

**TOWN OF CUMBERLAND
SPECIAL MEETING OF THE TOWN COUNCIL
THURSDAY, SEPTEMBER 13, 2001**

- I. Call to order in the West Conference Room at Cumberland Town Office at 7:00 p.m.
- II. Public Discussion
- III. Legislation and Policy
 - 01-69 To instruct Town Attorney to draft appropriate agreement with Paul Belesca regarding location of septic system in municipal R.O.W. on Elizabeth Street (Chebeague Island).
 - 01-70 To adopt the attached resolution approving MSAD 51 Referendum Election Date
 - 01-71 To accept resignation of Councilor John Lambert
 - 01-72 To call special municipal election to fill vacant Council seat
- IV. EXECUTIVE SESSION
 - a) Hardship Abatements
- V. Adjourn

MEMBERS OF THE TOWN COUNCIL

Stephen Moriarty (Chair)	829-5095	Jeffrey Porter	829-4129
Mark Kuntz	829-6482	Harland Storey	829-3939
John Lambert, Jr.	781-5282	Peter Bingham	829-5713
Donna Damon	846-5140		

Town of Cumberland web site: www.cumberlandmaine.com

**TOWN OF CUMBERLAND
SPECIAL MEETING OF THE TOWN COUNCIL
THURSDAY, SEPTEMBER 13, 2001**

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

I. Call to order in the West Conference Room at Cumberland Town Office at 7:00 p.m.

II. Public Discussion

None

III. Legislation and Policy

01-69 To instruct Town Attorney to draft appropriate agreement with Paul Belesca regarding location of septic system in municipal R.O.W. on Elizabeth Street (Chebeague Island).

Attorney Peggy L. McGehee and Paul Belesca were present. Code Enforcement Officer Barbara McPheters and Inspector Richard Peterson were also present to state their findings on behalf of the Town of Cumberland.

Code Enforcement Officer Barbara McPheters presented the timeline of events regarding the septic system placement by Paul Belesca. After deliberations by the Council and Attorney Peggy McGehee, all parties agreed on the following motion.

Councilor Lambert moved to authorize Town Attorney to draft easement allowing placement of septic system to be constructed by Paul Belesca within a town ROW/Paper Street known as Elizabeth Street on Chebeague Island; provided that Paul Belesca submit a design for replacement system within 12 months of date of motion; and provide further that the town grant an easement to Paul Belesca permit installation of a waterline between a well to be installed by Paul Belesca and the Belesca home running under town ROW/Paper Street known as Elizabeth Street on Chebeague Island.

Seconded by Councilor Kuntz

VOTE: UNANIMOUS (6)

01-70 To adopt the attached resolution approving MSAD 51 Referendum Election Date

Councilor Bingham recommended a timeline and costs each year be provided.

Councilor Lambert moved to adopt the attached resolution approving MSAD 51 Referendum Election Date.

Second by Councilor Bingham

VOTE: UNANIMOUS (6)

01-71 To accept resignation of Councilor John Lambert

Councilor Bingham moved to accept resignation of Councilor John Lambert
Second by Councilor Kuntz
VOTE: IN FAVOR (5)
ABSTAIN (1) Lambert

Town Manager thanked Councilor Lambert for his dedication and work with the Town Council and the Blanchard Case.

01-72 To call special municipal election to fill vacant Council seat

Councilor Bingham moved to call Special Municipal Election on November 6, 2001 to fill the vacant "Cumberland Foreside" Town Councilor seat which expires in June 2003.
Second by Councilor Kuntz
VOTE: UNANIMOUS (6)

IV. Correspondence

- Chronology of Events for Paul Belesca Property on Chebeague Island
- Ltr to Paul Belesca RE: Sawyer Road, Chebeague Island (Map 15, Lot 11a) fm Cumberland Town Manager
- Ltr to Chairman Moriarty RE: Paul Belesca Property, Chebeague Island dtd 9/11/01 fm Town Attorney Ken Cole
- Ltr to Town Attorney Ken Cole RE: Paul Belesca, Chebeague Island dtd 9/10/01 fm Attorney Peggy L. McGehee of Perkins, Thompson, Hinckley & Keddy.
- Town of Cumberland, Maine Resolution Approving SAD #51 Referendum Election Date & Warrant for School Construction Projects Referendum Election of SAD 51
- Ltr to Chairman Moriarty RE: Hardship Abatements dtd 9/11/01 from Town Attorney Ken Cole
- MSAD 51 Agenda of 9/17/01
- Falmouth/Cumberland Chamber of Commerce Quarterly Luncheon Invitation for 9/18/01
- Postponement Announcement of Cumberland County Municipal & County Officials Forum of 9/24/01

V. EXECUTIVE SESSION

Councilor Bingham moved to enter into Executive Session to discuss Hardship Abatements.
Second by Councilor Kuntz
VOTE: UNANIMOUS (6)

Councilor Bingham moved to come out of Executive Session.
Second by Councilor Kuntz
VOTE: UNANIMOUS (6)

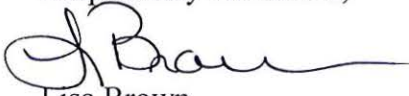
Councilor Kuntz moved to deny Hardship Abatement #1.
Second by Councilor Bingham
VOTE: UNANIMOUS (6)

Councilor Porter moved to table Hardship Abatement #2
Second by Councilor Kuntz
VOTE: UNANIMOUS (6)

V. Adjourn

Councilor Kuntz moved to adjourn meeting at 8:45 pm.
Second by Councilor Bingham
VOTE: UNANIMOUS (6)

Respectfully Submitted,

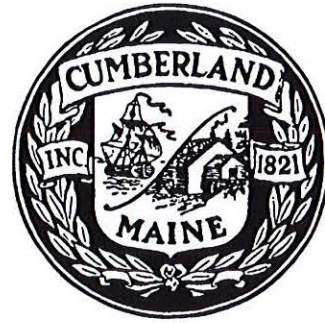
A handwritten signature in blue ink, appearing to read 'Lisa Brown', with a long horizontal flourish extending to the right.

Lisa Brown
Administrative Assistant

Town of Cumberland

Administration
290 Tuttle Rd
Cumberland, ME 04021

Phone: 207-829-2205
Fax: 207-829-2224
Web: www.cumberlandmaine.com



Fax Transmittal Form

To: **Ken Cole, Attorney**

Phone: 775-7271
Fax: Phone: 775-7935

From: **Lisa Brown, Administration**

Phone: 207-829-2205
Fax: 207-829-2224
Web: www.cumberlandmaine.com

- ☒ Urgent
☐ For Review
☐ Please Comment
☐ Please Reply

Date sent: 9-26-01
Time sent: 10:45 am
Number of pages including cover page: 4

Message:

Ken,

Yesterday, I received a call from Attorney Jeff Selzer's office requesting us to fax a copy of the Town Council Minutes of September 13, 2001 regarding the Belesco Case. I am forwarding a copy of the minutes to you per Bob for your review and to then forward them from your office to the Selzer office. They are expecting the fax today.

Attorney Jeff Selzer
Fax 871-8026

Thanks Ken!
Lisa

9-26-01
11:00 am

spoke to Ken Cole -
were all set.

FAXED
9-26-01
10:54 am

**Chronology of Events
For
Paul Belesca Property
Chebeague Island**

June 15, 2000:	Building permit issued for house and barn.
September 24, 2000:	Harbormaster Ted Curtis advised CEO Barbara McPheters that house construction would be in the paper street.
September 27, 2000:	CEO issues Stop Work order. Mr. Belesca seeks assistance from Town Manager to resolve problem. He is advised to seek a variance from the Board of Appeals to permit him to move the house 20', which would remove it from being within the paper street, but would place it within the right of way setback area.
December 14, 2000:	Board of Appeals issues variance to permit construction within the setback. States that no structure shall be permitted within the right of way.
May 21, 2001:	CEO conducts foundation inspection.
August 29, 2001:	CEO conducts framing inspection and notices flags and disturbance in the area of the paper street that appear to indicate the installation of a septic system.
August 31, 2001:	CEO issues stop work order.



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

Paul V. Belesca
276 North Road
Chebeague Island, ME 04017

RE: Sawyer Road, Chebeague Island (Map 15, Lot 11A)

Dear Mr. Belesca;

This letter is in response to your letter of September 7, 2001 requesting relief from potential fines set forth in the letter of August 31, 2001 from the Town of Cumberland's Code Enforcement Officer. Please be advised that pending action by the Town Council to address your request for an easement permitting the continued location of your septic system on municipal property, we will waive any potential fine. Following Council action, you will be expected to be in compliance with whatever decision they render.

Thank you for your attention to this matter.

Very truly yours,


Robert Benson
Town Manager

276 North Road
Chebeague Island, ME 04017

September 7, 2001

Mr. Robert Benson, Town Manager
Town of Cumberland, Maine
290 Tuttle Road
Cumberland Center, Maine 04021-9321

SUBJECT: SAWYER ROAD, MAP I5, LOT 11A

Dear Mr. Benson,

As per your suggestion during our telephone conversation on Tuesday September 4, 2001, please accept this letter as a formal request for immediate relief from the potential fines detailed in the August 31, 2001 correspondence we recently received from the Town of Cumberland Code Enforcement Officer.

If you have any questions or need additional information, please don't hesitate to contact me directly. I can be reached either at work (tel: 860-767-9061) or home (tel: 846-1097). I look forward to a favorable response from you on this subject prior to the referenced September 14, 2001 deadline date.

Sincerely,



Paul V. Belesca

SENT VIA: FAX TO 207-829-2214 ON 9/7/01

CERTIFIED MAIL - RETURN RECEIPT REQUESTED



**Jensen Baird
Gardner & Henry**

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

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

ATTORNEYS AT LAW
TEN FREE STREET
P.O. BOX 4510
PORTLAND, MAINE 04112
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RAYMOND E. JENSEN
M. DONALD GARDNER
MERKON G. HENRY
JAMES B. KAPLAN
OF COUNSEL

KENNETH BAIRD
(1914-1967)

**YORK COUNTY
OFFICE**

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

September 11, 2001

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

Re: ***Paul V. Belesca Property, Chebeague Island***

Dear Steve:

Paul V. Belesca, a property owner on Chebeague Island, has apparently constructed a septic system for a new home in the right of way of a paper street known as Elizabeth Street. This paper street was preserved for later acceptance by the Council by Order adopted in September 1997. Mr. Belesca obtained a variance from the Town's Zoning Board allowing him to build within the typical setback from this paper street on December 14, 2000. Both Mr. Benson and myself were at that meeting and clearly informed Mr. Belesca, as we had both his attorney and contractor before, of the Town's interest in this possible municipal way.

Although it appears various municipal inspectors did not pick up the location of this septic system within the paper street until it had actually been built, the homeowner still bears the ultimate responsibility for compliance with state and local law. Septic systems cannot be built in town ways. In this instance since you are dealing with a possible street, the Town as the possible owner will have to consent if the system is to remain.

We have been approached by Mr. Belesca's new attorneys in regard to drafting an easement for this septic system and understand that the Council will take up whether to formally approve such an easement at its meeting on September 24th. We enclose a copy of Mr. Belesca's attorney's letter of September 10th and would ask that the Council give us general authority and specific instructions at its meeting on September 13th.

Thank you for your attention to this matter.

Very truly yours,



Kenneth M. Cole III

Council
9/13/01
14

PERKINS, THOMPSON, HINCKLEY & KEDDY

A PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW

www.perkins-thompson.com

THOMAS SCHULTEN
BRUCE E. LEDDY
DOUGLAS S. CARR
ANDREW A. CADOT
PHILIP C. HUNT
JOHN S. UPTON
PEGGY L. MCCHEE
MELISSA HANLEY MURPHY
JOHN H. RICH III
JOHN A. CIRALDO
JOHN A. HOBSON
TIMOTHY P. BENNETT
J. GORDON SCANNELL, JR.
FRED W. BOFFIN
MARK P. SNOW

WILLIAM J. SHELLS
DAVID B. MCCONNELL
AARON D. JULIEN
GREGORY B. POTRAS
JENNIFER L. SANDERS
STEPHEN D. WILSON
RANDY J. CRESWELL
JEFFREY T. BEVER

OF COUNSEL

OWEN W. WELLS
PAUL D. PIETROPAOLI
JULIANNE C. RAY

PORTLAND OFFICE:

ONE CANAL PLAZA
P.O. BOX 420
PORTLAND, ME 04112
PHONE (207) 774-2830
FAX (207) 871-8026

AUGUSTA OFFICE:

5 WADE STREET
AUGUSTA, ME 04330
PHONE (207) 823-0780
FAX (207) 823-6377

September 10, 2001

BY FAX (775-7935) & FIRST-CLASS MAIL

Kenneth M. Cole III, Esq.
Jensen, Baird, Gardner & Henry
Ten Free Street
P.O. Box 4510
Portland, ME 04112-4510

Re: Paul Belesca, Chebeague Is

Dear Ken:

Post-it® Fax Note	7671	Date	9/11	# of pages	▶
To	Bob Banson	From	Ken Cole		
Co./Dept.		Co.			
Phone #		Phone #	775-7271		
Fax #	829-2224	Fax #			

This letter is written on behalf of Paul Belesca to assist in the resolution of the matter regarding his nearly completed septic system within a Town right of way.

The relevant facts as I understand them are as follows:

- The Town has a 40-foot right-of-way (a "paper street"), labeled as Elizabeth Road on the Town of Cumberland 8/10/93 Titcomb Associates survey, near the northerly edge of Mr. Belesca's shorefront property on Chebeague Island. Mr. Belesca's property also abuts Town property (referred to as "Sunset Point"). There is an improved Town road a short distance away from this paper street on the Town's Sunset Point property, leading down to the shore.
- In June of 2000, Mr. Belesca submitted to the Town an application for a building permit to construct a house and barn on his property. Included with the documents Mr. Belesca submitted was a Subsurface Wastewater Disposal System Application, approved on May 18, 2000, showing the system's location within the right-of-way area, as the septic system site plan showed that the septic system would be set back 15 feet from the northerly edge of the property. The Town Code Enforcement Officer, Ms. McPheters, issued the building permit

Kenneth M. Cole III, Esq.
September 10, 2001
Page 2

on June 15, 2000 without objection, and Mr. Belesca commenced construction of the barn's foundation.

- By letter dated September 27, 2000, Ms. McPheters advised Mr. Belesca that the Town had erroneously issued the building permit because the house would be in the Town right-of-way, and ordered that all work be stopped. The letter did not indicate that the Town had any concern about the placement of the septic system being within the right-of-way, and did not recommend Mr. Belesca make any application to the Zoning Board of Appeals regarding the septic system.
- Mr. Belesca therefore applied for, and obtained, on December 14, 2000, a variance from the Town Zoning Board of Appeals allowing the house to be constructed, so long as the house was moved back from the property line an additional 20 feet.
- Following spring thaw, Mr. Belesca recommenced construction on the house and cleared and flagged the septic system location. In May 2001, Ms. McPheters inspected the site (principally to check the backfill on the foundation for the house), and walked the area of the septic system. Again, there was no objection to the location of the system.
- Throughout the summer of 2001, Mr. Belesca continued to construct his home, and to have the septic system installed, in order to move his family into the home in September.
- In mid-August, the Town of Cumberland Plumbing Inspector was advised that the septic system was installed and ready for loam cover and seeding. Permission was granted at that time for Mr. Belesca to line the chambers with crushed stone. A final inspection by the Plumbing Inspector is all that is required to finish the installation.
- On August 29, Ms. McPheters visited the site again for a "rough in" inspection. For the first time Ms. McPheters objected to the location of the nearly completed septic system. On August 31, Ms. McPheters issued a stop order, asserting that the placement of system within the right-of-way is prohibited, and ordered the right of way to be restored.

This most recent stop order has caused an urgent and difficult situation for the Belesca family. Although I have advised Mr. Belesca that his rights to complete construction appear to have vested, he has advised me that he wishes to resolve this matter quickly and amicably. In that regard, he advised me that you, as the Town attorney, are drafting a conditional easement for the Town Council's consideration. Such an easement could provide a reasonable compromise. It is understandable that the Town will want to have the ability to have the septic system relocated in the event the right of way is ever improved (although I understand that,

Kenneth M. Cole III, Esq.
September 10, 2001
Page 3

practically speaking, it is not likely that this road will ever be improved, and may ultimately be abandoned). On the other hand, because there is no place on his property where a septic system can be relocated (as much of the land on his property is too wet or has unacceptable soils, see the attached September 5, 2001 letter from the site evaluator, Richard Sweet), Mr. Belesca will want to be assured, if the Town in the future improves the road and requires he relocate the septic system, that he have the right to relocate the system onto the Town's abutting land.

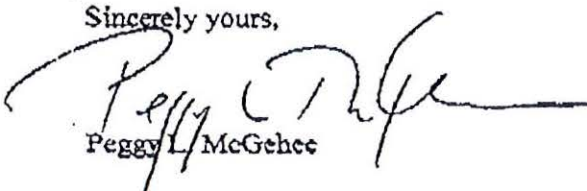
To that end, we propose the following terms for the conditional easement:

1. The Town grant the Belesca property the right to maintain a septic system within its right-of-way;
2. In the event the Town improves the right-of-way, it may require the septic system be relocated;
3. If the Town requires the septic system be relocated, Mr. Belesca, or his successor, may elect to relocate the septic system onto the Town's abutting property.

Finally, Mr. Belesca hopes the Town has no objection to his digging a shallow well within the right-of-way. He is aware of another shallow well nearby on Town property, and the installation of a drilled well would yield water of a lesser quality.

Thank you for your assistance in these matters, and please let me know what more we can do to facilitate this process. If a draft of the easement is already prepared, I would appreciate receiving a copy at your earliest convenience.

Sincerely yours,



Peggy L. McGehee

PLM/ems

cc: Mr. Paul Belesca

*all we
remember Henry*

*Wed - Good night
Thurs not of Area*

Pierce Atwood

One Monument Square • Portland, Maine 04101 • 207.791.1100 • Fax 207.791.1350

FAX TO**FAX NUMBER****TELEPHONE NUMBER**

Klara Norton
Ken Cole

829-2214
775-7935

829-5559
775-7271

MESSAGE: Attached is a form of the vote to be adopted by the Cumberland Town Council setting the SAD No. 51 questions to referendum election on 11/6/01. I also enclose a draft of the warrant, which I will be finalizing this Friday. Please call with any questions.

FROM: JAMES M. SAFFIAN

NUMBER OF PAGES INCLUDING COVER SHEET: 8

DATE: September 5, 2001

CLIENT/MATTER NUMBER: 20420/3980

If you are having difficulties receiving this, please call us immediately at 207-791-1100 ext. 279.
Thank you.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

TOWN OF CUMBERLAND, MAINE

Resolution Approving SAD No. 51 Referendum Election Date

WHEREAS, the Board of Directors of School Administrative District No. 51 desires to issue bonds or notes in anticipation thereof in the a name of the District for certain school construction projects and has issued an election warrant pursuant to 20-A M.R.S.A. §1352, submitting such projects to the voters of the District at a referendum election to be held on November 6, 2001, which warrant has been served on the Clerk of the Town of Cumberland; and

WHEREAS, 20-A M.R.S.A. §1352 requires the municipal officers of the Town of Cumberland to forthwith meet, countersign and have said warrant posted;

NOW, THEREFORE, BY THE TOWN COUNCIL OF THE TOWN OF CUMBERLAND, MAINE, BE IT HEREBY RESOLVED:

Section 1. **THAT** pursuant to the election warrant above described, the questions contained therein be submitted to the voters of the District residing in the Town of Cumberland for approval at a referendum election to be held on November 6, 2001.

Section 2. **THAT** the Town Council finds that combining the referendum questions of the District on a single ballot with the election ballot of the Town of Cumberland is in the interest of the election process and will not contribute to voter confusion or unreasonable administrative difficulties and that therefore, at the request of the Superintendent of the District such referendum questions may be combined on a single ballot with the election ballot of the Town of Cumberland.

Section 3. **THAT** the Town Clerk be and hereby is authorized and directed to undertake all such action as may be necessary or appropriate to place such referendum questions before the voters of the District residing in the Town of Cumberland at such election.

Give to
Chairman
+ 1st
V. to and 6
C. Adams

Bob
Copy

WARRANT FOR SCHOOL CONSTRUCTION PROJECTS REFERENDUM ELECTION
OF
SCHOOL ADMINISTRATIVE DISTRICT NO. 51

TO: Donald Foster, a resident of School Administrative District No. 51, comprised of the Towns of Cumberland and North Yarmouth, both in Cumberland County, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of both of the municipalities within said School Administrative District No. 51, namely, the Town of Cumberland and the Town of North Yarmouth, the following Warrant. Service shall be in hand within three (3) days of the date of this Warrant. The municipal clerks of the above municipalities shall immediately notify the respective municipal officers, who shall meet forthwith, countersign and post the following Warrant:

SCHOOL ADMINISTRATIVE DISTRICT NO. 51
SCHOOL CONSTRUCTION PROJECT REFERENDUM ELECTION WARRANT

Cumberland County

State of Maine

TO: Joseph Charron, a resident of the Town of Cumberland in said County;

GREETINGS: In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the Town of Cumberland qualified by law to vote in Town affairs of the election described in this Warrant.

To the Voters of the Town of Cumberland, Maine:

You are hereby notified that the School Administrative District No. 51 School Construction Project Referendum Election will be held at the Town Council Chambers, in the Town Hall, 290 Tuttle Road, Cumberland, Maine and at the Chebeague Island Hall Community Center on South Road on Chebeague Island, Cumberland, Maine, on the 6th day of November, 2001 at 7:00 in the forenoon to act on the following Articles to wit:

ARTICLE I: To choose a moderator to preside at the North Yarmouth town meeting. (For voters residing in North Yarmouth only; not applicable to Town of Cumberland.)

ARTICLE II: "Shall the school directors of School Administrative District No. 51 be authorized to issue bonds or notes in anticipation thereof in the a name of this District for school construction purposes in an amount not to exceed **Seventeen Million Nine Hundred Eighteen Thousand Dollars (\$17,918,000)**, of which Fifteen Million Nine Hundred Eighteen Thousand Dollars (\$15,918,000) has been approved by the State Board of Education for inclusion in the District's debt service allocation for purposes of calculating state subsidy, the proceeds of which (including investment earnings thereon) shall be used to acquire land and to design, construct and equip a new middle school on land located behind Mabel I. Wilson School on Tuttle Road in the Town of Cumberland, Maine and to finance other costs of the project including but not limited to soft costs, costs of issuance, and capitalized interest on such bonds or notes, to mature, bear interest and be subject to such other terms and conditions, including provisions for optional redemption, as the school directors may approve?"

- (a) The entire additional operating costs of the new middle school during its first two years shall be borne by revenues raised by the District.
- (b) The estimated amount of the additional operating costs of the new middle school is \$210,240 for the first year and \$217,388 for the second year.
- (c) The District shall be responsible for the local share of debt service on bonds or notes issued pursuant to Article II to finance the \$15,918,000 in project costs that the State Board of Education has approved for inclusion in the State's school construction debt service subsidy for the District calculated in accordance with state law. The District will be responsible for 100% of the debt service on bonds or notes issued pursuant to Article II to finance the balance of the \$2,000,000 in project costs.
- (d) The State Board of Education has accelerated the date on which it granted concept approval for this school construction project on the condition that the District be responsible for the cost of interest-only interim local financing in accordance with 20-A M.R.S.A., Section 15905(7) on the portion of the middle school project otherwise eligible for state school construction subsidy. The State Board of Education has approved a period of interest-only interim local financing of up to 18 months. If fully utilized, the cost of interest-only interim local financing during this 18 month period, on the portion of the project otherwise eligible for state subsidy, assuming an interest rate of 5.00%, is estimated to be \$1,193,850, or \$795,900 on an annualized basis. The interest payments during the period of interest-only interim local financing are not eligible for inclusion in the District's debt service allocation for purposes of calculating state school construction subsidy for the District.
- (e) The SAD No. 51 School Board and Finance Committee recommend approval of Article II.

ARTICLE III: "Shall the school directors of School Administrative District No. 51 be authorized to issue bonds or notes in anticipation thereof in the a name of this District for school construction or minor capital projects in an amount not to exceed **Five Million Dollars (\$5,000,000)** the proceeds of which (including investment earnings thereon) shall be used to renovate, rehabilitate and equip the Greely junior high school on land located on Main Street in the Town of Cumberland, Maine and to finance other costs of the project including but not limited to soft costs, costs of issuance, and capitalized interest on such bonds or notes, to mature, bear interest and be subject to such other terms and conditions, including provisions for optional redemption, as the school directors may approve?"

- (a) The project described in Article III is a non-state funded project as described in 20-A M.R.S.A. §15905-A. The District shall be responsible for 100% of the debt service on bonds or notes issued pursuant to Article III.
- (b) The SAD No. 51 School Board and Finance Committee recommend approval of Article III.

*Tax rate
increase
31%*

- (a) The entire additional operating costs of the new middle school during its first two years shall be borne by revenues raised by the District.
- (b) The estimated amount of the additional operating costs of the new middle school is \$210,240 for the first year and \$217,388 for the second year.
- (c) The District shall be responsible for the local share of debt service on bonds or notes issued pursuant to Article II to finance the \$15,918,000 in project costs that the State Board of Education has approved for inclusion in the State's school construction debt service subsidy for the District calculated in accordance with state law. The District will be responsible for 100% of the debt service on bonds or notes issued pursuant to Article II to finance the balance of the \$2,000,000 in project costs.
- (d) The State Board of Education has accelerated the date on which it granted concept approval for this school construction project on the condition that the District be responsible for the cost of interest-only interim local financing in accordance with 20-A M.R.S.A., Section 15905(7) on the portion of the middle school project otherwise eligible for state school construction subsidy. The State Board of Education has approved a period of interest-only interim local financing of up to 18 months. If fully utilized, the cost of interest-only interim local financing during this 18 month period, on the portion of the project otherwise eligible for state subsidy, assuming an interest rate of 5.00%, is estimated to be \$1,193,850, or \$795,900 on an annualized basis. The interest payments during the period of interest-only interim local financing are not eligible for inclusion in the District's debt service allocation for purposes of calculating state school construction subsidy for the District.
- (e) The SAD No. 51 School Board and Finance Committee recommend approval of Article II.

2 f 4

6 f 4

ARTICLE III: "Shall the school directors of School Administrative District No. 51 be authorized to issue bonds or notes in anticipation thereof in the a name of this District for school construction or minor capital projects in an amount not to exceed **Five Million Dollars (\$5,000,000)** the proceeds of which (including investment earnings thereon) shall be used to renovate, rehabilitate and equip the Greely junior high school on land located on Main Street in the Town of Cumberland, Maine and to finance other costs of the project including but not limited to soft costs, costs of issuance, and capitalized interest on such bonds or notes, to mature, bear interest and be subject to such other terms and conditions, including provisions for optional redemption, as the school directors may approve?"

- (a) The project described in Article III is a non-state funded project as described in 20-A M.R.S.A. §15905-A. The District shall be responsible for 100% of the debt service on bonds or notes issued pursuant to Article III.
- (b) The SAD No. 51 School Board and Finance Committee recommend approval of Article III.

*years
\$140*

- (a) The entire additional operating costs of the new middle school during its first two years shall be borne by revenues raised by the District. *get subsidy for 2 years.*
- (b) The estimated amount of the additional operating costs of the new middle school is \$210,240 for the first year and \$217,388 for the second year. *31¢*
- (c) The District shall be responsible for the local share of debt service on bonds or notes issued pursuant to Article II to finance the \$15,918,000 in project costs that the State Board of Education has approved for inclusion in the State's school construction debt service subsidy for the District calculated in accordance with state law. The District will be responsible for 100% of the debt service on bonds or notes issued pursuant to Article II to finance the balance of the \$2,000,000 in project costs. *28¢ → 26¢*
- (d) The State Board of Education has accelerated the date on which it granted concept approval for this school construction project on the condition that the District be responsible for the cost of interest-only interim local financing in accordance with 20-A M.R.S.A., Section 15905(7) on the portion of the middle school project otherwise eligible for state school construction subsidy. The State Board of Education has approved a period of interest-only interim local financing of up to 18 months. If fully utilized, the cost of interest-only interim local financing during this 18 month period, on the portion of the project otherwise eligible for state subsidy, assuming an interest rate of 5.00%, is estimated to be \$1,193,850, or \$795,900 on an annualized basis. The interest payments during the period of interest-only interim local financing are not eligible for inclusion in the District's debt service allocation for purposes of calculating state school construction subsidy for the District. *45¢*

- (e) The SAD No. 51 School Board and Finance Committee recommend approval of Article II. *68¢ 5 million - doesn't come on same time.*

ARTICLE III: "Shall the school directors of School Administrative District No. 51 be authorized to issue bonds or notes in anticipation thereof in the a name of this District for school construction or minor capital projects in an amount not to exceed **Five Million Dollars (\$5,000,000)** the proceeds of which (including investment earnings thereon) shall be used to renovate, rehabilitate and equip the Greely junior high school on land located on Main Street in the Town of Cumberland, Maine and to finance other costs of the project including but not limited to soft costs, costs of issuance, and capitalized interest on such bonds or notes, to mature, bear interest and be subject to such other terms and conditions, including provisions for optional redemption, as the school directors may approve?"

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- (b) The SAD No. 51 School Board and Finance Committee recommend approval of Article III.

*12 mos.
740K - Bond
Interest
÷ 3 years.
Debt Service
320K
2005-06
Schedule*

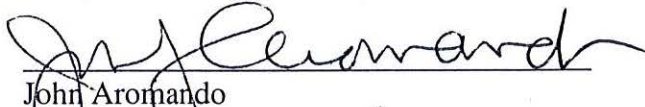
As required by law, voting on Articles II and III will be in conformity with Sections 2524 and 2528 to 2532 of Title 30-A of the Maine Revised Statutes, as amended, which is the Australian or secret ballot law, so-called, and voting will be by printed ballot and Title 21-A of the Maine Revised Statutes, as amended.


The polls shall be opened at 7:00 a.m. and closed at 8:00 p.m., on said 6th day of November, 2001.

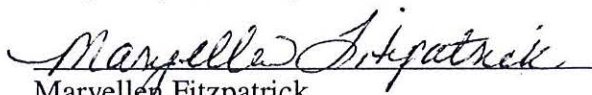
The Registrar of Voters or Board of Registration will hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

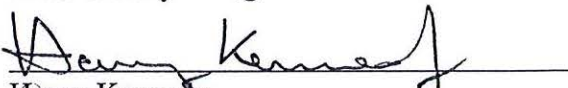
Given under our hands this 10th day of September, 2001 at Cumberland, Maine.



John Aromando



Polly Haight Frawley

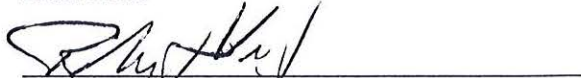

Maryellen Fitzpatrick


Betts Gorsky


Henry Kennedy


Audrey Lones


Kim True


Robert Vail

A majority of the Board of Directors of School Administrative District No. 51.

A true copy of the Warrant, attest: 
Donald Foster, Resident of School Administrative District No. 51

Dated at Cumberland, Maine this 11 day of September, 2001.

Countersigned this ____ day of September, 2001 at Cumberland, Maine

TOWN COUNCILORS OF THE TOWN OF CUMBERLAND, MAINE:

Stephen Moriarity, Chair

Mark Kuntz

Harland E. Storey

Jeff Porter

Donna Miller Damon

Peter Bingham

John J. Lambert, Jr.

A majority of the municipal officers of the Town of Cumberland.

A true copy of the Warrant, attest: _____
Joseph Charron, Resident of Cumberland

Dated at Cumberland, Maine this ____ day of September, 2001.

MUNICIPAL OFFICER'S RETURN

Cumberland, ss.

State of Maine

TO: The Municipal Officers of the Town of Cumberland, Maine.

Pursuant to the within Warrant, directed to me, I certify that I have notified and warned the voters of School Administrative District No. 51 residing in the Town of Cumberland, Maine of the time and place of the School Administrative District No. 51 School Construction Project Referendum Election, by posting an attested copy of the within Warrant at

in said Town, being public and conspicuous places in said Town, on the ____ day of September, 2001, which is at least seven (7) days next prior to election day.

DATED at Cumberland, Maine this ____ day of September, 2001.

Joseph Charron, Resident of Cumberland, Maine

DISTRICT RETURN

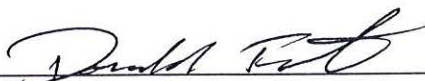
Cumberland, ss.

State of Maine

TO: The Directors of School Administrative District No. 51.

Pursuant to the within Warrant, directed to me, I certify that on the 11 day of September, 2001, I served the municipal clerk of the Town of Cumberland, by delivering in hand to said clerk an attested copy of the within Warrant, directing the municipal officers of said Town to call a referendum election at the time and place and for the purposes therein stated.

DATED at Cumberland, Maine this 11 day of September, 2001.



Donald Foster, Resident of
School Administrative District No. 51

Jensen Baird Gardner & Henry

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

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

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

TELECOPIER (207) 775-7935

www.jbgh.com

RAYMOND E. JENSEN
M. DONALD GARDNER
MERTON G. HENRY
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

September 11, 2001

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

Re: *Hardship Abatements*

Dear Steve:

I understand that the Council has dealt with two hardship abatements at its meeting on Monday evening, September 10th. I further understand that both of these matters were tabled for further discussion and that the Council will take them up again on Thursday evening, September 13th. Bob Benson indicated that the Council was concerned with what action, if any, if they were dissatisfied with the Council's decision. The Statutes allow for appeal to the local Board of Assessment Review and then to Superior Court based on the argument that the Council did not properly weigh the evidence of the appropriateness of the exemption. Title 36 of the Maine Revised Statutes at Section 841 provides the basis for hardship abatements for those who "by reason of infirmity or poverty, are in their judgment unable to contribute to the public charges."

As you can see, this language leaves a good deal of discretion in the Council's determination. Section 842 requires that it be in writing and be served on the applicant within 10 days of final action. There is a 60 day period to take an appeal and this must be included in the written decision specifying the right to take the appeal to the local Board and then to Superior Court. Specifically, we rely on Section 843(1) which states that appeals lie first to the local Board and then to Superior Court.

I hope this answers your questions in that regard.

Very truly yours,


Kenneth M. Cole III

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

P. O. Box 6A

Cumberland Center, ME 04021

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

Board of Directors

Agenda

Monday

September 17, 2001

7:00 PM

Cumberland Town Hall Council Chambers

1. Call To Order - by MSAD #51 Board of Directors Vice Chairperson, Kim True.

2. Approval of Minutes

3. Presentations

- a) Opening of Schools – Superintendent
- b) Legislative changes in Maine
- c) Implementation of Learning Results

4. Committee Reports

- a) Steering Committee
- b) Policy Committee

First reading of the following policies:

IGDJ	High School Athletics	IMC	Controversial Speakers
IGDJ-A	Junior High Athletics	IMDA	Patriotic Exercises
IHBG	Home Schooling	IMDB	Flags Displays
IHBGA	Participation by Home Schooled Students	IMG	Animals in School
IHBH	Alternative Education Programs	KBF	Title I- Parent Involvement (replaces IKADA and IKADA-R)
IHBEA	Program for Limited English	ADF	District Commitment to Learning Results
IJNDB	Student Computer and Internet Use	GCSA	Employee Computer and Internet Use
IJNDB-AR	Student Use Rules	GCSA-AR	Employee Use Rules
IJNDB-E	Student Acknowledgement	GCSA-E	Employee Acknowledgement
INJDC	School System Web Site	JHCE	Life Sustaining Emergency Care (was Do Not Resuscitate Policy)
INJDC-AR	School System Web Site/Web Pages Administrative Procedure	JKA	Physical Restraints (was Permissible Restraints)
IJNDC-E1	Parent/Guardian Agreement	JKF	Disciplinary Removal of Students

	to Publish Student Information on the District's Web Site		with Disabilities (was Suspension/Expulsion of SE Students
IJNDC-E2	Agreement to Publish Student Information on the School Dept. Web Site for the -----School Year	JKF-AR	Model Administrative Procedures for Removal of Students with Disabilities
IKFA	Early Graduation		
IMB	Teaching About Controversial Subjects		
IMBAA	Alternatives To Biological Dissection		
IMBB	Exemption From Required Instruction		

Special Education Policies:

IHBA	Individual Education Plans	Delete These Policies	
IHBAA	Referral/Pre-Referral	IGBA	Special Education Policy and Purpose
IHBAA-AR	Referral Procedures	IGBAB	Child Find - new IHBAC
IHBAC	Child find	IGBAC	Initial Referral - new IHBAA
IHBAG	Programming In Least Restrictive Environment	IGBAD	Independent Evaluations - new IHBAI
IHBAG-AR	Administrative Rule authorized	IGBAE	Parent Involvement
IHBAI	Independent Evaluations	IGBAH	Graduation of Exceptional Students
IHBGB	Rights for Private Home Schooled	IHBAD	Personnel Development

5. Items for Action

- a) Election of Officers
- b) Vote to appoint athletic co-curricular stipend positions for the 2001-2002 school year
- c) Vote to appoint co-curricular stipend positions for the 2001/2002 school year
- d) Appointment of individuals to teaching positions for the 2001-2002 school year
- e) Confirm committee appointments
- f) Vote to adopt revised 2001-2002 school calendar

6. Adjourn Meeting _____PM

MSAD #51 Mission

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

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

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

Board Goals for 2001-2002

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

MSAD #51 Board of Directors

John Aromando	829-6861	jaromando@pierceatwood.com
Maryellen Fitzpatrick	829-4657	efitzpa486@aol.com
Polly Haight Frawley	657-2373	PHFraw@aol.com
Betts Gorsky	871-7500	bjgorsky@hotmail.com
Audrey Lones	829-4171	audrey@alum.mit.edu
Henry Kennedy	829-6979	hrk@kieve.org
Kim True	829-3209	ktrue1@maine.rr.com
Bob Vail	829-5393	

Upcoming Meetings/Events

9/14/01 – GJHS STP Community Service Fair, 10:30 AM - Noon
9/18/01 – Rosh Hashanah
9/19/01 – Grade 3 Open House, 6:30 – 8:00 PM
9/19/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
9/20/01 – GHS Open House, 7:00 PM
9/24/01 – Grade 2 Open House, 6:30 – 8:00 PM
9/25/01 – GJHS Open House, 7:00 PM
9/26/01 – Design Team, GHS Library, 3:15 PM
9/26/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
9/26/01 – GJHS Photos
9/26/01 – Yom Kippur
9/27/01 – Yom Kippur
9/27/01 – Volunteer Orientation Coffee at Val Halla
10/2/01 – Sukkot
10/2 and 3/01 – GHS Yearbook Pictures – Grades 9 & 11
10/3/01 – Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/5/01 – GHS/GJHS Mid-Quarter Reports
10/6/01 – MSAD #51 Golf Tournament, Val Halla, 1:00 PM
10/8/01 – Columbus Day Observed, no school
10/15/01 – GHS District II Auditions
10/16/01 – Book Fair, GJHS Library
10/17/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/20/01 – PSAT Test
10/24/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/25/01 – Multiage Open House
10/26/01 – Pumpkinfest, GHS 5:30 – 7:30 PM
10/28/01 – Daylight Saving Time Ends – Set clocks back one hour
10/31/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/31/01 – Halloween

Next Meeting:

Monday, October 1, 2001 – Cumberland Town Hall Council Chamber

FACSIMILE COVER PAGE

To : Robert Benson**From :** Paula**Sent :** 9/13/2001 at 3:22:08 PM**Pages :** 2 (including Cover)**Subject :** Falmouth/Cumbeland Chamber Quarterly Lunch - THIS TUESDAY, 9/18

Welcome to another Chamber year!

Our first quarterly Luncheon is NEXT TUESDAY, SEPTEMBER 18, AT NOON. Our host is the Falmouth Sea Grill located at 215 Foreside Road in Falmouth. The new Chamber Health Care Purchasing Alliance will be presented and you will have a chance to ask questions about how it will benefit your business. As a response to our members' concerns about the crisis in affording health care insurance, your chamber has spent the past 18 months researching ways to stem the tide of annual premium increases in the range of 20% - 40%. A different approach - the first of its kind in Maine - has been developed. Come learn how your company can benefit and see how this approach will work for your company and employees. Learn about potential risks and how you can become a founding sponsor.

We have listened to your concerns on health care costs and have acted. Now we need you to join with us to move forward with this model. Come to the luncheon on Tuesday and learn details on how you can do that.

Attached is information on the luncheon. Please join us Tuesday noon. AN RSVP IS NEEDED. Please fax your RSVP to Paula at 772-1179.

Falmouth/Cumberland Chamber of Commerce Quarterly Luncheon

Tuesday, September 18, 2001

Noon - 1:30 p.m.

The Falmouth Sea Grill

215 Foreside Road

Falmouth, Maine



Networking Luncheon with Guest Speakers:

Denise Shames & Gino Nalli

Denise is with PDT Architects & is Co-chair of the Chamber's Health Care Purchasing Alliance Oversight Committee.

Gino is Associate Professor of Health Policy at USM's Muskie School & is Co-chair of the Chamber's Health Care Purchasing Alliance Oversight Committee.

- Learn about the Chamber's Health Care Purchasing Alliance and how you can hold down (or reduce) your health care premiums.
 - Join a first of its kind initiative in Maine that is tailored to be affordable and available to sole proprietors, as well as all other size businesses.
 - Ask questions and learn how your business can be a founding sponsor.
- These luncheons also provide an opportunity to share information on your business with other chamber members and for you to network and meet new friends and clients.

.....
Falmouth/Cumberland Chamber Network Luncheon – September 18

PLEASE pre-register by Monday noon – 9/17. Make checks payable to Falmouth/Cumberland Chamber.

PAYMENT CAN BE MADE AT THE DOOR. \$15 per person.

Name(s) _____

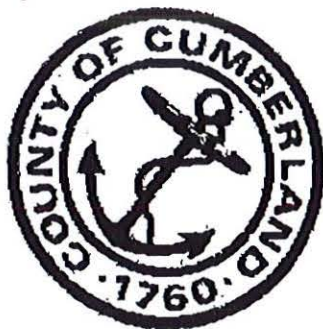
Company _____

Phone _____ Email _____

MENU: grilled chicken breast sandwich in fontina cheese on focaccia bread with french fries, green salad, blueberry cake, coffee or beverage. **PLEASE INDICATE IF YOU HAVE SPECIAL DIETARY NEEDS.**

Please return to: Greater Portland Chambers of Commerce
60 Pearl Street
Portland, ME 04101

To register by phone:
772-1196, ext. 228
To register by fax:
fax: 772-1179



**September 24, 2001
Cumberland County Municipal
and County Officials Forum**

Postponed !

A number of municipal officials critical to this discussion will be attending the
ICMA Conference in Salt Lake City

We feel it is best to reschedule so they may have attend.

We are sorry for any inconvenience

Sincerely,

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

Town of Cumberland

Administration
290 Tuttle Rd
Cumberland, ME 04021

Phone: 207-829-2205
Fax: 207-829-2224
Web: www.cumberlandmaine.com



Fax Transmittal Form

To *Eileene*

From: *Robert Benson, Town Manager*

Fax number:

774-2635 x204

Phone: 207-829-2205

Fax: 207-829-2224

Web: www.cumberlandmaine.com

- ☒ Urgent
☐ For Review
☐ Please Comment
☐ Please Reply

Date sent: *9-12-00*

Time sent:

Number of pages including cover page:

Message:

*Attached is our
agenda.*

FAXED
9-12-01

3:05 pm
RB

**TOWN OF CUMBERLAND
SPECIAL MEETING OF THE TOWN COUNCIL
MONDAY, SEPTEMBER 13, 2001**

I. Call to order in the West Conference Room at Cumberland Town Office at 7:00 p.m.

II. Public Discussion

III. Legislation and Policy

01-69 To instruct Town Attorney to draft appropriate agreement with Paul Belesca regarding location of septic system in municipal R.O.W. on Elizabeth Street (Chebeague Island).

01-70 To adopt the attached resolution approving MSAD 51 Referendum Election Date

01-71 To accept resignation of Councilor John Lambert

01-72 To call special municipal election to fill vacant Council seat

IV. EXECUTIVE SESSION

a) Hardship Abatements

V. Adjourn

MEMBERS OF THE TOWN COUNCIL

Stephen Moriarty (Chair)	829-5095	Jeffrey Porter	829-4129
Mark Kuntz	829-6482	Harland Storey	829-3939
John Lambert, Jr.	781-5282	Peter Bingham	829-5713
Donna Damon	846-5140		

Town of Cumberland web site: www.cumberlandmaine.com

Memo

To: Robert Benson, Town Manager
From: Barbara McPheters, Code Officer *Bam*
CC: Carla Nixon, Assistant Town Manager
Date: 09/13/2001
Re: Belesca septic system

I have listened to the tape of the Board of Adjustment and Appeals meeting of December 14, 2000 and offer the following items as points for discussion:

- Ken Cole, Town Attorney on several occasions referred to the "paper street" being a street and that setbacks are required from a street.
- On many parts of the tape, it is difficult to hear the speakers in the audience, particularly Bob Benson, Ken Cole and Bob Vail.
- Paul Belesca, property owner, responding to a question from board member Gordon Mason, stated that the septic system was located between the house and the shore and was shown on the plot plan. The plot plan provided with the application does not show the septic system. The septic system location is shown on the septic permit only.
- Mr. Belesca does not state that the septic system was located in the "paper street". The Town's interest in preserving the "paper street" was the reason for his appearance before the Board.
- Most of the discussion by the Board and Town Attorney focused on building the house in the "paper street". While it may or may not have been stated specifically, it appears that it was the intent of the Town to preserve its rights to develop the "paper street" and prevent the applicant from affecting those rights.
- The motion by the Board was "to grant a variance of 30 feet from the side setback of the southerly edge of the recorded paper street owned by the Town of Cumberland". This motion was granted by a unanimous vote of the Board. The Board consisted of four members present at this meeting. Effectively, a zero lot line setback was approved by the Board and supported by the Town of Cumberland.

I hope this provides the information you requested and, if you wish to discuss any of the points prior to tonight's meeting, please let me know.

**September 13, 2001 TOWN COUNCIL
AGENDA**

(01-72) - WORDING OF MOTION

**Move to call a Special Municipal Election
on November 6, 2001 to fill the vacant
“Cumberland Foreside” Town Councilor
seat which expires in June, 2003.**

all were members Henry
Wed - Good meeting
Thurs not as much

Pierce Atwood

One Monument Square • Portland, Maine 04101 • 207.791.1100 • Fax 207.791.1350

FAX TOFAX NUMBERTELEPHONE NUMBER

Klara Norton
Ken Cole

829-2214
775-7935

829-5559
775-7271

MESSAGE: Attached is a form of the vote to be adopted by the Cumberland Town Council setting the SAD No. 51 questions to referendum election on 11/6/01. I also enclose a draft of the warrant, which I will be finalizing this Friday. Please call with any questions.

FROM: JAMES M. SAFFIAN

NUMBER OF PAGES INCLUDING COVER SHEET: 8

DATE: September 5, 2001

CLIENT/MATTER NUMBER: 20420/3980

If you are having difficulties receiving this, please call us immediately at 207-791-1100 ext. 279.
Thank you.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

22 High Street
Windham, ME 04062
Phone: 207-892-6785
Fax: 207-892-8617

Cumberland County Emergency Management Agency

Fax

Chris

To: Cumb. Town Office From: EMA
Fax: 829-2214 Date: 9-13-01
Phone: _____ Pages: 2
Re: _____ CC: _____

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments:

DUE TO THE EVENTS OF THE LAST FEW DAYS, E.M.A. IS REQUESTING THAT TO THE BEST OF YOUR ABILITY YOU PROVIDE US THE ATTACHED INFORMATON.

THANK YOU

Bonnie
BONNIE, EMA



County of Cumberland
EMERGENCY MANAGEMENT AGENCY
22 HIGH STREET UNIT 1
WINDHAM, MAINE 04062



Telephone
(207) 892-6785

Fax
(207) 892-8617

TO: Officials of the Town of *Cumberland*

Date: September 13, 2001

From: Cumberland County Emergency Management Agency

Sub: Events that are held in your Town

Due to the events over of the last few days, in America, E.M.A. feels that we should know of Any Events in your Town that would draw crowds of over 500 people, the Month(s) they occur in, the contact persons/organizations that coordinate the events and phone numbers where they can be reached.

Any help you can give us regarding this information will be greatly appreciated.

Thank you,

Bonnie Canfield
Cumberland County Emergency Management Agency



PROPERTY TAX BILL
FOR THE FISCAL YEAR 7/1/01 to 6/30/02

TOWN OF CUMBERLAND

290 TUTTLE ROAD
CUMBERLAND, ME 04021
TEL: (207) 829-5559

M1680R
WINN ROAD

MERRILL, SALLY A
42 WINN RD
CUMBERLAND CTR, ME 04021-9704

OFFICE HOURS:
MON.-WED. - 8:00 - 5:00
THURS. - 8:00 - 6:00
FRI. - 8:00 - 12:00

MAP U08
SUB

LOT 17
TYPE

CURRENT BILLING DISTRIBUTION		
	RATE	%
SCHOOL	18.02	78
COUNTY	.86	4
MUNICIPAL	4.32	18
TOTAL	23.20	100

CURRENT BILLING INFORMATION		
LAND VALUE	\$	4,100
BUILDING VALUE	\$	0
TOTAL VALUE	\$	4,100
EXEMPTIONS	\$	0
HOMESTEAD EX	\$	0
TAX VALUE	\$	4,100
	\$	
	\$	
	\$	
	\$	
TOTAL TAX	\$	95.12

DATE DUE	AMOUNT DUE
09/15/2001	47.56
03/15/2002	47.56

who is Approver

with the early re what could we get

Re 1st school for the prop

Book: 6331 Page: 0121 Lot Size 13.50

INTEREST AT 11.5% PER ANNUM CHARGED AFTER DUE DATES.

TAXPAYER'S NOTICE

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INFORMATION

Information regarding changes OR information regarding valuations, please call the Assessor, tel. (207) 829-2204.

For information regarding payments, interest, cost changes, and/or refunds, please call (207) 829-5559.

Without State Aid Revenue Sharing, Homestead Exemption, and State Revenue Sharing, your taxes would have been 24% higher.



PROPERTY TAX BILL
FOR THE FISCAL YEAR 7/1/01 to 6/30/02

TOWN OF CUMBERLAND

290 TUTTLE ROAD
CUMBERLAND, ME 04021
TEL: (207) 829-5559

M0900P
42 WINN ROAD

OFFICE HOURS:
MON.-WED. - 8:00 - 5:00
THURS. - 8:00 - 6:00
FRI. - 8:00 - 12:00

MAP
SUB

LOT
TYPE

CURRENT BILLING DISTRIBUTION		
	RATE	%
SCHOOL	18.02	78
COUNTY	.86	4
MUNICIPAL	4.32	18
TOTAL	23.20	100

CURRENT BILLING INFORMATION		
LAND VALUE	\$	
BUILDING VALUE	\$	
TOTAL VALUE	\$	
EXEMPTIONS	\$	
HOMESTEAD EX	\$	
TAX VALUE	\$	
MACHINERY	\$	19,800
FURN/FIXT	\$	300
	\$	
	\$	
TOTAL TAX	\$	466.32

DATE DUE	AMOUNT DUE
09/15/2001	233.16
03/15/2002	233.16

MERRILL, SALLY A
SUNRISE ACRES
42 WINN ROAD
CUMBERLAND CTR, ME 04021-9704

INTEREST AT 11.5% PER ANNUM CHARGED AFTER DUE DATES.

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PROPERTY TAX BILL
FOR THE FISCAL YEAR 7/1/01 to 6/30/02

TOWN OF CUMBERLAND

290 TUTTLE ROAD
CUMBERLAND, ME 04021
TEL: (207) 829-5559

M1690R
42 WINN ROAD

MERRILL, SALLY A
42 WINN RD
CUMBERLAND CTR, ME 04021-9704

OFFICE HOURS:
MON.-WED. - 8:00 - 5:00
THURS. - 8:00 - 6:00
FRI. - 8:00 - 12:00

MAP R05
SUB

LOT 7
TYPE

CURRENT BILLING DISTRIBUTION

	RATE	%
SCHOOL	18.02	78
COUNTY	.86	4
MUNICIPAL	4.32	18
TOTAL	23.20	100

CURRENT BILLING INFORMATION

LAND VALUE	\$	103,700
BUILDING VALUE	\$	244,400
TOTAL VALUE	\$	348,100
EXEMPTIONS	\$	0
HOMESTEAD EX	\$	6,650
TAX VALUE	\$	341,450
	\$	
	\$	
	\$	
	\$	
TOTAL TAX	\$	7,921.64

DATE DUE	AMOUNT DUE
09/15/2001	3,960.82
03/15/2002	3,960.82

Book: 6331 Page: 0121 Lot Size 75.00

INTEREST AT 11.5% PER ANNUM CHARGED AFTER DUE DATES.

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PROPERTY TAX BILL
FOR THE FISCAL YEAR 7/1/01 to 6/30/02

TOWN OF CUMBERLAND

290 TUTTLE ROAD
CUMBERLAND, ME 04021
TEL: (207) 829-5559

M1700R
RANGE ROAD

MERRILL, SALLY A
42 WINN RD
CUMBERLAND CTR, ME 04021-9704

OFFICE HOURS:
MON.-WED. - 8:00 - 5:00
THURS. - 8:00 - 6:00
FRI. - 8:00 - 12:00

MAP U08
SUB

LOT 9
TYPE

CURRENT BILLING DISTRIBUTION

	RATE	%
SCHOOL	18.02	78
COUNTY	.86	4
MUNICIPAL	4.32	18
TOTAL	23.20	100

CURRENT BILLING INFORMATION

LAND VALUE	\$	2,400
BUILDING VALUE	\$	0
TOTAL VALUE	\$	2,400
EXEMPTIONS	\$	0
HOMESTEAD EX	\$	0
TAX VALUE	\$	2,400
	\$	
	\$	
	\$	
	\$	
TOTAL TAX	\$	55.68

DATE DUE	AMOUNT DUE
09/15/2001	27.84
03/15/2002	27.84

Book: 6331 Page: 0121 Lot Size 8.00

INTEREST AT 11.5% PER ANNUM CHARGED AFTER DUE DATES.

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PROPERTY TAX BILL
FOR THE FISCAL YEAR 7/1/01 to 6/30/02

TOWN OF CUMBERLAND

290 TUTTLE ROAD
CUMBERLAND, ME 04021
TEL: (207) 829-5559

M1720R
12 CROSS ROAD

MERRILL, SALLY A
42 WINN RD
CUMBERLAND CTR, ME 04021-9704

OFFICE HOURS:
MON.-WED. - 8:00 - 5:00
THURS. - 8:00 - 6:00
FRI. - 8:00 - 12:00

MAP R03
SUB

LOT 2
TYPE

CURRENT BILLING DISTRIBUTION

	RATE	%
SCHOOL	18.02	78
COUNTY	.86	4
MUNICIPAL	4.32	18
TOTAL	23.20	100

CURRENT BILLING INFORMATION

LAND VALUE	\$	41,900
BUILDING VALUE	\$	53,000
TOTAL VALUE	\$	94,900
EXEMPTIONS	\$	0
HOMESTEAD EX	\$	0
TAX VALUE	\$	94,900
	\$	
	\$	
	\$	
	\$	
TOTAL TAX	\$	2,201.68

DATE DUE	AMOUNT DUE
09/15/2001	1,100.84
03/15/2002	1,100.84

Book: 6331 Page: 0121 Lot Size 1.30

INTEREST AT 11.5% PER ANNUM CHARGED AFTER DUE DATES.

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PROPERTY TAX BILL
FOR THE FISCAL YEAR 7/1/01 to 6/30/02

TOWN OF CUMBERLAND

290 TUTTLE ROAD
CUMBERLAND, ME 04021
TEL: (207) 829-5559

M1710R
43 WINN ROAD

MERRILL, SALLY A
42 WINN RD
CUMBERLAND CTR, ME 04021-9704

OFFICE HOURS:
MON.-WED. - 8:00 - 5:00
THURS. - 8:00 - 6:00
FRI. - 8:00 - 12:00

MAP R03
SUB

LOT 3
TYPE

CURRENT BILLING DISTRIBUTION

	RATE	%
SCHOOL	18.02	78
COUNTY	.86	4
MUNICIPAL	4.32	18
TOTAL	23.20	100

CURRENT BILLING INFORMATION

LAND VALUE	\$	74,900
BUILDING VALUE	\$	176,200
TOTAL VALUE	\$	251,100
EXEMPTIONS	\$	0
HOMESTEAD EX	\$	0
TAX VALUE	\$	251,100
	\$	
	\$	
	\$	
	\$	
TOTAL TAX	\$	5,825.52

DATE DUE	AMOUNT DUE
09/15/2001	2,912.76
03/15/2002	2,912.76

Book: 6331 Page: 0121 Lot Size 58.00

INTEREST AT 11.5% PER ANNUM CHARGED AFTER DUE DATES.

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**September 13, 2001 TOWN COUNCIL
AGENDA**

(01-72) - WORDING OF MOTION

**Move to call a Special Municipal Election
on November 6, 2001 to fill the vacant
“Cumberland Foreside” Town Councilor
seat which expires in June, 2003.**

Synopsis:

In the past 9 months, the Town of Cumberland Emergency Medical Service's has been overwhelmed by requests for paramedic aid from other Towns.

Since January 2001 the Cumberland Rescue has provided aid to area towns 106 times while receiving aid once. We needed assistance this one time because our ambulance was out of Cumberland assisting another town and we did not have adequate personnel to staff a second ambulance.

In the month of September, to date, the rescue has assisted other towns 10 times. On the average, the rescue unit has been out of town almost every day this month providing aid.

In the past 11 months I have spent many hours meeting with my counter parts in the Towns of Falmouth, Yarmouth and North Yarmouth trying to work out a solution to their paramedic shortage that would be cost effective and end the burden they are placing on the Town of Cumberland. I have developed a proposal for shared resources with the Town of Falmouth, at their request, which I have presented to them twice since April and have had no response from them. I have spoken with representatives from North Yarmouth and the Town Manager of Yarmouth and they have expressed no interest in any joint venture to provide paramedic service.

Problem:

The Town of Cumberland has made the commitment to provide paramedic coverage 24/7. We do this with a combination of paid and volunteer staff. These positions are financed through billing for rescue service. In the year 2000 the rescue responded to 630 calls for service, to date the rescue has already responded to 521 calls for service and we still have 3.5 months to go. Most of our increase in call volume is due to mutual aid to other towns. This type of call volume has caused the department to lose responders. We have been forced to pay extra staff to be on duty during our busier times. If the call volume continues at the rate it is going, we are going to lose much of our volunteer staff who provide our night coverage, causing the town to hire personnel to fill the void.

Recommendations:

The best solution to this problem is for the Town of Cumberland to contact these Towns, advising them that it is evident by the number of requests they have made for mutual aid that they have a serious shortage of paramedic coverage, and that we should all join resources to help each other provide 24/7 paramedic coverage. This is the most efficient and cost effective way to solve the problem.

If the area Towns refuse to enter into a joint venture with us, the Town of Cumberland has no choice but to bill these towns for paramedic mutual aid at the rate of \$200.00 per call and put more staff on duty to help cover the calls.

MUTUAL AID CALLS

Year: 2000

Total Runs: 624

Total: Mutual Aid Provided: 74

Mutual Aid Received: 5

Yarmouth: 35
No. Yarmouth: 15
Falmouth: 13
Gray: 5
Windham: 5
Freeport: 1

Yarmouth: 2
No. Yarmouth: 0
Falmouth: 2
Gray: 1
Windham: 0
Freeport: 0

Year: 2001 YTD (09/10/01)

Total Runs: 519

Total: Mutual Aid Provided: 106 Calls

Mutual Aid Received: 1 Call

Yarmouth: 50
No. Yarmouth: 12
Falmouth: 31
Gray: 8
Windham: 3
Gorham: 1
Portland: 1

Yarmouth: 0
No. Yarmouth: 0
Falmouth: 1
Gray: 0
Windham: 0
Freeport: 0
Portland: 0

I'd like to recommend to the Council that you direct the town attorney to draft an easement which allows the septic system to remain in the paper street with agreement by Belesca to design a replacement system which can be used in the event that the present system fails or the town wishes to assert it's right to the paper street.

This will enable Mr. Belesca to proceed in a timely fashion and not delay construction. It will also protect the Town's interest in the paper street until such time as the Council and Planning Board can make policy decision regarding this issue.

Sweet Associates

HYDROGEOLOGY

SITE EVALUATIONS

155 GRAY ROAD

FALMOUTH, MAINE 04105

(207) 797-2110

FAX (207) 878-2364

September 5, 2001

Paul Belesca
276 North Road
Chebeague Island, ME 04017

RE: Septic System Design, Lot 11A, Map 15, Chebeague Island

Dear Mr. Belesca:

From your telephone call yesterday, September 4, 2001, I understand that the septic system I designed is in a paper road right-of-way which was not known to me at the time of my site visit. During my investigation of the lot, I found that the only passing septic site was at the current location or higher toward the closest sideline, all within the right-of-way. Locations further from the sideline or toward the rear of the lot were all too wet to pass Code. I know of no different location outside of the right-of-way where acceptable soils can be found.

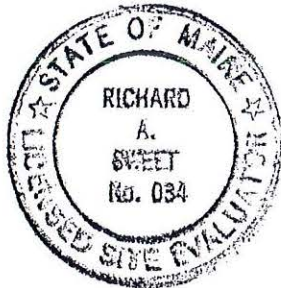
If I can be of further assistance please let me know.

Sincerely,



Richard A. Sweet
Site Evaluator #034

RAS/smh



**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, AUGUST 13, 2001**

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

I. Call to order at the Cumberland Town Offices Council Chambers at 7:15 p.m.

II. Approval of Minutes

a) August 6, 2001

Councilor Bingham moved to adopt August 6, 2001 minutes as written.

Second by Councilor Porter

VOTE: IN FAVOR (5)

ABSTAIN (1) Lambert

III. Manager's Report

Councilor Lambert gave a status report on Blanchard vs. MDOT & the Town of Cumberland.

Each Department Head gave a brief progress report of issues pertaining to Chebeague Island.

IV. Public Discussion

A signage request and petition was presented by the Chebeague Island residents and ~~Councilor Damon~~ Health & Safety Forum. Public Works Director Adam Ogden said speed limit signs have arrived at the garage and are ready to be put in place.

Councilor Damon moved to authorize the Public Works Department to post signs at Chebeague School and Recreation Center.

Second by Councilor Bingham

Discussion to the motion

Councilor Damon recommended that residents educate their children on pedestrian safety in addition to holding speed violators accountable through summons.

VOTE: UNANIMOUS (6)

V. Legislation and Policy

01-57 To hear report of Sevee & Maher Engineers regarding Ground Water Testing Program on Chebeague Island

Peter Maher gave status report on the progress of the Ground Water Testing on Chebeague. He requested the Chebeague residents to complete and return their Water Supply Survey and Sampling Program forms.

- 01-58 To authorize Town Manager to enter into public access easement and road maintenance agreement with the Indian Island Company and the Cumberland Mainland and Island Trust.

Councilor Damon moved to authorize the Town Manager to enter into public access easement and road maintenance agreement with the Indian Island Company and the Cumberland Mainland and Island Trust.

Second by Councilor Bingham

VOTE: UNANIMOUS (6)

- 01-59 To solicit public comment on Growth Management Ordinance as it pertains to Chebeague Island

VI. Correspondence

- - Sevee & Maher Engineers, Inc. Chebeague Island Groundwater Supply Study Update
 - Conservation Easement on Indian Point on Chebeague Island
 - Ltr fm Town Attorney Ken Cole to Public Works Director dtd 5/3/01 RE: Public Access Easement and Road Maintenance Agreement between the Town of Cumberland and Indian Island Company.
 - Growth Management Ordinance
 - Chebeague Island Growth Management Permits Spreadsheet
 - Cumberland County Commissioners' Meeting Minutes of 7/23/01
 - Waldo Point Plan map
 - 1999 & 2000 Chebeague Island resident building permit spreadsheets
 - Petition for signage request for the Chebeague School/Ballfield/Rec Center complex.

VII. New Business


No New Business

VIII. Adjourn

Councilor Kuntz moved to adjourn meeting at 9:45 pm.

VOTE: UNANIMOUS (6)

Respectfully Submitted,



Lisa Brown
Administrative Assistant

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, AUGUST 27, 2001**

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

I. Call to order in the Council Chambers at Cumberland Town Office at 7:00 p.m.

II. Manager's Report

Town Manager said that he will present hardship abatement requests at the meeting of September 10, 2001.

III. Public Discussion

None

IV. Legislation and Policy

01-60 To hold a 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 the Portland Water District) as a possible site for Senior Housing.

Town Manager reported the actual acreage is 10.17 acres and that one of the Val Halla fairways is part of the acreage. Portland Water District appraised the parcel at \$140,000. The parcel is accessible to public water and public sewer can be accessed.

Council Chairman Moriarty opened Public Hearing 7:05 pm

Resident Priscilla Payne spoke in favor of the project. John Eldredge, member of the Conservation Commission spoke in favor of the project for the seniors in the Cumberland Community as well as this creating open space for hiking trails.

Town Manager commented that this parcel would be purchased with funds of the Undesignated Reserve Fund of the Cumberland Housing Authority.

Council Chairman Moriarty closed Public Hearing 7:15 pm

Councilor Bingham moved to accept title in the name of the Town of Cumberland of a 10.17 acre parcel on Greely Road to be purchased by the Cumberland Housing Authority from the Portland Water District and to hold the same for a possible future senior housing project to be developed by the said Housing Authority.

Second by Councilor Porter

VOTE: UNANIMOUS (5)

- 01-61 To hear presentation by the Nordic Ski Club regarding snowmaking and trail grooming activities for winter season.

Chris Axelson & John Eldredge of the Coastal Nordic Ski Club presented a report of the club's proposals. Council Chairman and Councilors agreed to the proposal provided no expenditures from the town budget.

- 01-62 To approve Collective Bargaining Agreement between the Town of Cumberland and the Cumberland Police Benevolent Association.

Councilor Bingham moved to approve Collective Bargaining Agreement between the Town of Cumberland and the Cumberland Police Benevolent Association.
Second by Councilor Porter
VOTE: UNANIMOUS (5)

- 01-63 To endorse application - land for Maine's future program.

Councilor Porter moved to endorse the application for Sally Merrill to participate in the Maine's Future Program

- 01-64 To approve purchase of fire truck.

Councilor Storey moved to approve the purchase of the fire truck.
Second by Councilor Bingham
VOTE: UNANIMOUS (5)

V. Correspondence

- Ltr fm Town Manager to Greely Road resident abutters RE: Greely Road Land Acquisition dtd 8/14/01 with accompanied parcel map copy
- Coastal Nordic Ski Club Infrastructure Enhancement Proposal for Twin Brook Recreation Park.
- Collective Bargaining Agreement between the Town of Cumberland and The Cumberland Police Benevolent Association for July 1, 2001 to June 30, 2004.
- Ltr fm Dale S. Rines to Town of Cumberland RE: Land for Maine's Future Program dtd 8/22/01
- Report fm Assistant Town Manager 'Land for Maine's Future Farmland Protection Program Highlights'
- Ltr fm Town of Cumberland Town Chairman to Steve Brook, Senior Planner of Land for Maine's Future RE: Sally Merrill Sunrise Acre Farm proposal dtd 8/27/01.
- Memo fm Council Chair Steve Moriarty RE: Follow-up to 8/13/01 Chebeague Meeting dtd 8/17/01.
- Email fm Councilor Damon RE: Chairman Moriarty's Follow-up list dtd 8/22/01
- Email fm James Phipps RE: Growth Management
- Ltr fm Town Attorney Ken Cole to Assistant Town Manager RE: Board Appointment Issues dtd 8/21/01

Town Council Meeting
Monday, August 27, 2001

- Ltr fm William Dale of Town Attorney's Office RE: Invitation for Biennial Municipal Client Seminar dtd 8/13/01
- Ltr fm Town of Cumberland to Francis Small, Cumberland Farmer's Club RE: Mass Gathering Permit approval dtd 8/16/01
- Memo fm Assistant Town Manager to Town Manager RE: Monday Holiday Town Council Meeting Rescheduling dtd 8/16/01
- Ltr fm Geoff Herman of Main Municipal Association RE: Survey of residential property values by category dtd 8/13/01
- Ltr fm Robert Heyner, President of Forest Lake Association RE: Grant Money Proposal for Forest Lake dtd 8/15/01
- 2001-02 Growth Permit updated spreadsheets
- Ltr fm Randy Perry, Chair of Yarmouth Town Council RE: Elected Official Invitation of neighboring towns dtd 8/20/01
- Ltr fm Elizabeth Boynton, City of Portland RE: County Budget Resolution dtd 8/21/01
- MSAD #51 Agenda of 8/29/01
- • MSAD #51 Minutes of 6/25/01
- Invitation – Municipal Client fm Town Attorney's Office

Councilor Porter received a telephone call RE: Harris Road and the public safety issue. He mentioned that the landowner put up a gate.

Town Manager presented the Council a letter from the Town Attorney describing the policy regarding issues of employees holding committee/board positions.

VI. New Business

Town Manager inquired about a gift appropriate for former Councilor Phipps. It was agreed by present Council Members that a 'University Chair' with the town seal would be appropriate.

Councilor Porter thanked the landowners and Mainland Island Trust for the opportunity and property use for hiking, skiing, etc. Councilor Porter updated on the progress of the Middle School.

Chairman Moriarty gave a follow up on the Chebeague Island meeting. He said that he will inquire of Councilor Damon on a follow-up meeting to address the Growth Management Ordinance issues. Chairman Moriarty suggested hosting a community forum on a Saturday on Chebeague Island. Dates will be discussed at a later date.

VII. EXECUTIVE SESSION

a) Land Acquisition

Councilor Kuntz moved to enter into Executive Session at 8:25 pm.
Second by Councilor Bingham

Councilor Kuntz moved to come out of Executive Session at 8:35 pm
Second by Councilor Bingham

VII. Adjourn

Meeting was adjourned at 8:38 pm.

Respectfully Submitted,

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

Lisa Brown
Administrative Assistant