INITIAL PURCHASE: 07/02/97	\$5,000	\$49	6,740	9.42	5,049	(1,689)		
				N/A	9.42	4	N/A		
429	ML PACIFIC FUND CL C	\$9,995	(\$2,509)	11,165	17.45	7,486	(3,677)		

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PLEASE SEE REVERSE SIDE





MERRILL LYNCH **WCMA** ACCOUNT

MASTER FINANCIAL
SERVICE

CUMBERLAND CEMETERY ASSOC

Current Portfolio

Quantity	Security Description	Total Client Investment	Cumulative Investment Return	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Current Yield %
Mutual Funds and Defined Asset Funds									
	(.7450 FRACTIONAL SHARE) INITIAL PURCHASE: 01/14/00			N/A	17.45	13	N/A		
402	OPPENHEIMER QUEST OPPORTUNITY VAL FD CL C (.9330 FRACTIONAL SHARE) INITIAL PURCHASE: 07/02/97	\$10,001	\$3,317	13,679	33.13	13,318	(360)	142	1.06
				N/A	33.13	30	N/A		1.06
348	TEMPLETON DEVELOPING MARKETS TRUST SBI CL C (.0850 FRACTIONAL SHARE) INITIAL PURCHASE: 07/02/97	\$6,011	(\$2,368)	6,331	10.47	3,643	(2,686)		
				N/A	10.47		N/A		
Total Equity Funds			\$8,799	64,478		60,945	(3,634)	235	.39
Total Funds			\$8,799	64,478		60,945	(3,634)	235	.39

TOTAL CLIENT INVESTMENT: Cost of shares directly purchased and still held.
Does not include shares purchased through reinvestment.

CUMULATIVE INVESTMENT RETURN: Estimated Market Value minus Total Client
Investment. Cumulative Investment Return is the capital appreciation (depreciation)
of all shares purchased, including shares purchased through reinvestment.

UNREALIZED GAIN or (LOSS): Estimated Market Value minus Total Cost Basis.

Provided for Tax Planning purposes only and is not applicable to retirement accounts "denoted by N/A".

INITIAL PURCHASE: Date of your initial investment in this fund.

Total of Long Portfolio

161,526*

158,677

(2,953)*

5,781

3.64

Total of Estimated Accrued Interest

986

* - Excludes N/A Items

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PLEASE SEE REVERSE SIDE

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Statement Period
06/01/01 TO 06/29/01

Account No.
824-04293

016022 4026



824051010011270007





MASTER FINANCIAL
SERVICE

MERRILL LYNCH **WCMA** ACCOUNT

CUMBERLAND CEMETERY ASSOC

Date	Transaction	Quantity	Monthly Activity Description	Price	Debit	Credit
Security Transactions						
06/26	Divd Reinv	2	FRANKN MUTUAL DISCOVERY FD CL C REINV AMOUNT \$52.10 REINV PRICE \$19.52000 QUANTITY BOT 2.6690 AS OF 06/22			
06/26	Journal Entry	1	FRANKN MUTUAL DISCOVERY FD CL C FULL SHARE ACCUM			
06/26	Divd Reinv	1	FRANKN MUTUAL DISCOVERY FD CL C REINV AMOUNT \$34.57 REINV PRICE \$19.52000 QUANTITY BOT 1.7710 AS OF 06/22			
06/26	Journal Entry	1	FRANKN MUTUAL DISCOVERY FD CL C FULL SHARE ACCUM			
06/26	Divd Reinv	1	FRANKN MUTUAL DISCOVERY FD CL C REINV AMOUNT \$28.58 REINV PRICE \$19.52000 QUANTITY BOT 1.4640 AS OF 06/22			
Net Total						

PLEASE SEE REVERSE SIDE





MASTER FINANCIAL
SERVICE

MERRILL LYNCH **WCMA** ACCOUNT

CUMBERLAND CEMETERY ASSOC

Date	Transaction	Quantity	Monthly Activity Description	Price	Debit	Credit
Dividends and Interest						
06/04	II Bond Interest		CD US BK NA NTH DAKOTA FMLY FST BK OF S DAKOTA 05.650% JUN 03 2003 SEMI			281.73
06/18	II Bond Interest		CD MBNA AMERICA BANK NEWARK, DEL 05.200% DEC 16 2003 SEMI			259.29
06/26	* Dividend		FRANKN MUTUAL DISCOVERY FD CL C			28.58
06/26	* Lg Tm Cap Gain		FRANKN MUTUAL DISCOVERY FD CL C			34.57
06/26	* Sh Tm Cap Gain		FRANKN MUTUAL DISCOVERY FD CL C			52.10
06/29	Share Dividend	79	CMA MONEY FUND			
06/29	Cash Dividend		CMA MONEY FUND FROM 05-31 THRU 06-28			.81
	Income Total		CMA MONEY FUND			79.00
Net Total						736.08
Other Activity						
06/26	Reinvestment		FRANKN MUTUAL DISCOVERY FD CL C		28.58	
06/26	Reinvestment		FRANKN MUTUAL DISCOVERY FD CL C		34.57	
06/26	Reinvestment		FRANKN MUTUAL DISCOVERY FD CL C		52.10	



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Merrill Lynch

MASTER FINANCIAL
SERVICE

MERRILL LYNCH **WCMA** ACCOUNT

CUMBERLAND CEMETERY ASSOC

Date	Transaction	Quantity	Monthly Activity Description	Price	Debit	Credit
Net Total						115.25

Daily Activity Review

Date	Transaction	Quantity	Description	Price	Amount	Cash Balance	Money Account Balance
05/31	Opening Balance					.51CR	23,415
06/04	□ Bond Interest		CD US BK NA NTH DAKOTA FMLY FST BK OF S DAKOTA 05.650% JUN 03 2003 SEMI		281.73CR		
06/05	Purchase	282	CMA MONEY FUND		282.00	282.24CR	23,415
06/18	□ Bond Interest		CD MBNA AMERICA BANK NEWARK, DEL 05.200% DEC 16 2003 SEMI		259.29CR	.24CR	23,697
06/19	Purchase	259	CMA MONEY FUND		259.00	259.53CR	23,697
06/26	* Dividend		FRANKN MUTUAL DISCOVERY FD CL C		28.58CR	.53CR	23,956
06/26	Reinvestment		FRANKN MUTUAL DISCOVERY FD CL C		28.58		
06/26	* Lg Tm Cap Gain		FRANKN MUTUAL DISCOVERY FD CL C		34.57CR		
06/26	Reinvestment		FRANKN MUTUAL DISCOVERY FD CL C		34.57		
06/26	* Sh Tm Cap Gain		FRANKN MUTUAL DISCOVERY FD CL C		52.10CR		
06/26	Reinvestment		FRANKN MUTUAL DISCOVERY FD CL C		52.10		
06/26	Divd Reinv	2	FRANKN MUTUAL DISCOVERY FD CL C REINV AMOUNT \$52.10 REINV PRICE \$19.52000				

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Merrill Lynch

MASTER FINANCIAL
SERVICE

MERRILL LYNCH **WCMA**® ACCOUNT

CUMBERLAND CEMETERY ASSOC

Daily Activity Review

Date	Transaction	Quantity	Description	Price	Amount	Cash Balance	Money Account Balance
			QUANTITY BOT 2.6690 AS OF 06/22				
06/26	Journal Entry	1	FRANKN MUTUAL DISCOVERY FD CL C FULL SHARE ACCUM				
06/26	Divd Reinv	1	FRANKN MUTUAL DISCOVERY FD CL C REINV AMOUNT \$34.57 REINV PRICE \$19.52000 QUANTITY BOT 1.7710 AS OF 06/22				
06/26	Journal Entry	1	FRANKN MUTUAL DISCOVERY FD CL C FULL SHARE ACCUM				
06/26	Divd Reinv	1	FRANKN MUTUAL DISCOVERY FD CL C REINV AMOUNT \$28.58 REINV PRICE \$19.52000 QUANTITY BOT 1.4640 AS OF 06/22				
06/29	Share Dividend	79	CMA MONEY FUND			.53CR	23,956
06/29	Cash Dividend		CMA MONEY FUND FROM 05-31 THRU 06-28		.81CR		
06/29	Closing Balance				1.34CR	1.34CR	24,035

Customer Service

(R)

(R)

For information about your account, please call 1-800-MER-LINK (1-800-637-5465). To report Lost or Stolen Visa Cards or Checks, please call 1-800-262-5678.

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Statement Period
06/01/01 TO 06/29/01

Account No.
824-04293

016022 4026



824051010011270009





MERRILL LYNCH **WCMA** ACCOUNT

MASTER FINANCIAL SERVICE

CUMBERLAND CEMETERY ASSOC

Agreement Regarding Your Securities Account and Other Important Information

You, the Client, and we, Merrill Lynch, Pierce, Fenner & Smith Inc., agree as follows:

(1) We will direct your order for a multi-listed security or option to the market place we consider to be the primary market for that security, unless you give us specific instructions to direct the order elsewhere.

(2) We will hold bonds and preferred stocks in bulk segregation (except for those held in custodian accounts). In the event of a call for less than an entire issue or series of those securities, the securities to be called will be automatically selected on a random basis from those held in bulk. The probability that your holdings will be selected is proportional to the amount of your holdings relative to those of other customers.

(3) If you have any obligations to us we can, subject to applicable rules and regulations of regulatory bodies, without notifying you, take any of the following actions with any or all securities in your account, including securities you may acquire or deposit to secure your account.

* We can pledge, repledge, hypothecate, or rehypothecate the securities. They may be commingled with securities carried for the accounts of other customers.

* We can lend the securities.

* We can deliver the securities on contracts for other customers even if we do not have in our possession and control a like amount of similar securities for delivery.

We can take any of these actions until you have discharged all your obligations to us. The amount involved in these actions may be more or less than the amount you owe us.

(4) We are not responsible for the loss or destruction of securities that are placed in the custody of a foreign bank or broker or other custodian, and are lost or destroyed as a result of war, civil commotion, enemy action, government acts or any other causes beyond the control of the depository or us.

(5) This statement of account shall be deemed conclusive if not objected to within ten (10) days.

(6) We can transfer your account to anyone by assignment, merger, consolidation or otherwise, unless you give us written notice to the contrary at the time. This agreement will inure to the benefit of anyone to whom we transfer the accounts. Nothing contained in this paragraph shall affect your right to transfer your account under NYSE Rule 412.

Insurance

The Securities Investor Protection Corporation (SIPC) protects securities and cash in Merrill Lynch accounts for up to \$500,000 per client for securities (including up to \$100,000 for cash). Merrill Lynch has obtained coverage in excess of the SIPC limits. SIPC and the excess-SIPC protection do not cover assets that are not securities or assets that are not held at Merrill Lynch. Cash on deposit at depository institutions (through programs such as Merrill Lynch Banking AdvantageSM program, Retirement Asset Savings ProgramSM and ISA[®] program) or certificates of deposit purchased through Merrill Lynch are held at the depository institution, not at Merrill Lynch, and are protected by the Federal Deposit Insurance Corporation (FDIC) rather than by SIPC or excess-SIPC bond. Deposits held in different categories, such as individual, joint, trust, or retirement are separately insured by the FDIC up to \$100,000 per depositor in each bank. For details, refer to the Program Description for your account, if applicable, or speak with your Financial Advisor.

Other Important Information

(1) We receive a fee from participating institutions of up to 2% per annum of the average daily balances in the ISA program. In the RASPSM and MLBASM programs, this fee is up to .50% and is paid by our affiliated banks.

(2) You will have the right to vote full shares, and we will solicit instructions concerning the voting of full shares held in your account. If such instructions are not received by us on a timely basis, the voting shares in your account will be governed by the rules and policies of the New York Stock Exchange and the Securities and Exchange Commission then in effect.

Merrill Lynch, Pierce, Fenner & Smith Inc.
World Financial Center

North Tower
New York, N.Y. 10281-1332

Member, Securities Investor Protection Corporation (SIPC)

Other Important Information (Continued)

(3) This statement serves as a confirmation of purchases that result from automatic reinvestment transactions, as well as your AIPS transactions, during the statement period.

(4) Insurance policy information is based on data from the insurer that issued the policy. Merrill Lynch is not responsible for the calculation of policy values. Policies are generally not held in your Merrill Lynch account. If Merrill Lynch as custodian or trustee holds a policy that is a security, SIPC protection and excess SIPC protection applies.

(5) As an option customer, please advise your Financial Advisor promptly of any material change in your investment objectives or financial condition. Individual options commission charges have been included in your confirmation; however, a summary of this information will be made available to you upon request.

(6) Our financial statement is available for your personal inspection at our office, or a copy of it will be mailed upon your written request.

Special Note: If your records differ from this information, please notify your Financial Advisor. In writing with a copy of the statement noting the discrepancy and, if appropriate, any necessary adjustments will be made.

WCMA Loan Account Activity

Reports important information from Merrill Lynch Business Financial Services Inc. (MLBFS, Inc.) through which the WCMA Line of Credit is made available. Includes information on your Line of Credit, Loan Balance, Loan Subject to Interest, and Loan Interest Charged. Interest charges accrue daily during the statement period with each day being deemed to constitute 1/360 of a year. Refer to the WCMA Agreement and documents required by MLBFS for details.

Managed Trust Units

Information for RCMA for Business Retirement Plan clients on units of the Merrill Lynch GIC Managed Trust is reported from information supplied by the Merrill Lynch Trust Company or its agent. Neither the Trust nor its units are held in your Merrill Lynch, Pierce, Fenner & Smith Inc. account and therefore, are not subject to SIPC protection. An annual report will be furnished separately.

Symbols and Abbreviations

□ Interest reported to IRS by Merrill Lynch as required by law.
■ Gross Proceeds reported to the IRS by Merrill Lynch as required by law.
* Dividends reported to the IRS by Merrill Lynch as required by law.
** Merrill Lynch maintains a fundamental opinion on this company.
: Transactions reported to IRS.
Transaction you requested required same-day payment - MLPF & S retained last day's dividend to offset cost of advancing payment on your behalf.
A This transaction was effected through a specialist which is our affiliate. In connection with its market making activity, such specialist may have a long or short position in this stock or in options on this stock and may be on the other side of public orders executed on the exchange. Such specialists may have profited or lost in connection with this transaction.
N/A Value and/or cost data not available.
N/C Not calculated.
N/N Non-negotiable securities.
N/N N/O Non-negotiable securities held registered in your name.
N/O Held registered in your name.
NOCC Options Clearing Corporation.
N/O CUST Non-negotiable Custodian Registration.
NPC Interests in assets not registered in the name of nor held by us or our nominees and held by you or registered in your name with the issuer or its agent. Merrill Lynch, Pierce, Fenner & Smith Inc. does not control or act as custodian for these investments.
RD Bonds are changeable from coupon to registered and vice versa without charge.
RG Bonds registered for both principal and interest.

*** END OF STATEMENT ***



CUMBERLAND CEMETERY ASSOCIATION

Peter C. McKenney, Treasurer

36 Bruce Hill Road

Cumberland, ME 04021-9709

207-829-6297

March 11, 2001

To: Members of the Cumberland Cemetery Association

Re: Financial report for 2000

The Association's financial situation declined substantially in 2000, despite good sales and interest and dividend revenue. The major disappointments were the decline in value of equity investments and the Town's reduction of its support by half (\$3,000).

Financial Position

The total of assets decreased by \$10,101 (4%). See attachment, page 1. We had hoped that they would have increased by approximately \$6,400. Due to poor investment results, the Perpetual Care Fund (PCF) decreased \$3,657 (2.2%). The operating assets declined \$6,443 (8%).

Revenue and Expenditures

Total realized revenue was almost \$6,000 above budget, despite the Town's reduction of its support. The key reason for this was higher than expected interest rates and dividend yields during the year. See attachment, page 2. Net sales were just above expectations (see list on page 4), despite repurchasing lots for \$2,100.

Expenditures were almost exactly on budget, with one major exception. Due to concern for safety and potentially irreversible degradation of certain items, the officers approved an unbudgeted \$2,500 emergency repair project during the summer.

Allocation to Funds

The allocation of revenue and expenditures to the various funds is on the attachment, page 3. In 2000, the Association cannot afford to leave any part of the earnings and appreciation in the PCF. In 1999, the Association was able to afford to retain half of the earnings of the PCF in order to allow the PCF to grow to better handle inflationary costs in the future. All three operating funds declined in value at the end of 2000, although they are not in imminent danger of being depleted.

Additional Financial Information

Reports directly from the internal accounting system are attached at pages 5-6 to provide additional detail on certain expenditures.

CUMBERLAND CEMETERY ASSOCIATION
Statement of Financial Position
December 31, 2000 and December 31, 1999

Assets	12/31/00	12/31/99
Merrill Lynch Cash	11.77	12.57
Merrill Lynch CMA Funds	1,571.46	40,386.00
Capital One CD	15,000.00	15,000.00
CMP Preferred (fmv)	2,975.00	2,887.00
Oppenheimer Fund Grade Bonds (fmv)	1,713.00	1,744.00
So. Calif. Edison Bond	3,410.00	4,472.00
Cross Country Bank CD	10,000.00	
AIM Constellation Fund Class C	8,803.00	
Pilgrim Grw & Val Class C	8,349.00	
Merrill Lynch Fund (fmv)	10,259.00	9,421.00
US Bank of NA CD	15,030.66	
To be transferred from PC assets	5,387.00	
US Bank of NA CD		15,030.66
Operating Assets	82,509.89	88,953.23
Bank of America CD	0.00	9,003.39
ML Pacific Fund Class C	7,889.00	0.00
Household Bank CD	15,000.00	15,000.00
MBNA American Bank CD	10,000.00	10,000.00
US Bank of ND CD	10,000.00	10,000.00
First Deposit NB Tilton CD	10,041.95	10,041.95
Provident Bk of MD CD	9,982.09	9,982.09
Aliant Bank of Alexandria CD		10,000.00
Franklin Mutual Discovery Fund (fmv)	8,459.00	7,583.00
Oppenheimer Quest Opport. V (fmv)	13,356.00	12,235.00
Franklin Strategic Ser. Small Cap. (fmv)	9,207.00	10,286.00
Templeton Dev. Markets TR SMI II (fmv)	3,615.00	5,346.00
Davis NY Venture (fmv)	15,876.17	14,521.00
J. Hancock Sp. Eq. Fund Class B (fmv)	7,344.13	7,094.00
Mfrs. & Traders CD	9,117.89	9,117.89
Bank of America CD	9,890.99	9,890.99
ML PCF Cash	1.40	0.73
ML PCF CMA Fund	26,497.00	14,446.00
To be transferred out of PC Fund	(5,387.07)	
Perpetual Care Assets	160,890.55	164,548.04
TOTAL ASSETS	243,400.44	253,501.27
Fund Balances		
General Fund	46,059.68	46,722.83
McCall Fund (Chebeague)	14,554.03	18,166.19
St. Clair Fund (Foreside)	21,896.25	24,064.21
Perpetual Care Funds	160,890.55	164,548.04
TOTAL FUND BALANCES	243,400.51	253,501.27

CUMBERLAND CEMETERY ASSOCIATION
Combined Statement of Revenue, Expenditures,
and Changes in Fund Balances
For the years ended December 31, 2000 and 1999

	<u>2000</u>	<u>1999</u>
Interest and Dividends	7,594.89	4,358.39
Sales of Lots	7,100.00	8,700.00
Appropriation, Town of Cumberland	3,000.00	6,000.00
Gains/(Losses) (Realized & Unrealized)	(7,274.55)	(853.44)
PCF Gains/(Losses)(Realized and Unrealized)	(7,207.49)	10,128.43
Interest from Perpetual Care Funds:		
In Custody of Town	969.21	1,348.12
In Custody of Association	11,336.80	8,688.68
Total Revenues	<u>15,518.86</u>	<u>38,370.18</u>
Officers' stipends	1,500.00	1,500.00
Insurance		(638.00)
Office expenses	329.00	317.79
Cemetery maintenance- Chebeague	2,126.54	2,112.97
-Congregational	3,896.34	3,420.00
-Ferris	1,298.78	1,140.00
-Foreside	1,948.17	1,710.00
-Methodist	3,246.95	2,850.00
-Universalist	3,463.41	3,040.00
-Moss Side	7,143.29	9,168.67
-General	649.39	570.00
Miscellaneous	17.76	6.21
Total Expenditures	<u>25,619.62</u>	<u>25,197.64</u>
Excess (Deficit) of Revenues over Expenditures	<u>(10,100.76)</u>	<u>13,172.54</u>

CUMBERLAND CEMETERY ASSOCIATION
Allocation of Revenue and Expenditures to Funds
2000

Funds:	General	McCall	St. Clair	Subtotals	Perpetual Care	Grand Totals
Balances 12/31/99:	46,722.83	18,166.19	24,064.21	88,953.23	164,548.04	253,501.27
Revenue:						
Interest and Dividend Income	3,989.23	1,551.04	2,054.62	7,594.89		7,594.89
Donations	0.00			0.00	0.00	0.00
Town appropriation	3,000.00			3,000.00		3,000.00
Sale of lots	5,900.00	1,200.00		7,100.00		7,100.00
PC income from town				0.00	969.21	969.21
PC Fund interest income				0.00	11,336.80	11,336.80
PCF Gains/(Losses)(Realized & Unrealized)					-7,207.49	-7,207.49
Gains & Losses (Unrealized)	-3,820.97	-1,485.62	-1,967.96	-7,274.55		-7,274.55
Total revenue	9,068.26	1,265.42	86.66	10,420.34	5,098.52	15,518.86
Expenditures:						
Officers' stipends	1,500.00			1,500.00		1,500.00
Superintendents' fees	1,000.00	200.00	200.00	1,400.00		1,400.00
Office expenses	329.00			329.00		329.00
Cemetery maintenance	20,446.32	1,926.54		22,372.86		22,372.86
Miscellaneous	17.76			17.76		17.76
Total Expenditures	23,293.08	2,126.54	200.00	25,619.62		25,619.62
Inter Fund Transfers						
Half of lot sales proceeds to PCF	-2,950.00	-600.00	0.00	-3,550.00	3,550.00	0.00
Portion of 2000 PCF int., div. & gain/loss inc. reallocated	11,336.80			11,336.80	-11,336.80	0.00
2000 Town of Cumberland PCF interest reallocated	969.21			969.21	-969.21	0.00
2000 investment income reallocated	3,605.66	-1,551.04	-2,054.62	0.00		0.00
Half of lot sales proceeds to General Fund	600.00	-600.00	0.00	0.00		0.00
Total Transfers	13,561.67	-2,751.04	-2,054.62	8,756.01	-8,756.01	0.00
Balances 12/31/00	46,059.68	14,554.03	21,896.25	82,509.96	160,890.55	243,400.51
Ratios of Funds Other Than Perpetual Care Fund:						
Dec. 31, 1999	52.53%	20.42%	27.05%	100.00%		
Dec. 31, 2000	55.82%	17.64%	26.54%	100.00%		

03/11/01

Cumberland Cemetery Association
Transaction Detail By Account
 January through December 2000

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
Sales Proceeds								
Deposit	2/10/2000		Clyde W. Colbeth, III	Chebeague		Merrill Lynch C...	400.00	400.00
Check	4/30/2000	735	Penny Jansmann	Approved by t...		Merrill Lynch C...	-2,100.00 *	-1,700.00
Deposit	5/14/2000		Jacqueline L. Yeaney	Moss Side		Merrill Lynch C...	800.00	-900.00
Deposit	5/31/2000		Wing, Virgil & Crystal	Moss Side		Merrill Lynch C...	800.00	-100.00
Deposit	5/31/2000		Denson, Dorris Jean	Moss Side		Merrill Lynch C...	800.00	700.00
Deposit	7/24/2000		Louis W. Spear	Moss Side		Merrill Lynch C...	400.00	1,100.00
Deposit	8/23/2000		Jean B. Darling	Moss Side		Merrill Lynch C...	800.00	1,900.00
Deposit	8/23/2000		Carl R. McPherson	Moss Side		Merrill Lynch C...	400.00	2,300.00
Deposit	9/17/2000		William Galey	Chebeague Is...		Merrill Lynch C...	800.00	3,100.00
Deposit	10/23/2000		Carolyn Southard	Methodist		Merrill Lynch C...	400.00	3,500.00
Deposit	10/23/2000		Robert S. Maloney	Methodist		Merrill Lynch C...	1,600.00	5,100.00
Deposit	11/22/2000		Peter A. Herring, Sr.	Moss Side		Merrill Lynch C...	800.00	5,900.00
Deposit	11/22/2000		Peter L. McMann	Moss Side		Merrill Lynch C...	1,200.00	7,100.00
Total Sales Proceeds							7,100.00	7,100.00
TOTAL							7,100.00	7,100.00

* Repurchased lots at original sales price per Trustees' approval. Actual sales for the year were \$9,200.

03/11/01

Cumberland Cemetery Association
Balance Sheet Comparison
 As of December 31, 2000

	Dec 31, '00	Dec 31, '99	\$ Change	% Change
ASSETS				
Current Assets				
Checking/Savings				
Merrill Lynch Cash	11.77	12.57	-0.80	-6.4%
Merrill Lynch CMA Money Fund	1,571.48	40,386.00	-38,814.54	-96.1%
Total Checking/Savings	1,583.23	40,398.57	-38,815.34	-96.1%
Other Current Assets				
Cross Country Bk CD	10,000.00	0.00	10,000.00	100.0%
AIM Constellation Fd CI C	8,803.00	0.00	8,803.00	100.0%
Pilgrim Grw & Val CI C	8,349.00	0.00	8,349.00	100.0%
Total Other Current Assets	27,152.00	0.00	27,152.00	100.0%
Total Current Assets	28,735.23	40,398.57	-11,663.34	-28.9%
Other Assets				
Capital One CD 7/02	15,000.00	15,000.00	0.00	0.0%
US Bank of NA CD 12/01	15,030.66	15,030.66	0.00	0.0%
CMP Preferred Stock	2,975.00	2,887.00	88.00	3.1%
Merrill Lynch Global Allocation	10,259.00	9,421.00	838.00	8.9%
Oppenheimer IG Bond Fund ClassA	1,713.00	1,744.00	-31.00	-1.8%
Perpetual Care Assets				
ML Pacific Fund CI C	7,889.00	0.00	7,889.00	100.0%
Household Bank CD Aug 26 02	15,000.00	15,000.00	0.00	0.0%
MBNA Amer. Bk. CD 12/03	10,000.00	10,000.00	0.00	0.0%
CD US BK NTH Dakota	10,000.00	10,000.00	0.00	0.0%
First Deposit NB Tilton CD 10/0	10,041.95	10,041.95	0.00	0.0%
Provident Bk of MD CD 10/01	9,982.09	9,982.09	0.00	0.0%
Aliant Bk of Alex. CD 10/00	0.00	10,000.00	-10,000.00	-100.0%
Franklin Mutual Discovery Fund	8,459.00	7,583.00	876.00	11.6%
Oppenheimer Quest Oppor. V	13,366.00	12,236.00	1,121.00	9.2%
Franklin Strategic Ser. Sml Cap	9,207.00	10,286.00	-1,079.00	-10.5%
Templeton Dev. Mkts. Tr SBI II	3,615.00	5,346.00	-1,731.00	-32.4%
Davis NY Venture	15,876.17	14,521.00	1,355.17	9.3%
J.Hancock Sp. Eq. Fnd CI B	7,344.13	7,094.00	250.13	3.5%
Mfrs. & Trders CD (5/02)	9,117.89	9,117.89	0.00	0.0%
Bk of Amer. CD (7/01)	9,890.99	9,890.99	0.00	0.0%
Bank of America CD 2/2000	0.00	9,003.39	-9,003.39	-100.0%
ML PCF Cash	1.40	0.73	0.67	91.8%
ML PCF CMA Fund	26,497.00	14,446.00	12,051.00	83.4%
Total Perpetual Care Assets	166,277.62	164,548.04	1,729.58	1.1%
So. California Edison Bond	3,410.00	4,472.00	-1,062.00	-23.8%
Total Other Assets	214,665.28	213,102.70	1,562.58	0.7%
TOTAL ASSETS	243,400.51	253,501.27	-10,100.76	-4.0%
LIABILITIES & EQUITY				
Equity				
Cemetery Funds Balances				
McCall Fund (Chebeague)	18,166.19	18,166.19	0.00	0.0%
St. Clair Fund (Foreside)	24,064.21	24,064.21	0.00	0.0%
Total Cemetery Funds Balances	42,230.40	42,230.40	0.00	0.0%
General Fund Balance	46,722.83	46,722.83	0.00	0.0%
Perpetual Care Fund	164,548.04	164,548.04	0.00	0.0%
Retained Earnings	0.00	-13,172.54	13,172.54	100.0%
Net Income	-10,100.76	13,172.54	-23,273.30	-176.7%
Total Equity	243,400.51	253,501.27	-10,100.76	-4.0%
TOTAL LIABILITIES & EQUITY	243,400.51	253,501.27	-10,100.76	-4.0%

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03/11/01

Cumberland Cemetery Association
P&L Previous Year Comparison
 January through December 2000

	Jan - Dec '00	Jan - Dec '99	\$ Change	% Change
Ordinary Income/Expense				
Income				
Interest and Dividend Income	7,594.89	4,358.39	3,236.50	74.3%
Sales Proceeds	7,100.00	8,700.00	-1,600.00	-18.4%
Contributions Income				
Appropriation, Town of Cumber.	3,000.00	6,000.00	-3,000.00	-50.0%
Total Contributions Income	3,000.00	6,000.00	-3,000.00	-50.0%
Interest, Perpetual Care Funds				
Custody of Association	11,336.80	9,809.76	1,527.04	15.6%
Custody of Town	969.21	1,348.12	-378.91	-28.1%
Interest, Perpetual Care Funds - Other	0.00	-1,121.08	1,121.08	100.0%
Total Interest, Perpetual Care Funds	12,306.01	10,036.80	2,269.21	22.6%
Total Income	30,000.90	29,095.19	905.71	3.1%
Expense				
Cemetery Maintenance				
Moss Side	0.00	2,752.35	-2,752.35	-100.0%
Chebeague	2,126.54	2,112.97	13.57	0.6%
Cemetery Maintenance - Other	21,500.00	19,000.00	2,500.00	13.2%
Total Cemetery Maintenance	23,626.54	23,865.32	-238.78	-1.0%
Bank Service Charges	230.00	233.50	-3.50	-1.5%
Insurance				
Workers' Comp. Insurance	0.00	-638.00	638.00	100.0%
Total Insurance	0.00	-638.00	638.00	100.0%
Office Supplies & Expenses	99.00	84.29	14.71	17.5%
Payroll Expenses				
Gross Wages	0.00	0.00	0.00	0.0%
Total Payroll Expenses	0.00	0.00	0.00	0.0%
Professional Fees				
Management	750.00	750.00	0.00	0.0%
Accounting	750.00	750.00	0.00	0.0%
Total Professional Fees	1,500.00	1,500.00	0.00	0.0%
Utilities				
Water	146.32	146.32	0.00	0.0%
Total Utilities	146.32	146.32	0.00	0.0%
Total Expense	25,601.86	25,191.43	410.43	1.6%
Net Ordinary Income	4,399.04	3,903.76	495.28	12.7%
Other Income/Expense				
Other Income				
PCF Unrealized gains/(losses)	-7,207.49	10,128.43	-17,335.92	-171.2%
Unrealized gains/(losses)	-7,274.55	-853.44	-6,421.11	-752.4%
Total Other Income	-14,482.04	9,274.99	-23,757.03	-256.1%
Other Expense				
Foreign dividend taxes	17.76	6.21	11.55	186.0%
Total Other Expense	17.76	6.21	11.55	186.0%
Net Other Income	-14,499.80	9,268.78	-23,768.58	-256.4%
Net Income	-10,100.76	13,172.54	-23,273.30	-176.7%

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CUMBERLAND CEMETERY ASSOCIATION

**Peter C. McKenney, Treasurer
36 Bruce Hill Road
Cumberland, ME 04021-9709
207-829-6297**

March 11, 2001

**To: Trustees
Re: Budget for 2001**

Attached is proposed budget for 2001, along with a comparison of the budgeted and actual amounts for 2000, for your consideration.

Notes:

- Town appropriation is left at \$3,000 as I am not aware that any effort has been made to request a higher amount than was allocated last year.
- Lot sales are estimated at the average of lot sales over the prior 5 years.
- Appreciation of equities is assumed to be 10% for the year. The market has generally been down so far in 2001.
- Fixed expenses have been budgeted the same as the prior year.
- No proposal for special projects is included in this budget. There are many projects that should be pursued, however, but we will not be able to afford them this year.
- Without additional revenue sources, I do not see how in 2001 we can follow our policy of retaining half the income in the PCF each year in order to have the funds to make important improvements.

Attachments:

1. Proposed 2001 Budget

CUMBERLAND CEMETERY ASSOCIATION
2001 BUDGET- *Proposed*

	Budgeted	Actual	Proposed
Income	<u>2000</u>	<u>2000</u>	<u>Budget</u> <u>2001</u>
Interest and dividends	4,300	7,595	3,500
Sale of Lots	6,900	7,100	7,200
Town Appropriation	6,000	3,000	3,000
Perpetual Care Fund interest income	6,200	12,306	6,400
Gifts		0	
Unrealized and Realized gain/ (loss) on Equities	9,600	(14,482)	9,000
Total Anticipated Income	33,000	15,519	29,100
Anticipated Expenses			
Half of sales proceeds to PCF	3,450	3,550	3,600
Association dues		0	100
Service charges	250	230	230
Office expenses and supplies	25	99	25
Utilities	150	146	150
Equipment and repairs	150	0	0
Supplies			300
Cemetery supplies and maintenance contractors	19,700	19,727	19,700
Officers' stipends	1,500	1,500	1,500
Special cemetery programs and projects		2,500	0
Contracted superintendent services	1,400	1,400	1,400
Miscellaneous		18	25
Total Expenses	26,625	29,170	27,030
Surplus	6,375	(13,651)	2,070
Target surplus is equal to half of PCF income/appreciation	6,409	9,409	7,700

CUMBERLAND CEMETERY ASSOCIATION

**Report to Town Council
June 15, 1998**

Prepared by

Lawrence R. Lathrop, President
Peter C. McKenney, Treasurer

**Cumberland Cemetery Association
Report to Town Council
June 15, 1998**

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Purpose of Report

The purpose of this report is to provide additional and detailed information to the Town Council and Town Manager to allow full consideration and discussion of the Town's policy of supporting the maintenance of the public cemeteries in the Town of Cumberland. Each year, the Cumberland Cemetery Association (CCA) provides a financial report for inclusion in the Town's annual report. As needed, the President of the CCA and the Town Manager discuss relevant issues. Infrequently, the Town Council discusses or considers an issue regarding the CCA. These limited communications do not promote the Town's engaging in a thorough and long range policy discussion. The information in this report hopefully will provide a clearer picture of the public cemetery situation in Cumberland, and also stimulate questions and improvements in support of the maintenance of the cemeteries.

History of the Cumberland Cemetery Association

The Association was organized as a corporation under the laws of the state of Maine in June, 1933. It is exempt under IRC Section 501(c)(13) from federal income taxation. Due to its annual receipts exceeding \$25,000 in recent years, however, the Association is required to file a Form 990, Return of Organization Exempt from Income Tax. CCA maintains 7 public cemeteries in Cumberland, although it does not hold title to any of them. Money for providing maintenance of the cemeteries comes from the following sources:

1. Interest, gains and dividends on investments held by CCA in its Perpetual Care Fund (PCF) and 6 other "operating" funds
2. Interest and dividends on investments held by the Town of Cumberland in its Perpetual Care Fund
3. Annual appropriation by the Town of Cumberland
4. Sale of lots (half of proceeds go into the PCF and half are available for use in the operating funds)
5. Charitable contributions or special gifts to the PCF

In the early years of the Association, the major source of money for maintenance was from the annual appropriation of the Town. See attached table and charts, Exhibits A and B, showing the expenses, income, town appropriations, and fund balances. At that early time, the Association's PCF and other funds were very modest. By the 1970s, however, the funds had become large enough to generate income that covered a larger fraction of annual maintenance costs. From the 1970s through the 1980s, the investment income exceeded annual expenses, primarily due to higher than average interest rates. The Association reinvested the annual surpluses and accelerated the growth of the balances of all the funds. The combined fund balance peaked, however, in 1993. The funds have declined since then due to:

- Lower yields on interest bearing investments
- Costs of preparing the "New Moss Side" Cemetery lots for sale
- Increased costs of regular maintenance
- Lower than expected sales of lots

The Association has responded in various ways to the financial decline. Some maintenance has been deferred, important projects have not been initiated, a new provider of maintenance services has been hired, and a new investment strategy has been developed. Some of these changes will require substantial time to bear fruit. In the meantime, the Association has identified essential projects that should be undertaken in the next few years, but cannot be funded under present economic circumstances.

Current Cemetery Conditions

Generally, the cemeteries look as attractive today as they have looked over the past few years. Some residue still remains from the January, 1998, ice storm, but a lot of work has been accomplished by the Town and employees of the Association to repair damage and remove debris. For details, see Exhibits C and D. A new maintenance contractor has access to more labor and equipment to maintain the cemeteries. With the addition of "New Moss Side", the Association has sufficient inventory of unsold lots to take care of demand for at least the next 30 years. Chebeague Island Cemetery also has a decent inventory, although it could benefit from further additions as it has the highest rate of sales of all the cemeteries. While lot sales have been modest in the past few years, the rapid growth of the Town's population will eventually cause a very rapid increase in sales. The Association is trying to plan for this eventuality.

One major problem facing the Association at this time is the condition of some of the grave markers and stones. Repairs are needed on several to prevent further damage, and also to prevent potential injury to visitors. Another major problem is lack of a good records system. Currently, all records are kept manually by superintendents and the Town. Mistakes have occurred that have resulted in deeds being issued with inaccurate descriptions, or wrong lots identified for burials. The Association would like to computerize all records, but this will require purchase of software and hardware, as well as many hours of research to accumulate complete and accurate data for the computer system. Other projects that need to be done but are not yet funded include:

- Soil and turf rebuilding
- Lot and sunken grave repairs
- Replacing fence at Foreside Cemetery
- Electrifying flagpole in Moss Side

Maintenance Plan

As of April 15, 1998, D. C. Stilkey & Son, Inc. of Freeport, Maine, has primary responsibility for maintaining the 6 mainland cemeteries. Prior to that, the Association for the past several years has employed individuals to maintain the cemeteries, using Association equipment. The new contractor has its own equipment, regularly works in the Town's cemeteries for interment work (the Association no longer provides interment services directly; such services are provided by independent contractors and the deceased's family or undertaker pays them directly), and is also contracted by many surrounding municipalities to maintain their cemeteries. On Chebeague Island, Mr. Richard Calder contracts to do the same work for the cemetery on the island. The Stilkey contract is for the fixed amount of \$19,000 per year. Mr. Calder's contract is for \$12 per hour. Their contracts include the following services:

- Mowing and trimming
- Spring cleanup of leaves, ornamentation, and limbs (although Stilkey will not be responsible for catastrophic damage such as caused by the recent ice storm)
- Fall cleanup of leaves and ornamentation
- Maintain roadways

In addition, Stilkey acts as "superintendent" of the mainland cemeteries. Diane Calder acts as superintendent of the Chebeague Island Cemetery. The duties covered include: Sell and locate new lots, locate monuments, locate new burials, provide assistance to lot owners, and assure that the cemeteries are all in optimal condition. Altogether, the Association projects that annual costs of \$26,000 will have to be incurred in order to provide adequate maintenance. This is about \$6,000 more than has been spent, on average, during the last two years.

The president of the Association, Lawrence R. Lathrop, oversees the two independent contractors to be sure that they are fulfilling their duties. He also must inspect for damages outside of the range of responsibilities of the two contractors. In addition, six of the seven trustees have one or two cemeteries that they also oversee. Upon finding other damage, particularly to stones and markers, Mr. Lathrop will take action when appropriate to arrange for repair. Note that while the grantee of the lot is technically responsible for maintenance of any monument placed thereon, the Association must bear such costs when no living family member can be found to assume this responsibility.

Governance and Supervision

The bylaws provide that any person of "lawful age" and "good moral character" may become a "member" of the Association by simply signing the bylaws in a book kept for that purpose. See Exhibit E. The Members, at an annual meeting, elect "trustees" to three year terms. The Trustees, in turn, elect officers to one year terms: a president, treasurer, and a clerk (secretary). See Exhibit G for current officers and trustees. The clerk must be a resident of Cumberland at all times, although the bylaws are silent as to the residency of the other officers.

The Association has a set of written "Rules and Regulations". See Exhibit F. Each cemetery is monitored by a "superintendent" as well as designated trustee to be sure that the rules are being followed.

The officers and superintendents receive stipends, but the trustees are not compensated. The bylaws apparently are unchanged since the original incorporation in 1933. The Rules and Regulations have been amended at least once. Both documents could be improved upon, but the Association appears to be operating very smoothly despite the lack of updated versions. An important provision of the bylaws: if CCA were liquidated, the Town would receive its assets.

Title of Land and Issuance of Deeds to Lots

The Association does not claim title to any of the land in the 7 public cemeteries of the Town of Cumberland. All deeds to the new owners of lots are issued by the Town of Cumberland. See sample deed in Exhibit H. Although the Association has not independently confirmed this, it is presumed that the Town holds legal title to all of the cemetery land. Furthermore, employees of the Town keep written records of lots sold. Records for some lots sold many years ago, however, may not be complete or accurate.

Investment Strategy

Historically, the Association has invested its funds in certificates of deposit and corporate bonds, particularly utility bonds. During periods of high interest rates and slow growth in equities, this strategy worked very well for the Association. During the past five years, however, the strategy has not been adequate for the goals of the Association. Over a year ago, the Trustees approved a new strategy. Since the PCF by definition is a long term fund, and since equities historically have yielded a higher total return than fixed income assets over long periods of time, the Trustees approved a plan for investing 30% of the PCF assets in equities. Six different equity mutual funds, each with a different investment style for maximum diversification, now constitute a portion of the PCF assets. In addition, the fixed income assets of the PCF are now in a "laddered" portfolio such that each CD is purchased for a five year period and at least one CD matures every year. The target rates of return are 6% for fixed income and 12% for equities. This would produce about \$18,600 *total return* per year. The Trustees will observe the performance of this strategy for a few years and may consider increasing the fraction of equity investments in the PCF.

The investments in the operating funds, on the other hand, may have to be used in a shorter period of time. Therefore, a short term CD is used to provide working capital at the start of each active work season, and a few other CD s are laddered over a shorter time period.

All investments are in the custody of Merrill Lynch in two accounts. All of the PCF assets are in one segregated account. The other funds' assets are combined in a second account. By using a single brokerage relationship, all transactions and reports are reflected on the statements for the two accounts, and inter-account transfers are easy to make. Merrill Lynch

also provides access to the highest CD rates in the country. Previously, the Associations' assets were held in a safe deposit box and invested in many different Maine bank CD s.

Financial Report

The Treasurer prepares an annual report for the Trustees' approval at the annual meeting. This report is also printed in the Town's annual report. The report, however, is not audited by an independent auditor. In fact, there have been only two audits of the Association's financial statements during the past 24 years (Reports of David Verrill, CPA, of 1974 and 1975 (combined) and of Goodine/McAfee P.A., CPA of 1987). The principal reason for not having audits is the high professional fees that would be incurred. The current Treasurer suggested an audit of the financial statements at the time he succeeded his predecessor (1994), but the Association was suffering a major shortfall due to commencement of improvements to New Moss Side, and the officers did not obtain an audit at that time. Records are readily available, however, to support all expenditures and all assets are easily accounted for. See, e.g., Exhibit J.

The Association has always prepared its financial reports using the cash method of accounting. The accounting period is the calendar year. Starting in 1997, investments in equities have been reflected on the year end balance sheets at their current fair market value, rather than original costs as had been done for all previous years. Therefore, unrealized gains and losses will be reported every year in addition to realized gains and losses. All financial information is entered into a QuickBooks computerized accounting system, which also prints checks and payroll report information.

The financial history table and charts, Exhibits A and B, give a long term view of the finances of the Association. The Perpetual Care Fund by its nature must grow every year. Half of the lot sales proceeds are added to it every year. In addition, while the Association could use all of the PCF's income every year to pay for maintenance, the Association many years ago adopted a very conservative policy. The Association only withdraws half of the PCF revenue each year so that the PCF will grow faster in order to maintain its "purchasing power" despite inflation. As a result of this policy, the Association's PCF has grown to approximately \$145,000.

Due to higher expenses, and lower yields on interest bearing investments during the past four years, however, the "operating" funds, particularly the "General Fund", have declined 32% during that period. This trend is very alarming, and the Trustees are determined to reverse it. Unfortunately, the Trustees have concluded that the Association alone will not be able to stop this negative trend. They believe that the Town will have to play a role in this regard.

The price of lots was increased from \$350 to \$400 at the beginning of 1998. Plots for cremation remains ("cremains") sell for \$250. A cremains plot is one-sixth the size of a regular burial lot.

Future of Cemetery Maintenance- Various Options

For the past few years, the officers and trustees have discussed the possible options for maintaining the cemeteries. Major options considered include:

- Continuing to hire employees who would maintain the cemeteries using CCA equipment and supplies
- Hiring an outside contractor to provide the maintenance
- Asking the Town to assume direct responsibility for maintaining the cemeteries (in effect, turning over CCA's assets to the Town, and terminating CCA's involvement altogether)

The Trustees this year chose to shift from having maintenance employees to relying on outside contractors. This shifts some of the risks of higher than average work costs to an outside party, while leaving the Trustees (volunteers) in position to influence the quality of care the cemeteries are receiving. Since the Association's sole mission is the maintenance of the cemeteries, it should have a greater focus to assure high quality care than could a municipal government which has many very important functions to oversee (education, roads, police, fire, recreation, etc.).

On the other hand, a municipal government has many resources that a small, quasi-municipal organization does not have. Heavy equipment and access to a larger labor force are important resources for maintaining a cemetery system. The Town Council may want to weigh this alternative in the future.

1998 Issues for Town Council's Consideration

1. Can the Town provide an emergency appropriation in 1998 of \$10,000 to enable the CCA to recover the costs of repairing damage for the ice storm, restore its current working capital, pay for long overdue stone repairs, and commence a computerization of its records?
2. Will the Town increase its regular annual appropriation to \$10,000 in its next fiscal budget (has been \$2,000 since 1991)?
3. Does the Town agree that the New Moss Side land, purchased for \$65,000 in 1993 with Town funds, constitutes a purchase by the Town (which has title to it) rather than the Association, and that the Association does not owe the Town anything for this acquisition?
4. Does the Town wish to assume direct responsibility for maintaining the public cemeteries, or is it inclined to allow the Association to continue its role?
5. Can the Town improve its rate of return on perpetual care funds in its possession?

CUMBERLAND CEMETERY ASSOCIATION
Exhibit A, History of Expenses, Income, Support & Funds Balances

Year	Investment			% of	Special	Comments	Balances of Various Funds			USDL	Dollars Converted to 1998 Dollars				
	Maintenance	& Sales	Town	Expenses			Cash	General &			CPI	Expenses	Income	Town App.	
	Expenses	Income	Appropriations	Paid by Town			Flow	PCF	Others		Totals				
1934	562	279	-	0%					-	13.4	6,815	3,383	-		
1935	581	181	400	69%					-	13.7	6,891	2,147	4,745		
1936	657	173	500	76%					-	13.9	7,681	2,022	5,845		
1937	1,150	392	750	65%					-	14.4	12,977	4,424	8,464		
1938	1,067	311	750	70%					-	14.1	12,297	3,584	8,644		
1939	1,321	471	850	64%					-	13.9	15,443	5,506	9,937		
1940	1,047	200	850	81%					-	14.0	12,153	2,321	9,866		
1941	1,080	325	850	79%					-	14.7	11,939	3,593	9,396		
1942	600	303	750	125%					-	16.3	5,982	3,021	7,477		
1943	628	563	700	111%					-	17.3	5,899	5,288	6,575		
1944	442	544	400	90%					-	17.6	4,081	5,023	3,693		
1945	691	1,462	400	58%					-	18.0	6,238	13,199	3,611		
1946	772	362	500	65%					-	19.5	6,433	3,017	4,167		
1947	780	1,030	500	64%					-	22.3	5,684	7,506	3,643		
1948	980	358	750	77%			5,484	381	5,865	24.1	6,608	2,414	5,057		
1949	1,496	1,046	750	50%			5,256	254	5,510	23.8	10,214	7,142	5,121		
1950	1,063	458	750	71%			5,900	99	5,999	24.1	7,168	3,088	5,057		
						Jan. 25, '52 from Estate of Francis G. St. Clair									
1951	1,159	664	850	73%	5,000		11,327	104	11,431	26.0	7,244	4,150	5,313		
1952	1,812	1,088	1,000	55%			11,684	90	11,774	26.5	11,111	6,672	6,132		
1953	1,445	671	1,535	106%			12,961	94	13,055	26.7	8,794	4,084	9,342		
1954	1,750	448	1,500	86%			13,279	97	13,376	26.9	10,572	2,706	9,061		
1955	1,822	527	1,500	82%			14,135	159	14,294	26.8	11,048	3,195	9,095		
1956	2,240	793	1,500	67%			14,933	117	15,050	27.2	13,382	4,738	8,961		
1957	2,865	720	1,500	52%			15,170	72	15,242	28.1	16,568	4,164	8,674		
1958	3,287	745	1,700	52%			14,808	923	15,731	28.9	18,482	4,189	9,559		
1959	2,901	952	1,700	59%			17,012	977	17,989	29.1	16,200	5,316	9,493		
1960	1,390	1,203	1,700	122%			18,819	2,302	21,121	29.6	7,631	6,604	9,333		
1961	2,750	1,179	1,500	55%			19,667	2,277	21,944	29.9	14,946	6,408	8,152		
1962	1,944	1,397	1,500	77%			22,422	3,426	25,848	30.2	10,460	7,517	8,071		
1963	1,913	1,502	1,500	78%	10,000	Elizabeth McCall	32,969	4,133	37,102	30.6	10,159	7,976	7,966		
1964	1,879	3,376	1,500	80%			33,948	5,671	39,619	31.0	9,853	17,697	7,863		
1965	5,128	2,970	1,500	29%			34,897	4,634	39,531	31.5	26,454	15,321	7,738		
1966	2,213	3,293	1,500	68%			37,032	5,833	42,865	32.4	11,099	16,516	7,523		

Year	Investment			% of	Special	Comments	Balances of Various Funds			USDL	Dollars Converted to 1998 Dollars					
	Maintenance	& Sales	Town	Expenses			Paid by	Cash	General &			CPI	Expenses	Income	Town App.	
	Expenses	Income	Appropriations	Town			Flow	PCF	Others		Totals					
1996	18,756	22,096	2,000	11%		Moss Side improvements completed, but normal maintenance work severely curtailed.	137,336	104,064	241,400	156.9	19,425	22,885	2,071			
1997	22,225	22,521	2,000	9%		Maintenance efforts increased.	144,673	99,022	243,695	160.5	22,502	22,802	2,025			
1998			2,000			Ice storm damage.				162.5	-	-	2,000			

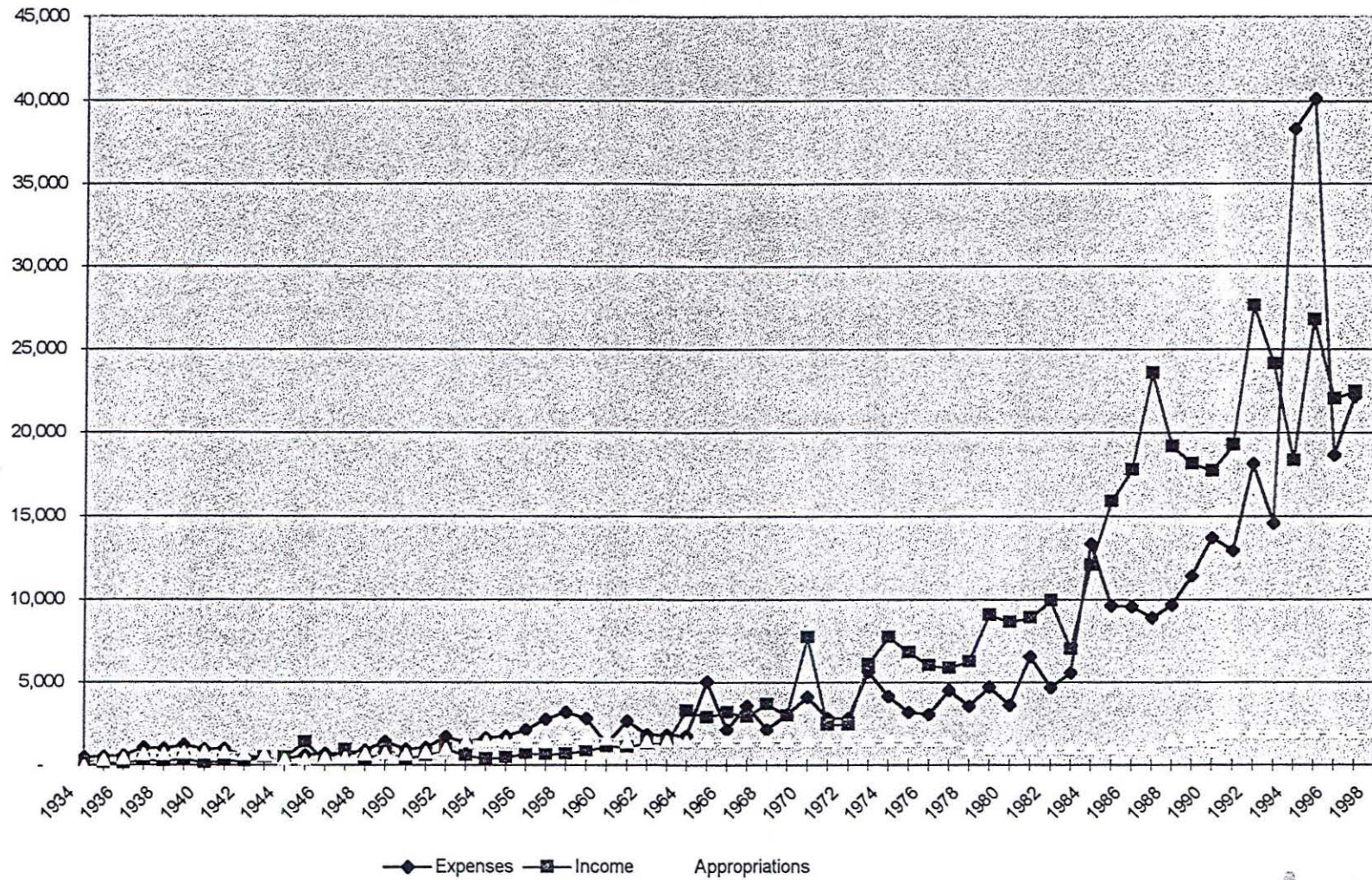
Treasurers of Cumberland Cemetery Association

Inez Blanchard	1934-1946
Robert L. Cram	1947-1960
Emiline S. C. Cram	1961-1970
Robert L. Cram	1971-1972
David B. Moody, Sr.	1973-1993
Peter C. McKenney	1994-Present

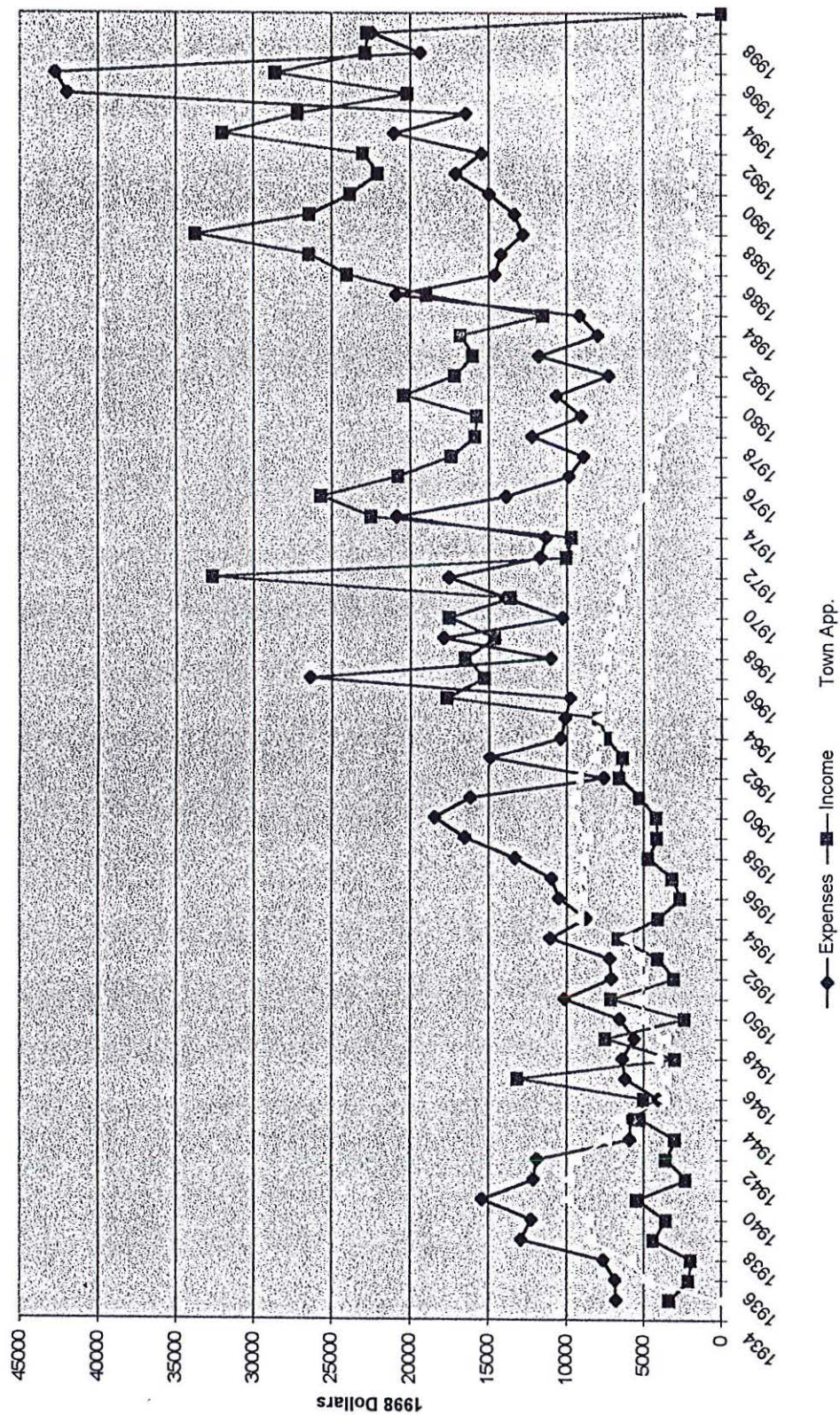
Sources of Information: Records of CCA for years 1933-1957 and 1980- 1998; Town Annual Reports for years 1958-1976. Other years were not available and have been extrapolated/estimated (bold, italicized). Note: changes in accounting or reporting methods have changed allocations of PCF and other funds.

Year	Investment			% of	Special	Comments	Balances of Various Funds			USDL	Dollars Converted to 1998 Dollars				
	Maintenance	& Sales	Town	Expenses			Cash	General &			CPI	Expenses	Income	Town App.	
	Expenses	Income	Appropriations	Paid by			Flow	PCF	Others						Totals
1967	3,678	3,016	1,500	41%			39,302	6,532	45,834	33.4	17,894	14,674	7,298		
1968	2,219	3,755	1,500	68%			40,039	8,331	48,370	34.8	10,362	17,534	7,004		
1969	3,160	3,080	1,500	47%			20,244	29,546	49,790	36.7	13,992	13,638	6,642		
1970	4,200	7,808	1,500	36%			23,125	34,688	57,813	38.8	17,590	32,701	6,282		
1971	2,930	2,510	1,500	51%			23,996	36,927	60,923	40.5	11,756	10,071	6,019		
1972	2,930	2,510	1,500	51%			28,743	33,260	62,003	41.8	11,391	9,758	5,831		
1973	5,719	6,162	1,500	26%			32,675	31,271	63,946	44.4	20,931	22,552	5,490		
1974	4,231	7,807	1,500	35%			35,195	33,827	69,022	49.3	13,946	25,733	4,944		
1975	3,290	6,888	1,500	46%			37,119	37,001	74,120	53.8	9,937	20,805	4,531		
1976	3,137	6,088	1,500	48%			39,012	39,559	78,571	56.9	8,959	17,387	4,284		
1977	4,575	5,926	1,500	33%			40,904	40,518	81,422	60.6	12,268	15,891	4,022		
1978	3,650	6,334	1,000	27%			42,797	42,309	85,106	65.2	9,097	15,786	2,492		
1979	4,785	9,143	1,000	21%			44,689	45,775	90,464	72.6	10,710	20,465	2,238		
1980	3,704	8,708	1,000	27%			46,582	66,104	112,686	82.4	7,305	17,173	1,972		
1981	6,615	8,971	1,000	15%			49,284	68,160	117,444	90.9	11,825	16,037	1,788		
1982	4,758	9,982	1,000	21%			49,284	75,736	125,020	96.5	8,012	16,809	1,684		
1983	5,637	7,081	1,000	18%			54,399	81,240	135,639	99.6	9,197	11,553	1,632		
1984	13,400	12,124	1,000	7%	-7000	Purchased excav. eqt. 3 years of PCF interest from Town.	59,716	79,339	139,055	103.9	20,958	18,962	1,564		
1985	9,710	15,946	1,000	10%			65,528	90,577	156,105	107.6	14,664	24,082	1,510		
1986	9,635	17,858	1,000	10%			71,306	97,900	169,206	109.6	14,285	26,477	1,483		
1987	8,967	23,626	1,000	11%			80,989	107,905	188,894	113.6	12,827	33,796	1,430		
1988	9,732	19,253	1,500	15%			86,924	115,670	202,594	118.3	13,368	26,446	2,060		
1989	11,472	18,222	1,500	13%			92,385	122,078	214,463	124.0	15,034	23,880	1,966		
1990	13,781	17,790	1,500	11%			98,825	126,241	225,066	130.7	17,134	22,118	1,865		
1991	12,982	19,322	2,000	15%			105,910	131,696	237,606	136.2	15,489	23,053	2,386		
1992	18,207	27,695	2,000	11%	10,000	Gift from individual. Started developing new part of Moss Side.	111,525	141,109	252,634	140.3	21,088	32,077	2,316		
1993	14,665	24,186	2,000	14%		Major Moss Side improvements	120,946	145,831	266,777	144.5	16,492	27,199	2,249		
1994	38,380	18,434	2,000	5%		Major Moss Side improvements	121,321	127,509	248,830	148.2	42,083	20,213	2,193		
1995	40,183	26,851	2,000	5%		Major Moss Side improvements	130,228	107,270	237,498	152.4	42,846	28,630	2,133		

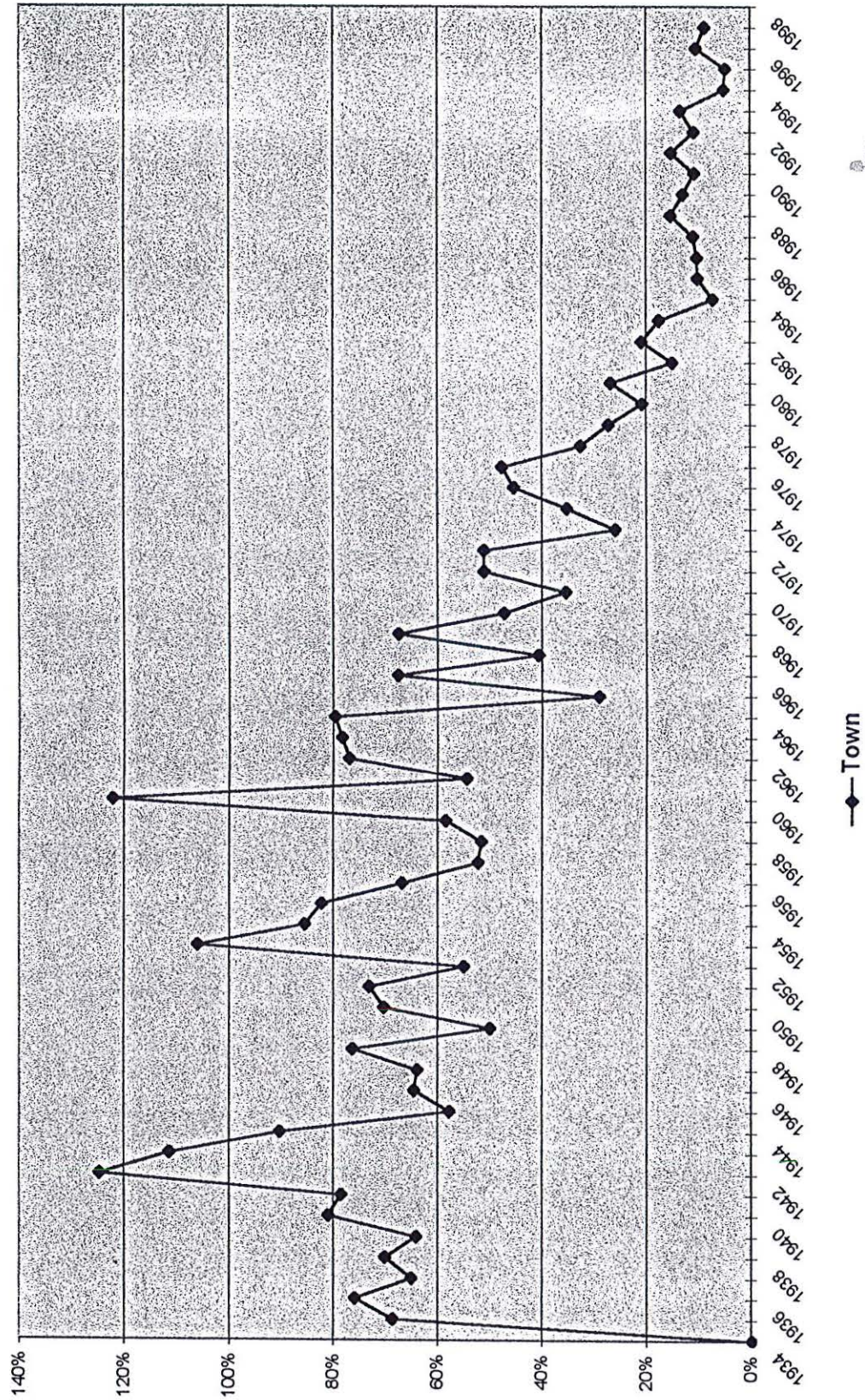
Exhibit B, Cumberland Cemetery Association Expenses, Income and Town Support (Actual \$)



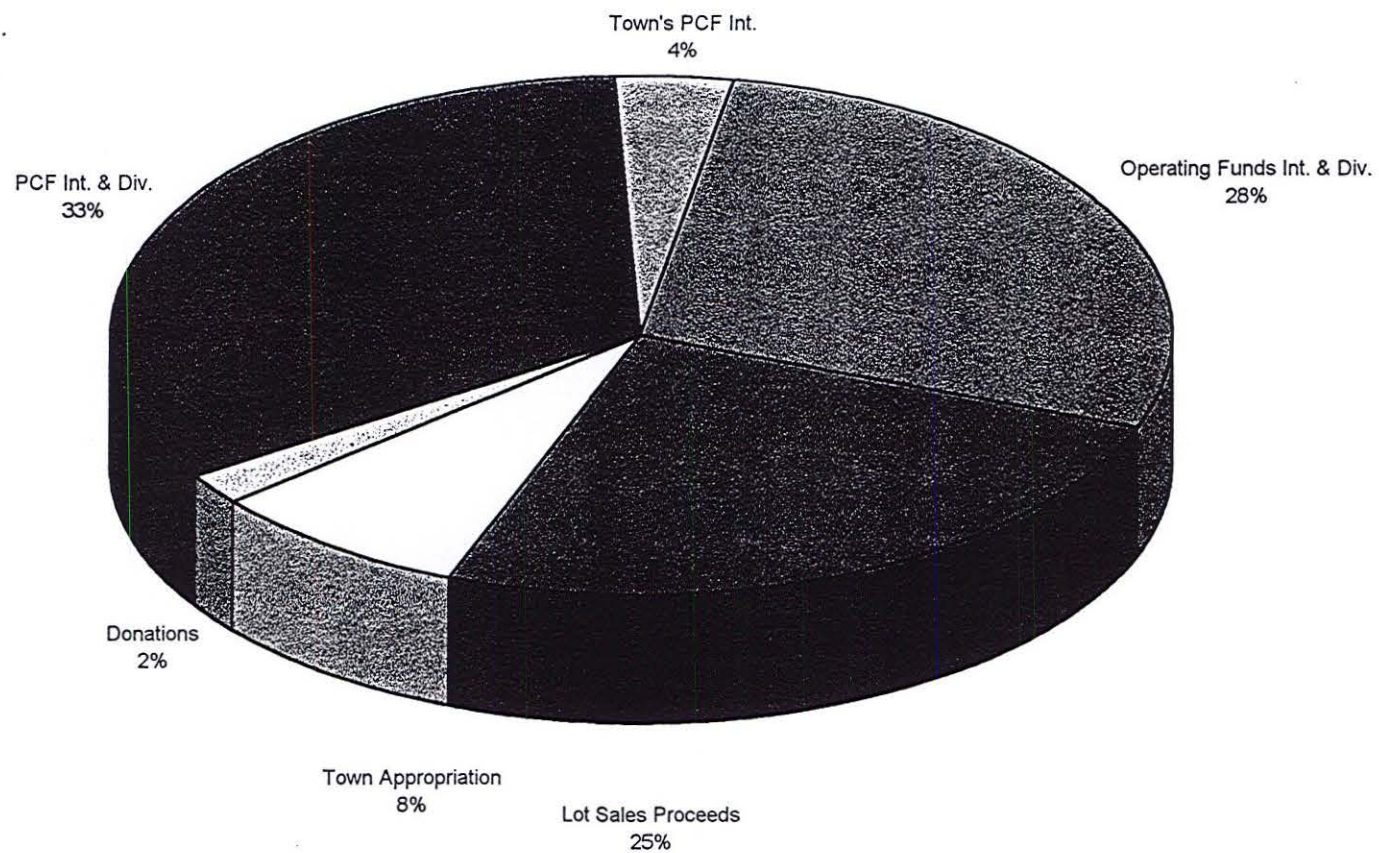
**Exhibit B, Cumberland Cemetery Association Expenses, Income and
Town Support (1998 \$)**



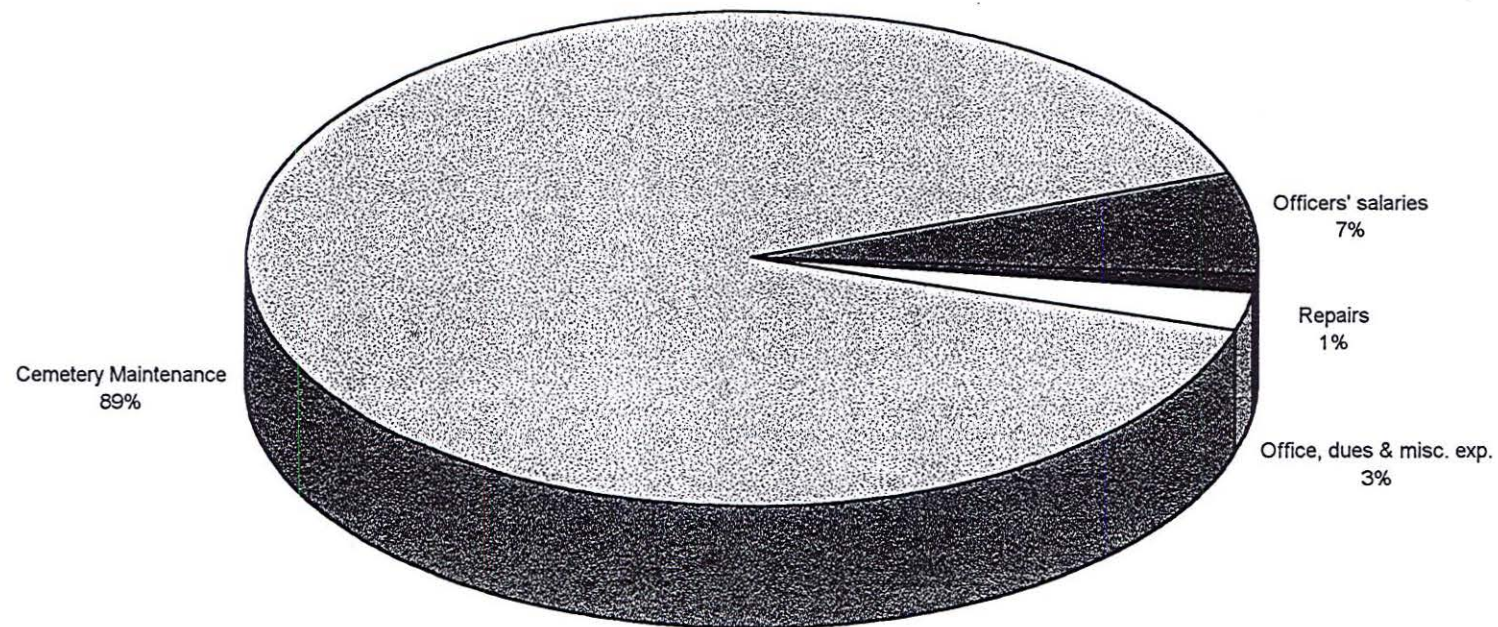
Percent of Maintenance Expenses Paid by Town Appropriation



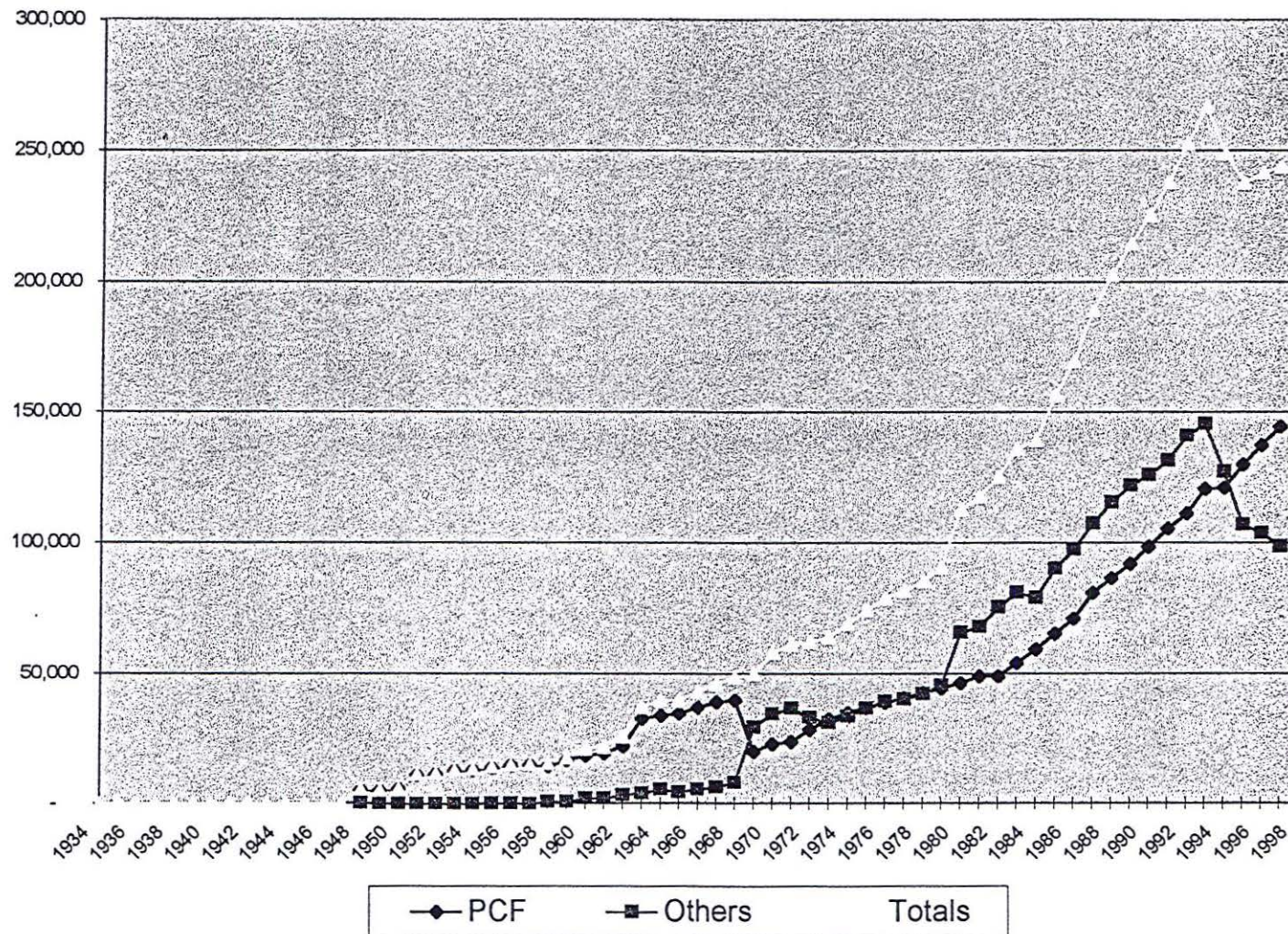
Cumberland Cemetery Association 1997 Receipts by Type



Cumberland Cemetery Association 1997 Disbursements by Type

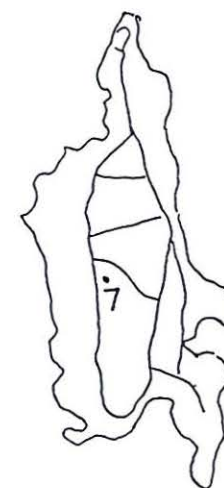
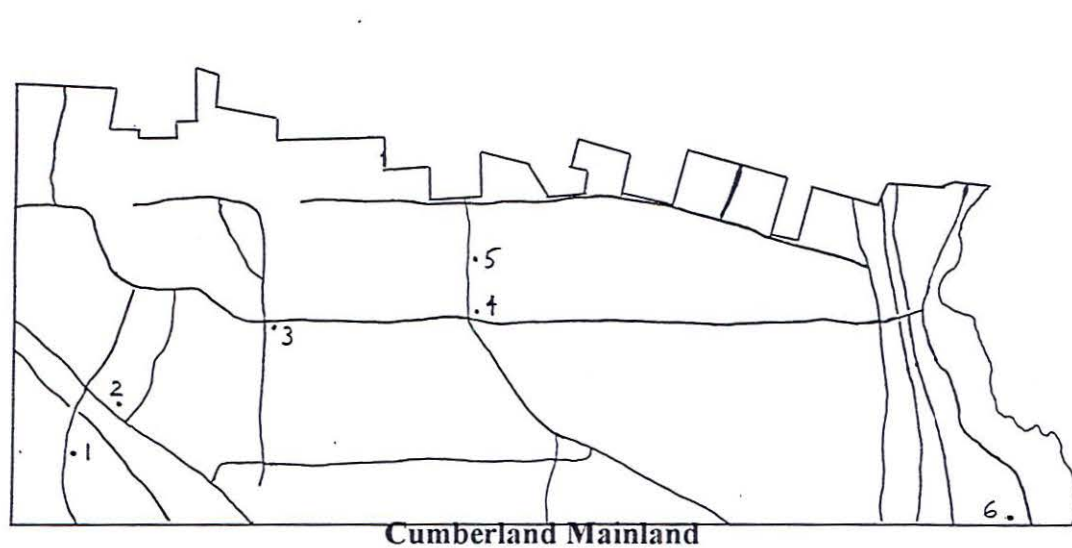


Cumberland Cemetery Association Fund Balances



CUMBERLAND CEMETERY ASSOCIATION

Exhibit C, Map of Cemetery Locations



Chebeague Island

North



Legend to Map

1. Methodist Cemetery

2. Universalist (Morrison Hill)

3. Ferris Cemetery

4. Congregational Cemetery

5. Moss Side Cemetery

6. Foreside Cemetery

7. Chebeague Island Cemetery

CUMBERLAND CEMETERY ASSOCIATION

Exhibit D, Cemetery Facts

No.	Name	Location	Acres	Total Lots	Unsold Lots	Condition	Trustee Oversight	Maintenance Contractor	Quality of Records
1	Methodist	Corner of Blackstrap and Upper Methodist	2.5	2,856	156	Good; no choice lots left; one serious monument problem; piles to remove	Leroy Stratton	D.C. Stilkey & Son, Inc.	Manual, good.
2	Universalist	Morrison Hill (near corner of Gray Road and Mill Road)	.75	396	156	Good, but no choice lots left.	Leroy Stratton	D.C. Stilkey & Son, Inc.	Manual, good.
3	Farris	Corner of Blanchard and Bruce Hill	.5	400	165	Good; earth piles to be removed.	Mark Brainerd	D.C. Stilkey & Son, Inc.	Manual, good.
4	Congregational	Corner of Main St. and Tuttle	1.25	Unk	0	Many old stones need repairs; repair shed.	Lawrence Lathrop	D.C. Stilkey & Son, Inc.	None Exist.
5	Moss Side	Main St.	5.25	7,650	3030	Good, but several stones need repair.	Herbert Foster	D.C. Stilkey & Son, Inc.	Manual, good.
6	Foreside	Route 88 at boundary of Falmouth & Cumberland	2.25	865	440	Good. Fence needs replacement. "Dump" needs to be removed.	Robert Storey	D.C. Stilkey & Son, Inc.	Manual, cards are not useful to current personnel
7	Chebeague	North Road near Littlefield Ave., Chebeague Island				Newer stones than other cemeteries.	Diane Calder	Richard Calder	Manual, good.

PREAMBLE

Whereas, It seems desirable the better to assist in the perpetuation of the memory of our ancestors and their kindred, by carefully preserving the last resting place of all who lie buried in the cemeteries of the Town of Cumberland, and to inspire in the minds of the present and future generations a high sentiment of regard for the burial places of the dead, that an organization be formed; and

Whereas, We the undersigned, residents of Cumberland, and all others having a common interest in the cemeteries of the Town of Cumberland, do unite to establish a permanent and responsible Association for the purposes and objects herein set forth; and do adopt the following By-Laws for the orderly government of the Association, subject to such amendments as time, experience and changing conditions may determine to be necessary or expedient to make.

Alfred W. Doughty,
Mrs. Alfred W. Doughty,
George W. Blanchard,
Inez M. Blanchard, (Mrs. George W. Blanchard,)
Mrs. Gertrude S. Bragg,
Phillip L. Blanchard,
Fred E. Chase,
Ernest A. Rand
E. B. Osgood,
Harry P. Sweetser.

INCORPORATION

STATE OF MAINE

CERTIFICATE OF ORGANIZATION OF A CORPORATION UNDER CHAPTER SEVENTY OF THE REVISED STATUTES, AND AMENDMENTS THERETO.

The undersigned, officers of a corporation duly organized at Cumberland in the Town of Cumberland, State of Maine, on the Seventeenth day of June, A. D. 1933, hereby certify as follows;

The name of said corporation is
CUMBERLAND CEMETERY ASSOCIATION.

The purposes of said corporation are

To manage, protect and improve all lots and appurtenances comprising the public cemeteries in the Town of Cumberland, now held or hereafter acquired by said Town or this Corporation; to buy, own and sell lots in said cemeteries and to receive, hold and apply, within the limitations prescribed by law, such money or property as may be given, devised, bequeathed or transferred to it, for the care, perpetual preservation and improvement of said cemeteries and the appurtenances and lots therein contained.

Said corporation is organized in accordance with the provisions of Section 20 of Chapter 24 and Sections 1, 2, and 3 of Chapter 70 of the Revised Statutes of Maine.

Listed in IRS Pub 78
Revised to 10/31/87
"170(c) org. other than
a charity"

Said corporation is located in the Town of Cumberland, County of Cumberland, State of Maine.

The number of officers is three and their names are as follows:

President, Alfred W. Doughty,
Secretary or Clerk, Ernest A. Rand,
Treasurer, Inez M. Blanchard.

Directors or Trustees; Fred E. Chase, Mary Brackett, Bertwell W. Hamilton, Gertrude S. Bragg, Philip L. Blanchard, Alfred W. Doughty, Wilbur N. Hulit.

WITNESS our hands this seventeenth day of June, A. D. 1933.

ALFRED W. DOUGHTY, President,
INEZ M. BLANCHARD, Treasurer,

FRED E. CHASE,
GERTRUDE S. BRAGG,
PHILIP L. BLANCHARD,
ALFRED W. DOUGHTY. } Majority of
Directors or
Trustees.

STATE OF MAINE.

CUMBERLAND, SS. CUMBERLAND, JUNE 17, 1933.

Then personally appeared the within named

Fred E. Chase, Gertrude S. Bragg, Philip L. Blanchard and Alfred W. Doughty,
a majority of the Directors or Trustees,
and severally made oath to the foregoing certificate by them signed, that the same is true.

Before me,

HARRY P. SWEETSER,
Notary Public. (Seal.)

STATE OF MAINE.

ATTORNEY GENERAL'S OFFICE.

June 22, 1933.

I hereby certify that I have examined the foregoing certificate, and the same is properly drawn and signed, and is conformable to the constitution and laws of the State.

SANFORD L. FOGG,
Deputy Attorney General.

(Backing)

CUMBERLAND CEMETERY ASSOCIATION
CUMBERLAND, SS.

REGISTRY OF DEEDS.

Received June 23, 1933 at 12 h 50 m P. M.
Recorded in Vol. 65, Page 233.

Attest: A. MAUDE CARVILLE, Register.

STATE OF MAINE.

OFFICE OF SECRETARY OF STATE.

Augusta, June 24, 1933.

A copy of the record of the within certificate of organization, duly certified by the Register of Deeds of Cumberland County, has this day been received and filed in this office. Recorded in Vol. 5, Page 221 of Records of Corporations.

Attest: RUTH S. BRADFORD,
Deputy Secretary of State.

BY-LAWS

ARTICLE I

OBJECT

The purpose of this Association shall be to manage, protect and improve all lots and appurtenances comprising the public cemeteries in the Town of Cumberland, now held or hereafter acquired by said Town or this Association; to buy, own and sell lots in said cemeteries and to receive, hold and apply, within the limitations prescribed by law, such money or property as may be given, devised, bequeathed or transferred to it, for the care, perpetual preservation and ornamentation of said cemeteries and the appurtenances and lots therein contained.

ARTICLE II

NAME

The name of this Association shall be
CUMBERLAND CEMETERY ASSOCIATION.

ARTICLE III

SEAL

The Association shall have a corporate seal, circular in form, which shall have inscribed thereon the name of the Association, the year of its organization, and the word "Maine."

ARTICLE IV

OFFICERS

The officers of the Association shall consist of a President, Treasurer, Clerk and a Board of seven Trustees.

The Trustees shall be elected at the Annual Meeting of the Association. The President, Treasurer and Clerk, who may be called Secretary, shall be elected by the Board of Trustees. All officers shall be elected by ballot.

ARTICLE V

TERM OF OFFICE

The Trustees shall hold office for three years or until others are elected in their stead, provided that at the first election, two shall be elected for one year, two elected for two years, and three for three years.

The President, Treasurer and Clerk shall hold office for one year, or until their successors are elected.

ARTICLE VI

DUTIES OF THE PRESIDENT

SECTION 1. The President shall preside at all meetings of the Association and Board of Trustees, and in his absence, a Chairman *pro tem.* shall be chosen to preside at said meeting.

SEC. 2. The presiding officer shall preserve order and shall decide all questions of order, subject to parliamentary usage.

TOWN OF CUMBERLAND

APPLICATION FOR A SPECIAL AMUSEMENT PERMIT
FOR MUSIC, DANCING AND/OR ENTERTAINMENT

Name of Applicant: CHEBEAGUE ISLAND HALL COMMUNITY Phone: 846-4117
CENTER

Residence of Applicant: SOUTH RD., CHEBEAGUE ISLAND, ME

Business Name: same Bus. Phone: _____

Business Address: c/o SYLVIA ROSS, RR 152 JOHN SMALL RD., CHEBEAGUE ISLAND 04017

Name of Manager: SYLVIA ROSS, PRESIDENT OF CORP. Phone: 846-4117

Residence of Manager: above

Type of Entertainment Applied for: DANCING AND CONCERTS

Has applicant ever had a license to conduct the business therein described either denied or revoked? NO If so, the applicant shall describe specifically those circumstances _____

Has applicant, Partners, Associates or Corporate Officers ever been convicted of a felony? NO If so, the applicant shall describe specifically those circumstances. _____

Additional information may be required by the Town Council prior to the issuance of said permit, including but no limited to a copy of the applicant's current liquor license.

The fee for a Special Amusement Permit shall be \$10.00, non-refundable and payable when application is made for said permit.

Sylvia L. Ross, President, CIHCC
Applicant's Signature

July 9, 2001
Date

* * * * *

For Town Office Use Only:

Municipal Officers:
Approved: _____
Disapproved: _____
Comment: _____

Application Received: 07-10-01
Public Notice Posted: _____
Date Issued: _____
Date of Expiration: _____

MEMO

TO: Dan Small, Fire Chief
FROM: Klara M. Norton, Town Clerk
DATE: June 19, 2001

RE: CHEBEAGUE ISLAND HALL COMMUNITY CENTER:
BOTTLE CLUB LIQUOR LICENSE

This is to notify you that the Chebeague Island Hall Community Center's Bottle Club liquor license is up for renewal. They are also required to get a Special Amusement Permit for dancing and concerts to go along with the liquor license. For these reasons, the Fire Department needs to do a safety check to see if they meet all requirements for a public facility, etc. I am also going to have Barbara McPheters do an inspection to make sure all codes are met. I noticed that the Fire Dept has not done an inspection there since 1996.

This liquor license application will be put on the **Council Agenda on July 23, 2001** to give you ample opportunity to do an inspection and give them time to correct any problems. While you're on Chebeague, you might recheck the Chebeague Inn again!! Please have your report to me by **July 18th**, in time for the Town Council packets. Thank you for your anticipated help on this!

cc: Barbara McPheters
Bob Benson

AGENDA ON JULY 23, 2001:

- 00 - To consider and act on application of Chebeague Island Hall Community Center for a Bottle Club Liquor License.
- 00 - To consider and act on a Special Amusement Permit application for Chebeague Island Hall Community Center.

PRESENT LICENSE EXPIRES: 8-24-01

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

BUREAU USE ONLY	
Reg. No.	
Deposit Date	
Deposit Amount	

APPLICATION FOR BOTTLE CLUB REGISTRATION

REGISTRATION FEE \$50.00

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S)	2. BUSINESS												
<i>Chebeague Island Hall Community Center</i> Name(s) in full <i>non-profit</i> <i>We are a corporation.</i>	Business name, d/b/a, etc.												
	Location (do not use PO box number)												
Applicant(s) home address <i>% RR 15-2 John Small Rd.,</i>	City or town State ZIP code												
<i>Chebeague Island, Maine 04017</i> City or town State ZIP code	Mailing address (if different from above)												
<i>(207) 846-4117</i> Residence telephone number	City or town State ZIP code												
	Business telephone number												
<p>3. Is applicant a corporation? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If answer is "Yes," complete Supplementary Questionnaire for Corporation Applicants. <i>We are non-profit.</i></p> <p>4. Is applicant a non-profit club? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If "Yes," complete club questionnaire.</p> <p>5. Does applicant(s) own the premises? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If "No," give name and address of owner _____</p>													
<p>6. What are the regular days and hours your establishment is operated as a Bottle Club? Days <i>No more than ten - usually Saturdays</i> Hours <i>9 a.m. to 1 a.m.</i></p>													
<p>7. List name, date of birth and place of birth for all applicants and manager, if any. Give maiden name if married.</p> <table border="0"> <tbody> <tr> <td>A. <i>Sylvia Ross (Hamilton)</i> Name in full</td> <td><i>4/28/32</i> Date of birth</td> <td><i>Chebeague Island, Me 04017</i> Place of birth</td> </tr> <tr> <td>B. <i>Martha Hamilton (Kornegay)</i> Name in full</td> <td><i>2/27/23</i> Date of birth</td> <td><i>Waycross, Georgia</i> Place of birth</td> </tr> <tr> <td>C. <i>Beverly Johnson (Ross)</i> Name in full</td> <td><i>1/12/49</i> Date of birth</td> <td><i>Boston, Massachusetts</i> Place of birth</td> </tr> <tr> <td colspan="3">D. <i>Chebeague Island, Maine - 04017 (all of above)</i> Residence address on all of above for previous 5 years (limit answer to city and state).</td> </tr> </tbody> </table>		A. <i>Sylvia Ross (Hamilton)</i> Name in full	<i>4/28/32</i> Date of birth	<i>Chebeague Island, Me 04017</i> Place of birth	B. <i>Martha Hamilton (Kornegay)</i> Name in full	<i>2/27/23</i> Date of birth	<i>Waycross, Georgia</i> Place of birth	C. <i>Beverly Johnson (Ross)</i> Name in full	<i>1/12/49</i> Date of birth	<i>Boston, Massachusetts</i> Place of birth	D. <i>Chebeague Island, Maine - 04017 (all of above)</i> Residence address on all of above for previous 5 years (limit answer to city and state).		
A. <i>Sylvia Ross (Hamilton)</i> Name in full	<i>4/28/32</i> Date of birth	<i>Chebeague Island, Me 04017</i> Place of birth											
B. <i>Martha Hamilton (Kornegay)</i> Name in full	<i>2/27/23</i> Date of birth	<i>Waycross, Georgia</i> Place of birth											
C. <i>Beverly Johnson (Ross)</i> Name in full	<i>1/12/49</i> Date of birth	<i>Boston, Massachusetts</i> Place of birth											
D. <i>Chebeague Island, Maine - 04017 (all of above)</i> Residence address on all of above for previous 5 years (limit answer to city and state).													

received
6-18-01

8. Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any state of the United States, within the past 5 years? Yes _____ No ☒

Name _____ Date of conviction _____

Offense _____ Location _____

Disposition _____

9. Has any other person any interest, directly or indirectly, in your business? Yes _____ No _____

10. Has applicant(s) formerly held a Maine liquor license? Yes ☒ No _____

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$500 or by both."

Dated at Chelogue Island, Maine on May 31, 2001, 1901
Town or city, state Date

Signature of individual

If partnership, by members of partnership

Chelogue Island Hall Community Center
Name of corporation
By Sylvia L. Ross, President
If a corporation, by a duly authorized officer

STATE OF MAINE

_____, ss Dated at _____, Maine
on _____, 19____

The undersigned being _____, city
Municipal Officers, town
County Commissioners, plantation
unincorporated place of _____,

hereby approve said application in accordance with the provisions of Section 161A of Title 28A, Maine Revised Statutes as amended.

Department of Public Safety
Licensing & Inspection Unit - Liquor
164 State House Station, Augusta ME 04333-0164

SUPPLEMENTARY QUESTIONNAIRE FOR CLUB APPLICANTS

1. Exact Club Name: Chebeague Island Hall

2. Title, name, birth date and telephone number of each principal officer of the club:

TITLE	NAME	BIRTH DATE	PHONE NUMBER
President	Sylvia Ross	4/28/32	846-4117
Secretary	Martha Hamilton	2/27/23	846-4078
Treasurer	Beverly Johnson	1/12/49	846-4850

3. Date Club was Incorporated: 12/13/77

4. Purpose of Club : ☒ Social () Recreational () Patriotic () Fraternal

5. Date regular meetings are held: 2nd Wed. of each month

6. Date of election of Club Officers: 3rd wk. of Aug.

7. Date elected officers are installed: 3rd wk. of Aug.

8. Total Membership: 250 ? Annual Dues: none Payable When:

9. Does the Club cater to the public or to groups of non-members on the premise?

YES NO ✓

10. Excluding salaries, will any person, other than the Club, receive any of the financial profits from the sale of liquors? we do not receive salaries - are non-profit

11. If a manager or steward is employed, complete the following:

Name Sylvia L. Ross Date of Birth 4/28/32

Sylvia L. Ross, President
Signature and Title of Club Officer

SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED
LIABILITY COMPANIES, AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: Chebeague Island Hall Community Center
2. Date of Incorporation: December 13, 1977
3. State in which you are incorporated: MAINE
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: We are non-profit, non business.
5. List the names and addresses for previous 5 years, birth dates, titles of officers, directors and list the % of stock owned:

NAME	ADDRESS PREVIOUS 5 YEARS	BIRTH DATE	% OF STOCK	TITLE

6. What is the amount of authorized stock? NONE Outstanding Stock? NONE
7. Is any principal officer of the corporation a law enforcement official? NO
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of the United States? YES _____ NO ✓
9. If YES, Please complete the following: Name: _____

Date of Conviction _____ Offense _____

Location _____ Disposition _____

Dated at Chebeague Island, Maine On 6/12/01
CITY OR TOWN DATE

Sylvia L. Ross - President
SIGNATURE OF DULY AUTHORIZED OFFICER

TOWN OF CUMBERLAND

Publication dates: _____
Publication names: _____
Date filed: 07-02-01
Fee rec'd: \$250
Date Ordinance received: _____
Issued: _____
Denied: _____

Mass Gathering Application -- Minor Large Outdoor Event (1,000 - 4,999 persons)

This application **must** be filed with the Town Clerk not less than 60 days before the date of the event.
Application must be accompanied by a non-refundable fee of \$250.

Name of applicant: Cumberland Farmers Club
Address of applicant: 194 Blanchard Rd. Tel. # 829-5531
Name of event: Cumberland Fair 2001 130th year
Facility where the event will be held: Cumb. Fair Grounds
Is the facility owned by the applicant: X yes; _____ no, (if no, attach a copy of the contract with the owner which allows use of the property)
Name of promoter (if different from above): N.A.
Telephone number: 829-5531 Fax 829-3205 Each day
Date of event: Sept 23-30 Time (start and finish times): 7:00 AM to 11:00 PM
Number of tickets available 5,000
Expected attendance 45,000 for 7 days
Description of event: Our 130th year Agricultural Fair
ox pulling & horse pulling Rides Games
Horse Racing Exhibition Hall Show Cattle Show
Horses pig Races ENTERTAINMENT & DEMONSTRATIONS of all
Kinds Museum Greenhouse,
Will any food vendors be serving at the event? ✓ yes, _____ no (if yes, how many, and what types) At least 20 Booths All Types
Pizza Hot dog French Fry Cotton Candy
Bake Bean pig Roast Fry Dough EXT.

Will any alcohol vendors be serving at the event? ☒ yes, _____ no (if yes, list name and attach a copy of the vendors license to sell alcohol, describe alcohol will be served) IN Club House
& Beer Garden State Approved

Describe the three most recent outdoor performances of the group, performer, or event being proposed. Include location, date(s), number in attendance, promoter or sponsoring person or organization.

1. N.A.

2. _____

3. _____

Description of facility:

- A. Seating capacity: 5,000 permanent; 300 temporary
- B. Other seating capacity: 100 festival; N.A. standing room only (sq. ft)
- C. Number of toilets available: 40 permanent; 25 portable
- D. Number of parking spaces available: 8,000 on-site; 2,500 off-site
- E. Are all parking lots lighted (applicable only if event runs into evening hours)
✓ yes; _____ no, if no, which lots are not lighted _____

F. Source of potable water: Portland Water District

G. Refuse containers available, number and size: 500 55 gal
Drums with liners.

H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse)
PINT TREE WASTE INC.

I. When will refuse be picked up? Before 8:00 AM Daily

Public Safety:

J. Describe first aid facilities: 8' x 10' Building Staffed By
Cumb. Rescue.

- K. Describe emergency facilities: Cumb Fire Dep. Cumb
Rescue Dep. SAT + Sunday Fire Truck
on grounds.
- L. Describe communication facilities: 2 way Radios 35 units
18 Golf Carts
Audio Sound, Inc.
- M. Number of certified police officers: Handled By Cumb police &
State Police at Gates
- N. Other security personnel (include company name and qualifications): IN House
Staff some police officers & fire officers
- O. Describe fire personnel: Cumb Fire Dep.

Other

- P. Name of liability insurance Harvard Insurance
Desman + Payne
Amount of coverage 1.5 Million amount of property insurance N/A
- Q. Preferred type of performance guarantee (i.e.. escrow account, irrevocable letter of credit)

Frank M. Small
Authorized signature

On 6-29-01 (date), I received a copy of the Cumberland Mass
Gathering Ordinance. Frank M. Small (authorized signature)

TOWN OF CUMBERLAND

Publication dates: _____
 Publication names: _____
 Date filed: _____
 Fee rec'd: _____
 Date Ordinance received: _____
 Issued: _____
 Denied: _____

Mass Gathering Application - Minor Large Outdoor Event
(1,000 - 4,999 persons)

This application must be filed with the Town Clerk not less than 60 days before the date of the event.
 Application must be accompanied by a non-refundable fee of \$250.

Name of applicant: Cumberland Soccer Club

Address of applicant: 40 Victor Otis, 36 Park Dr. Cumberland, ME Tel. # 829-5532

Name of event: CSC Labor Day Soccer Tournament

Facility where the event will be held: Timberbrook + Crosby High School

Is the facility owned by the applicant: yes: X no, (if no, attach a copy of the contract with the owner which allows use of the property)

Name of promoter (if different from above): _____

Telephone number: _____

Date of event: 9/1/01 - 9/2/01 Time (start and finish times): 8A - 7P Sat. Sun.

Number of tickets available: _____

Expected attendance: 2,000 +/- 110 teams

Description of event: Annual Labor Day Soccer Tournament CLB

teams from Maine

Will any food vendors be serving at the event? X yes, _____ no (if yes, how many, and

what types) High School

Timberbrook

8A - 7P Sat. (Explain)
 Sun A.M.
 u want
 assurances
 not again
 soccer club to
 West + East!
 Sun (1/1)
 u little
 league

Will any alcohol vendors be serving at the event? _____ yes, X no (if yes, list name and attach a copy of the vendor's license to sell alcohol, describe alcohol will be served) _____

Describe the three most recent outdoor performances of the group, performer, or event being proposed. Include location, date(s), number in attendance, promoter or sponsoring person or organization.

1. Previous Labor Day Tournaments

2.

3.

Description of facility:

- A. Seating capacity: _____ permanent; _____ temporary
- B. Other seating capacity: _____ festival; _____ standing room only (sq. ft)
- C. Number of toilets available: _____ permanent; 6 portable
- D. Number of parking spaces available: _____ on-site; _____ off-site
- E. Are all parking lots lighted (applicable only if event runs into evening hours)
_____ yes, _____ no, if no, which lots are not lighted _____
- F. Source of potable water: _____
- G. Refuse containers available, number and size: _____
- H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse)
- I. When will refuse be picked up? After each day

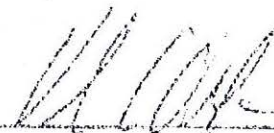
Public Safety:

- J. Describe first aid facilities: Combined Reserve

- K. Describe emergency facilities: Cumberland Reserve -
Fire bell days
- L. Describe communication facilities: Cumberland Police - Cumberland
Fire building
- M. Number of certified police officers: One
- N. Other security personnel (include company name and qualifications): Employee
saluteous
- O. Describe fire personnel: _____

Other

- P. Name of liability insurance: Soccer Player - CIGNA
Amount of coverage: \$3,000,000; amount of property insurance: _____
- Q. Preferred type of performance guarantee (i.e., escrow account, irrevocable letter of credit): _____


Authorized signature

On _____ (date), I received a copy of the Cumberland Mass
Gathering Ordinance. _____ (authorized signature)

FOR: TOWN MANAGER'S OFFICE:
FROM: Klara Norton, Town Clerk
DATE: July 17, 2001

=====

JULY 23, 2001 COUNCIL AGENDA ITEMS

- 00- To consider and act on application of Chebeague Island Hall Community Center for a Bottle Club Liquor License.
- 00- To consider and act on application of Chebeague Island Hall Community Center for a Special Amusement Permit.
- 00- To set date for Public Hearing to consider and act on application for a Mass Gathering Permit by the Cumberland Farmer's Club to hold the annual Cumberland County Fair at the Cumberland Fairgrounds September 23rd through September 30th, 2001.
- 00- To set date for Public Hearing to consider and act on application for a Mass Gathering Permit by the Cumberland Soccer Club to hold the CSC Labor Day Soccer Tournament at Twin Brooks and Greely High School September 1st through September 2nd, 2001.

1. To hear report of the Cemetary Asociation
- 2 To set date set for Chebeague Island Town Council meeting
- 3 To authorize the Town Manager to enter into a public access easement and road maintenance agreement with the Indian Island Company and the Cumberland Mainland and Island Land Trust.
4. To set tax rate for FY 01-02 (Lisa check last years wording and use it)
- 5 go to 01-44 then 01-45 etc. as typed on draft.

Cumberland County News

July—September, 2001

Volume 1, Issue 3

CUMBERLAND COUNTY OFFICIALS

County Commissioners:

Gary E. Plummer

Esther B. Clenott

Richard J. Feeney

County Manager:

Peter J. Crichton

Deputy County Manager:

Robert Devlin

District Attorney:

Stephanie Anderson

Judge of Probate:

William Childs

Register of Probate:

Herbert Adams

Sheriff:

Mark N. Dion

EMA Director:

George Flaherty

Treasurer:

Diane E. Gurney

Director of Budget & Planning:

Victor Labrecque

Register of Deeds:

John O'Brien

Facilities Manager:

Bruce Tarbox

From the Desk of the Chairperson:

This June, Arthur Cleaves, Director of the Maine Emergency Management Agency, awarded our Cumberland County Emergency Management Agency the highest compliments and evaluation. Mr. Cleaves' statements include that under the leadership of George Flaherty "the staff of EMA are masters at bringing groups together. They have become a voice for all volunteer organizations, and that is critical to any disaster response or recovery operation."



**Esther B. Clenott,
Chairperson**

This past month we received a report from Major Jeffery Newton, Jail Administrator, on the recent accreditation audit of the Cumberland County Jail. The jail failed only one mandatory standard out of 39, and this standard will be met successfully this fall. The jail scored 97.9% out of 100% in non-mandatory areas. The jail staff performed admirably, and we are proud to be the first correctional facility in the state to undertake accreditation. The Facilities department is also performing an important role in this accreditation process.

Cumberland County has, for the 4th consecutive year, received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) for our FY1999 Comprehensive Annual Financial Report (CAFR). This is yet another coup, not just for the staff which completed the assignment so successfully, but for all of us involved in Cumberland County. These honors reflect upon all of us. Actually, we need to thank and express appreciation to our staff in all our departments for their continuing positive contributions to our organization.

I hope each of you will find time from your responsibilities to enjoy this magnificent summer which "fleets and flees". The baseball season is half over!

Our Mission Statement: "To provide quality services to all citizens equitably, in a responsive and caring manner."

"Our employees are the most important asset of Cumberland County"

Message from the County Manager:

Dear Reader: Succeeding in the 21st century will require new ideas, a new mindset, and outside-the-box thinking from Maine citizens and the leaders of our public and private institutions, such as the Maine State Legislature, the Governor of Maine, the Maine Municipal Association, town managers, local elected officials and the Maine County Commissioners Association. For starters we have the traditional way of how we attempt to address regional problems town by town, instead of looking at the whole picture. This issue may well be our biggest challenge and opportunity for making Maine a better place for all citizens from Kittery to Fort Kent. As an optimist, I believe the best is yet to come.



Peter J. Crichton

Forty years ago John F. Kennedy said "our nation stands on the edge of a new frontier, a frontier of opportunities and perils". Well, I believe in many ways we are seeing a new frontier of collaboration and cooperation between counties, municipalities and the state that can result in a brighter future for all of us.

To those who may say that Cumberland County Government is not prepared to play a more significant role, I say the tough question is not whether Cumberland County can or should have a broader role, but when will we start recognizing the need to work together. Cumberland County Government currently provides numerous services to its citizens in 27 communities, ranging from emergency management, to domestic violence prevention efforts, to adoption services for families, to records management of real estate transactions, to police services, to jail confinement, to job training in the six county coastal area between Waldo and York Counties. These are only some of the activities and services which are having a beneficial effect on 270,000 Cumberland County citizens at a cost of about \$78 per year for an individual with a home valued at \$100,000.

In the end, how we choose to collaborate together to resolve the issues that threaten our quality of life, whether it is increasing tax rates, growth or limited financial resources, may be the question that best defines the future of this region and the entire State of Maine. The fact is we have to improve the working relationships and communication between the state, county and municipal levels of government if we are to achieve reasonable tax rates, a strong economy, and a fuller, happier and more satisfying life for the citizens of Cumberland County and Maine.

Sincerely,

Peter J. Crichton

Department Profile: Emergency Management Agency

The Emergency Management Agency (EMA) is the department of Cumberland County Government charged with the development and maintenance of emergency operations plans and coordination of resources necessary in natural and technological emergencies. Our EMA facility is located in an underground bunker in Windham. The key functions of the Director, George Flaherty, and his staff are twofold. First, they must educate municipal officials on the challenges faced in preparing for, responding to, recovering from and mitigating effects of a variety of emergencies. The second focus of EMA lies with ongoing assessments of the technical capacity of various public agencies in the County to respond to these events. An initiative in this category has involved the development of a Hazardous Materials Response Plan and more recently, conducting a countywide assessment of resources and vulnerability, and providing, coordinating and conducting training on terrorism and weapons of mass destruction.

The Director of EMA also acts as a liaison with State, Federal and private agencies in securing the necessary resources required for reconstruction and compensation associated with presidential declared disasters. In FY2000, the municipalities in Cumberland County received a total of \$1,046,068 in reimbursements due to the efforts of the EMA staff. The EMA also coordinates and actively participates in the Cumberland County Local Emergency Planning Committee (LEPC), and works with the local chapter of RACES/ARES volunteers (ham radio operators). The EMA/LEPC also received a total of \$70,000 in Federal and State grants, used to assist in training local emergency responders in hazardous materials and weapons of mass destruction awareness and response. EMA activities also include developing emergency plans, designed to assist local municipalities in keeping their citizens safe and minimizing property damage during an emergency/disaster. The Director and staff of the Cumberland County Emergency Management Agency has always served the citizens of Cumberland County with dedication and pride, and will continue to do so in future years.

Cumberland County Domestic Violence Program Travels to Brazil

By Faye Luppi, Director, Violence Intervention Partnership

On May 7, 2001, the State of Maine ship left Castine destined for Natal, Rio Grande do Norte (RN), Brazil carrying a "Silent Witness" from Maine and medical equipment. As director of the "Violence Intervention Partnership," Cumberland County's coordinated community response to domestic violence, I arranged for the life size cardboard silhouette of Tina Cousins to travel to Natal to help raise awareness about domestic violence in Rio Grande do Norte, or "RN." RN is Maine's sister state through the Partners of the Americas (POA) program. Tina was one of the women killed in Maine as a result of domestic violence whose story is told by the silent witness silhouettes.

I was able to tell Tina's story to Brazilian judges, lawyers, law students, police officers, university faculty, and government representatives during my visit to Natal in March, as part of a domestic violence/judicial exchange/trade mission sponsored by POA. Her story helped me to explain why Cumberland County's VIP is working to stop domestic violence, and to teach my colleagues in Brazil about DV. I traveled to Natal along with Maine District Court Judge Joyce Wheeler and "Lee International's" Cathy Lee. In a series of lectures and meetings, we explained how the work we do in Maine is really domestic homicide prevention. This work is carried out by members of the Violence Intervention Partnership – the Cumberland County DA's Office Domestic Violence Unit, Family Crisis Services, Maine Pretrial Services, Probation and Parole, the Cumberland County Sheriff's Office and Police Chiefs, - who take offenses like domestic assault and criminal threatening seriously, hold offenders accountable, and work to keep victims safe. Look for more about VIP – a project funded in part and coordinated by Cumberland County government – on the next page of this newsletter.



Weapons seized from Domestic Abusers by Sheriff Rosanna Pinheiro de Souza (rt.) at the Women's Police Station, Natal, Rio Grande do Norte; Juvenile Court Judge Jose Dantas da Paiva (left)

Cumberland County News

Cumberland County Government
Executive Department
142 Federal Street, Room 102
Portland, ME 04101-4196



MANAGER
Town of Cumberland
290 Tuttle Road
Cumberland Center, ME
04021-9321

Cumberland County News

Cumberland County Government is proud to present our newsletter, which will keep our communities and fellow counties up to date on our activities. We value your opinion of this newsletter, and welcome your comments, which can be sent to: Cumberland County Executive Dept., 142 Federal Street, Room 102, Portland, ME 04101-4196.

CUMBERLAND COUNTY'S VIOLENCE INTERVENTION PARTNERSHIP

By Faye Luppi, VIP Project Director

"Maine does not have a crime problem per se, but we have one heck of a domestic violence and sexual assault problem," according to Rep. Pat Colwell, D. Gardiner, Maine House majority leader. Domestic violence assaults increased 12.5 % statewide last year, as reported in recently released 2000 crime statistics - and Portland police likewise saw an increase in domestic assaults, from 357 in 1999 to 447 in 2000.

What is Cumberland County government doing to stop domestic violence (DV)? Cumberland County (CC) directs the Violence Intervention Partnership, a coordinated community response to DV. CC also provides funding for the project, along with the Violence Against Women Office of the federal Dep't of Justice. VIP partners include CC Manager, Peter Crichton; the Domestic Violence Unit of the CC DA's Office; Family Crisis Services advocates; Maine Pretrial Services; CC Sheriff's Office & Jail; Probation and Parole; and local Police Chiefs. Since VIP began in 1998, the District Court conviction rate for DV cases has increased from 35% to 63%, and no domestic homicides have occurred in CC since April of 1998. The VIP mission is to keep victims safe, and hold offenders accountable. What steps has VIP taken to carry out that mission?

- Improved communication between police, advocacy, and criminal justice agencies through an inter-agency safety audit and monthly Advisory Council meetings;
- Tracked disposition and handling of all domestic violence cases;
- Developed a standard expanded DV police reporting form and provided police with laminated wallet cards with DV report checklists and dangerous suspect assessments;
- Funded a Probation and Parole Officer who handles only DV cases with a maximum 50 person case load, and a DV Unit Investigator;
- Trained prosecutors, law enforcement officers, judges, advocates, court clerks, reserve deputies, new police officers, corrections officers, and dispatchers;
- Hosted Maine's first Domestic Violence Summit;
- Developed new policies at CC Jail to reduce the risk that victims will meet the batterer during release programs; implemented immediate victim telephone number blocking from jail; and victim notification prior to offender's release;
- All 911 calls taped and victim's/witnesses' statements recorded;
- All bail conditions faxed directly to police departments by bail commissioners;
- Cellular phones donated to Family Crisis to distribute to victims;
- Outreach to under-served populations, including elderly & non-English-speaking;
- Worked with Family Crisis Services to create a Domestic Violence Web site with local resources, at www.familycrisis.org
- Developed an agreement with Animal Refugee League to find temporary foster homes for the pets of battered women;
- Obtained digital cameras for all County police departments, who have agreed to conduct 48 hour follow-up visits with victims of domestic violence.

Contact Project Director Faye Luppi at 871-8380 x 3985 for more information, or if you would like to participate in CC's coordinated community response to DV.

Murphy, Gail D.

From: Phipps, James E.
 Sent: Monday, July 23, 2001 11:36 AM
 To: 'Deborah M. Mann'; 'Moriarty, Stephen W.'; 'Nixon, Carla'; 'Benson, Robert B.'
 Cc: 'Lambert, John F.'; Murphy, Gail D.
 Subject: RE:

Yes, I've completed 6 years (2 three-year terms).

Do you need any action from the Counsel or Bob to keep me in the loop?

I have had discussions with Steve Moriarty, Council Chairman, as well as John Lambert and Bob Benson, concerning the possibility of the Council appointing me to serve as a community member of the ad hoc committee to deal with the litigation and Yarmouth negotiations on a going forward basis after my term ended last month. I don't know if the Council has taken any formal action on this. I'm copying Steve, John and Bob (also Carla Nixon, Asst. Town Manager and Gail Murphy, my assistant) in order to get them in the loop if you need any thing done on this.

I DON'T WANT TO DESTROY ANY ATTORNEY-CLIENT PRIVILEGE!!!

- Jim

P.S., Gail, please fax to Rob Benson at 829-2

-----Original Message-----

From: Deborah M. Mann [mailto:DMann@JBGH.com]
 Sent: Monday, July 23, 2001 10:08 AM
 To: Phipps, James E.
 Cc: Kenneth M. Cole, III
 Subject: RE:

Post-it® Fax Note 7671		Date 7/23/01	# of pages 2
To BOB BENSON		From Jim Phipps	
Co./Dept.		Co.	
Phone #		Phone # 791-3123	
Fax # 829-2224		Fax # 791-3111	

Thank you for your thoughts. I agree completely.

Are you truly out of the Council at this point? From my standpoint, that came about quickly. Your view may well be different.

-----Original Message-----

From: Phipps, James E. [mailto:jhipps@preti.com]
 Sent: Friday, July 20, 2001 12:44 PM
 To: Deborah M. Mann; Phipps, James E.; John Lambert
 Cc: Kenneth M. Cole, III
 Subject: RE:

(E-mail)

Debbie, in my view, our position should be that we win without any expansion or change in law or interpretation. If our interest differs from MDOT's on this score, then so be it. We can't have the court deny MDOT's view and then determine that the law isn't there to support the taking as it was done and under the current interpretation.

Of course, my view would be 180 degrees different if you were to tell me that we need the broader interpretation in order to win, but I don't think judge Warren had that view. therefore, our argument should be that judge Warren was right without any change in law or expanded interpretation. We don't want the law court to tell us to go back to the

legislature to get the
law changed in order to accomplish this particular taking.

BTW, thank you for continuing to include me in the loop in
my Town Councilor
Emeritus status.

- Jim

-----Original Message-----

From: Deborah M. Mann [mailto:DMann@JBGH.com]
Sent: Thursday, July 19, 2001 6:49 PM
To: James Phipps (E-mail); John Lambert (E-mail)
Cc: Kenneth M. Cole, III
Subject:

Dear Jim, John and Bob (via fax) -

Not surprisingly, MDOT has slightly broader view of what it
intends to say
in its Law Court brief, in a more empire-building vein. In
addition to
arguing that we met Maine's traditional "public use"
standard, MDOT wants to
go on to argue that the time has come for Maine to join the
majority of
other jurisdictions by expanding the definition of public
use to encompass
public benefit and beyond. Becky will be meeting with Toni
Kemmerlee next
week to discuss how MDOT wants to approach this, but I
wanted to let you
know their thinking.

At present, we have agreed that MDOT will address the
statutory authority
question. We will address the public use question. My
thought is that we
leave up to MDOT the more ambitious argument concerning
expanding the
doctrine, but I am interested to hear what you think.

MDOT also wants to argue that the issue of public use can't
be viewed in a
vacuum, that public exigency also factors into the equation.
This has been
Becky's pet argument throughout and I suggest that we leave
this one to MDOT
as well.

Let me know if you have any strong feelings on any of these
points. --
Debbie

Council

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

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MERTON G. HENRY
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

May 3, 2001

Adam Ogden, Town Engineer
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Dear Adam:

Enclosed herewith please find the revised Public Access Easement and Road Maintenance Agreement between the Town of Cumberland and Indian Island Company. You should forward it on to Cumberland Mainland and Islands Trust as well as letting Sam Ballard know that the revisions he suggested have been made. If the Trust has no objection, I would suggest having Bob Benson place this on the Council Agenda once the actual easement has been signed by the Ballard family.

Let me know if you have any questions in regard to the revisions or the process of acceptance by the Town.

Very truly yours,


Kenneth M. Cole III

KMC/ab
Enclosure

cc: Robert B. Benson, Town Manager

*Need
Trust Easement
+ Adam MAB*

*CI mts
item*

received
5-7-01

**PUBLIC ACCESS EASEMENT
and
ROAD MAINTENANCE AGREEMENT**

This Agreement made this ____ day of _____, 2001 by and between Indian Island Company, a Maine corporation of Yarmouth, County of Cumberland and State of Maine and Town of Cumberland, a municipal corporation of Cumberland, in said County and State.

WHEREAS, Indian Island Company owns land on Chebeague Island in said Town of Cumberland; and

WHEREAS, said Indian Island Company's land is crossed by a private way, Indian Point Road, used for access from the North Road to the Little Chebeague Island sand bar; and

WHEREAS, the parties wish to clarify public use and maintenance responsibilities in regard to said way;

NOW THEREFORE, the parties hereto hereby agree as follows:

1. The parties agree that Indian Point Road shall continue to be privately owned but Indian Island Company, in consideration of the following promises, hereby grants to the Town a public easement over said Road as shown on a plan entitled "Right of Way, Indian Point Road" dated July 15, 1998, prepared by Bruce R. Bowman, Inc.

2. The Town shall maintain said road as a public easement in its current unpaved state, but only after first crowning it out to a width of eleven (11) feet, more or less. The right of way is 25 feet with the improved portion extending no further than 18 feet. Ditches will be maintained on both sides of the road out to a distance of eighteen

(18) feet (9 feet from the center) for the first 168 feet. The ditch on the south side of the road may be continued to the top of the next hill. There will be no ditch on the north side of the road in the vicinity of the building next to the road where there is currently a fence. Starting at the top of the next hill, ditches on both sides of the road may be maintained at the discretion of the town. Culverts may be installed and placement of culverts will be at the discretion of the Town.

3. An unpaved parking and turning area for up to five conventional passenger vehicles shall be constructed by the Town at the "access point". The "access point" is the termination of the public easement as maintained by the Town.

4. All maintenance of the public easement will be performed at no expense to the Indian Island Company. No maintenance will be performed beyond the entrance to the Little Chebeague Island sand bar, the point at which the public right of way terminates.

5. This Easement and Agreement shall be subject to approval by the Cumberland Town Council and shall continue for so long as the Town shall use and maintain said road according to the terms hereof.

6. The Cumberland Mainland and Islands Trust, Inc., holder of a Conservation Easement dated May 14, 1999 on said premises joins herein to consent to this Agreement.

7. Permitted uses by the public hereunder shall be those defined in the aforesaid Conservation Easement with the Cumberland Mainland and Islands Trust, Inc., which is incorporated herein by reference thereto.

8. This agreement shall be construed according to the Laws of the State of Maine and shall be binding upon the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals all as of the day and year first above written.

Signed, sealed and delivered
in presence of:

INDIAN ISLAND COMPANY

By: _____
Print Name _____
Its _____

TOWN OF CUMBERLAND

By: _____
Print Name _____
Its _____

CUMBERLAND MAINLAND
AND ISLANDS TRUST, INC.

By: _____
Print Name _____
Its _____

First Nam	Last Name	Home Phone	Work Phone	Fax Phone	Email
Stephen	Moriarty	(207) 829-5095	(207) 774-7000	(207) 775-0806	smoriarty@nhdlaw (do not publish)
Mark	Kuntz	(207) 829-6482	(207) 773-6426	(207) 773-3423	chinook96@msn.com
Peter	Bingham	(207) 829-5713	(207) 786-3526	(207) 786-3527	pbingham@acornearth.com
John	Lambert, Jr.	(207) 781-5282	(207) 871-7033	(207) 871-0394	jlambert@lcrh.com kaldwell@maine.rr.co
Harland	Storey	(207) 829-3939	(207) 829-3939		cstorey@gwi.net
Jeff	Porter	(207) 829-4129	(207) 541-7430	(207) 541-7420	Jeffrey.Porter@mail.doc.gov
Donna	Damon	(207) 846-5140	0	0	publicservant1@aol.com