

**TOWN OF CUMBERLAND
SPECIAL MEETING OF THE TOWN COUNCIL
MONDAY OCTOBER 22, 2001**

- I. Call to order in the Council Chambers at Cumberland Town Hall at 7:00 p.m.
- II. Approval of Minutes
 - a) September 10, 2001
 - b) September 22, 2001
 - c) October 4, 2001
- III. Manager's Report
- IV. Public Discussion
- V. Legislation and Policy
 - 01-78 To accept Idlewood Drive and Idlewood Crossing as a Town Way
 - 01-79 To set date for Public Hearing to adopt the MMA Model Ordinance General Assistance Appendixes A, B, & C for the period of October 1, 2001 to October 1, 2002.
 - 01-80 To set date for first Council Meeting in November
 - 01-81 To set date for public hearing on secession petition of Hope Island
 - 01-82 To consider county budget process
 - 01-83 To accept payment of foreclosed taxes and issuance of quit claim deed Map I07 Lot 71
 - 01-84 Nominating Committee Appointments
- VI. Correspondence
- VII. New Business
- VIII. Adjourn

MEMBERS OF THE TOWN COUNCIL

Stephen Moriarty (Chair)	829-5095	Jeffrey Porter	829-4129
Mark Kuntz	829-6482	Harland Storey	829-3939
Peter Bingham	829-5713	Donna Damon	846-5140

Town Council
Oct 22, 2001

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY OCTOBER 22, 2001**

Present: Stephen Moriarty, Jeff Porter, Mark Kuntz, Peter Bingham, Harland Storey, Donna Damon

I. The meeting was called to order by Chairman Moriarty in the Council Chambers at Cumberland Town Hall at 7:00 p.m.

II. Approval of Minutes
a) September 10, 2001

Councilor Kuntz moved to adopt September 10, 2001 minutes as written.

Second by Councilor Damon

VOTE: UNANIMOUS (6)

b) September 22, 2001

Councilor Damon amended September 22, 2001 minutes Legislation and Policy item 01-73 paragraph 2 Number (17); strike 'protecting the salt water beds' and replace with 'protect the salt water intrusion'; to read:

Addressed were such issues as (1) the need for a building cap (2) a way to more narrowly control development without a building cap (3) Long Range Planning Committee recommendations (4) maintaining the quality of water (5) quality of soil's concerns for septic systems (6) sub-divisions and their impact (7) number of building permits allowed (8) the future ability of island residents to afford to live and work on the island, particularly the lobstermen and fishermen (9) the island's high property tax burden and it's implications (10) the feasibility of the town to purchase large tracts of land on Chebeague when they become available to control growth (11) should house size be restricted (12) focus on not how much growth but what kind of growth (13) the need for affordable housing (14) entertain a different approach to building cap on island to consider adverse social impact, etc. (15) the need for different building completion time frames for islanders – people build as they go here to avoid a mortgage (16) address exempting commercial conversions (17) ~~protecting the salt water beds~~ protect the salt water intrusion (18) Impact Fees (20) (19) town should consider the unintended consequence of changing the town's fiscal year and it's impact on the building cap.

Second by Councilor Porter

Councilor Damon moved to adopt September 22, 2001 minutes as amended

Second by Councilor Porter

VOTE: IN FAVOR (6)

ABTAIN (1) Councilor Kuntz

c) October 4, 2001

Councilor Storey moved to adopt October 4, 2001 minutes as written

Second by Councilor Porter

VOTE: UNANIMOUS (6)

III. Manager's Report

Town Council
Oct 22, 2001

Town Manager said the Town has a policy in place that establishes procedures for a public safety response to biochemical hazards.

IV. Public Discussion

None

V. Legislation and Policy

01-78 To accept Idlewood Drive and Idlewood Crossing as a Town Way

Councilor Bingham moved to accept Idlewood Drive and Idlewood Crossing as Town Ways.

Second by Councilor Porter

VOTE: UNANIMOUS (6)

01-79 To set date for Public Hearing to adopt the MMA Model Ordinance General Assistance Appendixes A, B, & C for the period of October 1, 2001 to October 1, 2002.

Councilor Kuntz moved to set date Tuesday, November 13, 2001 for public hearing to adopt the MMSA Model Ordinance General Assistance Appendixes A, B, & C for the period of October 1, 2001 to October 1, 2002.

Second by Councilor Storey

VOTE: UNANIMOUS (6)

01-80 To set date for first Council Meeting in November

Councilor Harland moved to set date Tuesday, November 13, 2001 for first Town Council Meeting in November.

Second by Councilor Kuntz

VOTE: UNANIMOUS (6)

01-81 To set date for public hearing on secession petition of Hope Island

Councilor Porter moved to set date Tuesday, November 13, 2001 for Public Hearing to solicit comment on secession petition of Hope Island.

Second by Councilor Kuntz

VOTE: UNANIMOUS (6)

01-82 To consider county budget process

Chairman Moriarty received letters from the Town Managers of Cape Elizabeth and New Gloucester asking for our involvement in alternative budget making structures for the for the county. Councilor Kuntz explained the Cumberland County budget approval process. The Budget Advisory Commission submits a budget and the County Commissioners have the power to amend the budget as needed. Councilor Kuntz mentioned that the medical services to the jail will drive the budget over 20%. Wednesday, October 24th, the Cumberland County Board of Commissioners will hold a meeting for municipal and county officials to discuss the county budget and legislative issues. Councilor Kuntz will represent Cumberland and will report back to the Town Council.

Town Council
Oct 22, 2001

01-83 To accept payment of foreclosed taxes and issuance of quit claim deed
Map I07 Lot 71

Town Manager presented the council with the breakdown, monies owed and length of time property was foreclosed on. Claimant paid full amount of back taxes plus administrative fee of \$100. Property is on Chebeague Island on Bar Point Road. The Town has acquired ownership of the property. Councilor Storey is not in favor of accepting payment. Councilor Kuntz asked if they're were any hardships of why the taxes haven't been paid. Town Manager said that was unknown. Chairman Moriarty referred to the Town's "Tax Acquired Property Policy" adopted by the council June 8, 1998 provide "in the event of tax acquired property, the town involve the Lands and Conservation Commission for determinations of which the property has value to the town or the MSAD. Chairman Moriarty recommended that the town refer it to the Lands and Conservation Commission for their input.

Council Bingham moved to refer this to the Lands and Conservation Commission and table this item until November 13, 2001.

Second by Councilor Storey

VOTE: UNANIMOUS (6)

01-84 Nominating Committee Appointments

Councilor Porter moved to appoint Nate Hagelin and Mindy Schott to the Recycling Committee and Don Miller to the Sewer Appeals Board.

Seconded by Councilor Bingham

VOTE: UNANIMOUS (6)

VI. Correspondence

- Letter fm Scorpio Island Corp. Hope Island dtd 9/7/01 RE: public hearing request
- Ltr fm Town Attorney dtd 10/1/01 RE: Hope Island Secession
- Ltr fm Town Attorney dtd 10/17/01 RE: Hope Island Secession
- Authorization of Payment of Foreclosed Real Estate Taxes breakdown report
- MMA County Budget Process Report
- Growth Permit Log
- Solid Waste to RWS Report
- MMA Residential Property Value Survey Results
- Planning Board Minutes of 8/21/01
- MSAD 51 Minutes of 9/17/01
- MSAD 51 Minutes of 10/1/01
- MSAD 51 Agenda of 10/15/01
- Cumberland County Commissioners' Minutes of 9/10/01
- Cumberland County Commissioners' Minutes of 9/24/01
- Cumberland County Budget Hearing Master Schedule – revision 10/4/01
- Cumberland County Civic Center Agenda of 10/17/01
- USM "Success for All Children" Forum II for 11/9/01
- Ltr fm Assistant Town Manager dtd 10/9/01 RE: Annual Report Contributions
- Email fm Jeanne & Vince Rapone dtd 10/14/01 RE: Speed Limit on Rt 26/100
- Ltr fm Town of Gray dtd 10/22/01 RE: Regional Meeting of 11/13/01

Town Council
Oct 22, 2001

Chairman Moriarty received a letter from Falmouth regarding Property Tax Relief Forum, Monday November 5, 2001 at Falmouth High School at 7:00 pm.

VII. New Business

Councilor Damon inquired about the status of the 911 address issue. Town Manager recommended to call the police department. Councilor Damon also brought up the need for an Island Advisory Committee. Councilor Porter said the Town Office has received committee and board forms that the nominating committee was waiting for Councilor Damon for guidance how to proceed with this issue. Councilor Damon will report back to the Nominating Committee on her findings.

Councilor Storey recommended that the town look into reconfiguring the Council Districts based on household count. Chairman Moriarty said that to reconfigure, the town must amend the Charter.

Councilor Kuntz heard reports that the Cumberland County Civic Center will become an issue.

Councilor Bingham spoke positively of his perspective of the Stone Wharf Committee meeting. Councilor Bingham also said that there had been solicitation calls being made to Cumberland residents from the Sheriff's Department. Councilor Kuntz will be meeting with the Sheriff next week and will ask about this issue.

Town Manager said he and Mr. Kennedy gave a presentation regarding the OC Zones of property on Route 1 to the Planning Board. The staff was directed by the planning board to present an amendment and forward to the Council for action. Town Manager also regarded the memo from the Town of Gray requesting participation by Cumberland in a regional meeting being held on November 14th to discuss county budget, regional transportation, and education funding.

Chairman Moriarty attended the Stone Wharf Committee meeting and was selected as Chairman. The next Stone Wharf Committee meeting is Thursday, November 1st. Also, the town will be advertising for the Citizen Advisory Committee on the Revaluation.

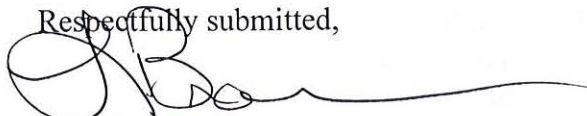
VIII. Adjourn

Councilor Kuntz moved to adjourn meeting.

Second by Councilor Porter

VOTE: UNANIMOUS (6)

Respectfully submitted,

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

Lisa Brown

Administrative Assistant

**TOWN OF CUMBERLAND
MEETING MINUTES OF THE TOWN COUNCIL
OCTOBER 4, 2001**

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

- I. The meeting was called to order by Chairman Moriarty in the Council Chambers at Cumberland Town Hall at 7:05 p.m.
- II. Approval of Minutes
 - (a) September 13, 2001
Councilor Bingham moved to approve the minutes of September 13, 2001 as written.
Seconded by Councilor Porter. VOTE: UNANIMOUS (6)
 - (b) September 24, 2001
Councilor Porter moved to approve the minutes of September 24, 2001 as written.
Seconded by Councilor Kuntz. VOTE: UNANIMOUS (6)

III. Manager's Report
None

IV. Public Discussion
None

V. Informational Meeting
See Item 01-77

VI. Legislation and Policy

01-77 To hold Public informational Meeting – DEP Site Location Development Act Permit – Twin Brook Recreation Area.

Tom Saucier of SYTDesign Consultants explained the Site Location of Development permit application process being filed with the Maine Department of Environmental Protection in the construction being done in the Twin Brooks Recreational Area. Three athletic fields, a trail network, gravel access road, and parking lot has been constructed and is accessible from Tuttle Road. An additional four athletic fields, expanded trail system, gravel access road, and parking lot are under construction in the northeast portion of the property and will be accessible from Greely Road south of Spring Brook Farm.

Chairman Moriarty explained the necessity of the hearing and why it was being held now. Twin Brook was purchased in two installments. The Dillenback property on Tuttle Road side first, followed by the Fowler property on the Greely Road side several years later, which now forms an entire unit. The Tuttle Road side was developed first, the Greely Road side is in the process of being developed. If the property had been purchased as a single unit at the same time, the Town would have been required to have this hearing at that point before anything got underway. As it was purchased separately, the Tuttle Road half,

standing alone, was not large enough to require a state hearing. However, the two pieces taken together as a whole, being a larger parcel, met state guidelines that did necessitate a hearing to be held. This hearing is not being held because the town is proposing anything new or different whatsoever on either side of the property.

Adam Ogden, Public Works Director explained that the state assumes jurisdiction of any future development that occurs on these parcels because they have found the economic and social well being of citizens of the state and of the environment are an important consideration in any development of this size. The state has overseen, all along, the construction activities on this site and all state requirements have been met.

Questions from the ten residents attending were answered with regard to lighting, buffering, parking, landscaping, hours of operation, and possible lowering of the speed limit on Greely Road in that area.

VII. Correspondence

- Jeanne and Michael Faietta: Town owned land purchase query
- Current Town Committee listing
- MMA: Newly elected Officials Workshop info
- Portland Water District: 09-24-01 Agenda
- Forecaster article on Town of Falmouth: EMS committee recommendations
- Greater Portland Council of Governments: invitation to meet with Town Officials
- Carla Nixon: Val Halla: 11-29-01 Employee Appreciation Night

VIII. New Business

Town Manager Benson discussed with the Council Jane and Michael Faietta's request to purchase town-owned land by Cottage Farm Road in Cumberland Center. He advised the Council that he was not in favor of this as there is a wetland area there, with no sewer available.

It was the sense of the Council to hold onto the land for the time being. It was agreed that as one of the town's goals is to develop affordable housing, and if, at some point, the lot met the standards necessary to develop, to offer the land to "Habitat for Humanity" to build affordable houses.

Councilor Damon pointed out that the town has instituted a Building Cap, trying to limit the number of new houses being built. Thus, if the town started selling town land to build new houses that are not affordable houses, the town would be contradicting its own public policy.

Councilor Bingham reflected on Portland's budget shortfall. He checked with Melody Main, Cumberland Finance Director, and it appears that the Council's revenue projections for this budget year will be on target. However, state revenue sharing for next year is uncertain and could be a concern.

TOWN COUNCIL

04OCT01

Councilor Porter gave an update on the Nominating Committee candidate interviews. He shared that the meeting last night with the town's of Freeport, Yarmouth, and North Yarmouth with regard to the regionalization and sharing of services was one of the most positive he'd ever attended. Going forward, this will be one of the most important things that the town does to try to keep taxes down for our residents.

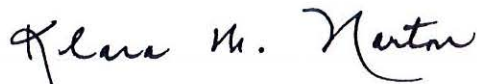
Councilor Kuntz was also very pleased with last night's meeting with the various towns. It's important to work together as a region to look at ways to cut costs and help one another. He also mentioned that as a town, we need to thank and support our National Guard members and Veterans, past and present, as well as our Fire, Police and Rescue Departments for all they do.

Councilor Damon also mentioned, as did Councilor Bingham, what a great job Scott Thurston has done with the Greely Junior High School Band, which was reflected in their outstanding performance at the Cumberland Fair this year.

IX. Adjourn

Meeting was adjourned at 8:13 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Klara M. Norton".

Klara-M. Norton
Town Clerk

**TOWN OF CUMBERLAND
MEETING MINUTES OF THE TOWN COUNCIL
SEPTEMBER 22, 2001**

Present: Stephen Moriarty, Peter Bingham, Jeffrey Porter, Donna Damon
Absent: Harland Storey, Mark Kuntz (excused)

I. The meeting was called to order by Chairman Moriarty in the Chebeague Island Hall Community Center at 9:00 a.m.

II. Legislation and Policy

01-73 To solicit public comment on Growth Management Ordinance as it pertains to Chebeague Island.

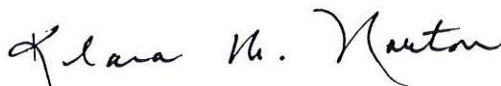
Eighteen Chebeague residents addressed numerous questions to the Council, Town Planner Andy Fillmore and Barbara McPheters, Code Enforcement Officer/Building Inspector. There followed a lot of relevant and meaningful dialogue with regard to growth management and its implications for Chebeague.

Addressed were such issues as (1) the need for a building cap (2) a way to more narrowly control development without a building cap (3) Long Range Planning Committee recommendations (4) maintaining the quality of water (5) quality of soil's concerns for septic systems (6) sub-divisions and their impact (7) number of building permits allowed (8) the future ability of island residents to afford to live and work on the island, particularly the lobstermen & fishermen (9) the island's high property tax burden and its implications (10) the feasibility of the town to purchase large tracts of land on Chebeague when they become available to control growth (11) should house size be restricted (12) focus on not how much growth but what kind of growth (13) the need for affordable housing (14) entertain a different approach to building cap on island to consider adverse social impact, etc. (15) the need for different building completion time frames for islanders – people build as they go here to avoid a mortgage (16) address exempting commercial conversions (17) protecting the salt water beds (18) Impact Fees (20) town should consider the unintended consequence of changing the town's fiscal year and its impact on the building cap.

III. Adjourn

Meeting was adjourned at 11:40 a.m.

Respectfully submitted,



Klara M. Norton
Town Clerk

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, SEPTEMBER 10, 2001**

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

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

II. Approval of Minutes

Councilor Damon amended the minutes of August 13, 2001; first paragraph under Public Discussion; take out "Island residents and Councilor Damon" and replace with "Health & Safety Forum" to read:

A signage request and petition was presented by the Chebeague Island residents and Councilor Damon Health & Safety Forum.

Councilor Damon moved to approve minutes of August 13, 2001 as amended.

Second by Councilor Bingham

VOTE: UNANIMOUS (7)

Councilor Kuntz moved to adopt minutes of August 27, 2001

Second by Councilor Bingham

VOTE: IN FAVOR (5)

ABSTAIN (2) Damon, Lambert

III. Manager's Report

County Commissioner's letter RE: Jail – Invitation September 24, 2001

IV. Public Discussion

None

V. Legislation and Policy

01-65 To set dates for Special Council Meetings

Councilor Lambert moved to set date for Special Meeting of the Town Council on Thursday, September 13, 2001 at 7:00 pm in the East Conference Room to address the referendum questions for the MSAD #51 school committee Second by Councilor Porter

VOTE: UNANIMOUS (7)

Councilor Lambert moved to set date for special meeting on Saturday, September 22, 2001 at 9:00 am at the Community Hall on Chebeague Island to discuss the Growth Management Ordinance

Second by Councilor Porter

VOTE: UNANIMOUS (7)

Councilor Porter moved to set date for meeting previously scheduled on Monday, October 8, 2001 to Tuesday, October 9, 2001 at 7:00 pm in the Council Chambers

Second by Councilor Kuntz

VOTE: UNANIMOUS (7)

01-66 To receive request of Norene & Bill Ward regarding zone change

Norene and Bill Ward of 128 Longwoods Road in Cumberland requested the Town Council to change the zoning of 120 Longwoods Road, from Highway Commercial to Residential zoning.

Councilor Lambert suggested a restriction on the property as a condition of sale should the Wards want to sell the land in the future instead of rezoning the property.

Councilor Lambert moved to table the request of Noreen & Bill Ward regarding zone changes until further correspondence from the Wards.

Second by Councilor Kuntz

Vote: UNANIMOUS (7)

01-67 To appoint representation to PROP Board

Councilor Bingham moved to appoint Councilor Porter to represent the Town of Cumberland on the PROP Board.

Second by Councilor Storey

Vote: IN FAVOR (6)

ABSTAIN (1) Porter

01-68 Nominating Committee Appointments

Stone Wharf Committee is still has vacancies. The Council is looking for broader representation from the Island and the Mainland. Chairman Moriarty suggested tabling this item until the September 24th meeting.

Councilor Porter suggested the Nominating Committee conduct interviews of candidates interested in vacancies in committees. The Nominating Committee will report back to the Council with interview dates and nominations

VI. Correspondence

- Ltr fm State of Maine DOT dtd 8/30/01 RE: Route 26/100 & Skillin/Blackstrap Road Traffic Request
- Ltr fm Noren & Bill Ward dtd 8/29/01 RE: 128 Longwoods Road zoning request
- Ltr fm Joe Foran dtd 9/29/01 to MSAD 51 RE: Impact of school expansions
- Cumberland Housing Authority Agenda of 9/11/01
- Cumberland Housing Authority Minutes of 6/5/01

- Board of Adjustment & Appeals Public Hearing Notice of 9/13/01
- Growth Permit Log 9/4/01
- Building Permit Summary Report of July 2001
- Regional Waste Systems, Inc. Minutes of 6/21/01
- Regional Waste Systems, Inc. Minutes of 4/5/01
- Regional Waste Systems, Inc. Memo dtd 8/21/01 RE: Upcoming meeting dates
- Ltr fm Town Attorney dtd 8/27/01 RE: Athletic Fields Easement prepared by MSAD 51 attorneys.
- MSAD 51 Minutes of 6/25/01
- MSAD 51 Agenda of 8/29/01
- MSAD 51 Minutes of 8/29/01
- MSAD 51 Agenda of 9/4/01
- MSAD 51 Minutes of 9/4/01
- MSAD 51 Agenda of 9/10/01
- Cumberland County Manager Press Conference Results 8/30/01
- Maine Municipal Association Memo dtd 8/28/01 RE: Commercial Fishing Waterfront Access Task Force
- Cumberland County Commissioners' Meeting Minutes of 8/6/01
- Portland Water District Minutes of 8/27/01
- Archangel Committee Newsletter Summer 2001
- Financial Reports of August 2001
- Cumberland County Commissioner's Ltr dtd 9/7/01 RE: Presentation of upcoming FY 2002 county budget proposal.
- Councilor Damon – Ed & Betty Harris RE: Partial Tax Payment Issue
- Councilor Damon – Stone Wharf punts
- Councilor Storey – Dale Bragg RE: Impact Fees
- Councilor Lambert RE: Paper Street Issue
- Chairman Moriarty RE: Twin Brook

Town Manager recommended a workshop on September 24th with Bill Landis to discuss the proposal from the MSAD #51.

VII. New Business

Councilor Bingham reported the Labor Day Soccer Tournament went well. He also voiced concerns of residents utilizing Twin Brook Rec Area vs. athletic events taking place there.

VIII. EXECUTIVE SESSION

- a) Personnel
- b) Hardship Abatements

Councilor Bingham moved to adjourn to Executive Session to discuss Personnel and Hardship Abatements.
Second by Councilor Kuntz

VOTE: UNANIMOUS (7)

Councilor Bingham moved to table Hardship Abatement #1
Second by Councilor Kuntz

VOTE: UNANIMOUS (7)

Councilor Kuntz moved to table Hardship Abatement #2
Second by Councilor Bingham

VOTE: UNANIMOUS (7)

Councilor Bingham moved come out of Executive Session
Second by Councilor Kuntz

VOTE: UNANIMOUS (7)

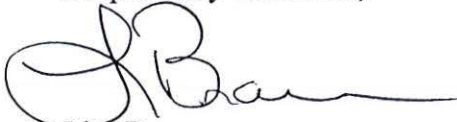
VIII. Adjourn

Councilor Bingham moved to adjourn meeting at 8:45 pm.

Second by Councilor Kuntz

Vote: UNANIMOUS (7)

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'LB' followed by a stylized surname, possibly 'Brown'.

Lisa Brown

Administrative Assistant



MEMO

Date: 10/18/01
To: Town Council Members
From: Robert Benson
RE: Town Council Meeting 10/22/01

- 01-78 This is an administrative procedure conducted on an annual basis that allows us to adopt updated guidelines.
- 01-79 The first Council Meeting for November is scheduled for November 12th which is Veteran's Day; we are recommending holding the meeting on Tuesday, November 13th.
- 01-80 The staff is recommending acceptance of Idlewood Drive and Idlewood Crossing as a Town Way. All inspections have been completed and the Town Attorney has reviewed the deed.
- 01-81 The secession petition of Hope Island – there is a lot of material in your packet to review on this subject. We must comply with state statutes. The Town Attorney has been involved with this issue and is recommending procedure outlined in his letters. I did talk with him this morning and we hope the Attorney General may rule that this is not necessary but I do not have any information regarding the decision of Attorney General at this time, so we have to follow the timeline as recommended.
- 01-82 Please review the information regarding the county budget process furnished by the MMA. For Council discussion.
- 01-83 Self Explanatory
- 01-84 Self Explanatory

Thank you. If there are any questions, please do not hesitate to call.

Bob



DRAFT

MEMO

Date: 10/18/01
To: Town Council Members
From: Robert Benson
RE: Town Council Meeting 10/22/01

01-78 This is an administrative procedure conducted on an annual basis that allows us to guidelines in accordance to the figures published by the state. *Adopt updated*

01-79 The first Council Meeting for November is scheduled for November 12th which is Veteran's Day; we are recommending ~~having~~ the meeting on Tuesday, November 13th. *holding acceptance of*

01-80 The staff is recommending to accept Idlewood Drive and Idlewood Crossing as a Town Way. All inspections have been completed. The Town Attorney has reviewed the deed and is satisfied that the Council should accept this as a Town Way. *[Signature]*

01-81 The secession petition of Hope Island – there is a lot of material in your packet to review on this subject. We must comply with state statutes. The Town Attorney has been involved with this issue and is recommending procedure outlined in his letters. I did talk with him this morning and we hope the Attorney General may rule but this is not necessary and I do not have any information regarding the decision of Attorney General at this time, so we have to follow the timeline as recommended. *True*

01-82 Please review the information regarding the county budget process furnished by the MMA. ~~The other counties do this and this is a subject for the council to discuss.~~ *on*

01-83 Self Explanatory

01-84 Self Explanatory

Thank you. If there are any questions, please do not hesitate to call.

Bob

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

October 1, 2001

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

Dear Bob:

Enclosed herewith please find a copy of the secession statute, so-called. As you can see, the legislature has provided a method for secession. However, I do not believe the Hope Island materials are sufficient. First of all, more than 50% of the registered voters must sign the petition, and Klara tells me that she has not yet accepted the petitioner's voter registration—therefore there are NO registered voters at the moment. It goes on to require a significant amount of additional information. I do not believe this information is contained within the submission, and further to the extent that Ms. Cacoulidis's letter purports to be a petition, it does not comply with the typical election laws in terms of being sworn to by a circulator in front of a Notary.

The Council may wish to proceed with holding the required hearing simply so that it can be in compliance with the statute even though arguably it does not require an advisory referendum given that there is only one potential voter and she is the signatory. My advice at this stage would be to have Klara contact the Secretary of State's office and request an advisory ruling from the Attorney General's office as to whether or not the statute is applicable in this instance. If they declare it is, we will have no choice but to go forward and hold a special election and the Council can vote whether or not they support the outcome of it. However, no action under this statute is effective without final action by the legislature, which is extremely unlikely given the nature of this particular request for secession.

If you need anything further from me in this regard, please let me know.

Very truly yours,


Kenneth M. Cole III



30-A § 2171

MUNICIPALITIES AND COUNTIES

§ 2171. Legislative intent

The Legislature finds that the citizens of the State in accordance with the Constitution of Maine, Article I, Section 2, have an unalienable and inalienable right to institute government and to alter, reform or totally change the same, when their safety and happiness require it. The Legislature further finds that the Legislature has the responsibility to ensure that the rights of all citizens are protected and that a decision to alter or otherwise change the boundaries of a municipal government should be made with caution and only after following the process set forth in this subchapter.

1999, c. 381, § 1.

Historical and Statutory Notes

1999 Legislation

Laws 1999, c. 381, § 1, in the second sentence, substituted "following the process" for "careful consideration of the guidelines".

§ 2171-A. Secession of territory from a municipality

Residents of territory within a municipality must follow the procedures set forth in this subchapter before seeking authority from the Legislature to secede from the municipality.

1999, c. 381, § 2.

§ 2171-B. Initiation of procedure

The secession process may be initiated by submitting to the municipal officers a petition signed by more than 50% of the registered voters within the secession territory that requests a municipal public hearing for the purpose of discussing whether the specified territory should secede from the municipality. The petition must set forth the physical boundaries of the secession territory, the resident population, the nonresident population and a list of not more than 5 people who will serve as representatives of the secession territory. For purposes of this subchapter, "secession territory" means the area described in the petition for secession.

The registrar of voters of the municipality shall verify the signatures on the petition within 30 days of the receipt of the petition.

1999, c. 381, § 2.

§ 2171-C. Initial hearing

Upon receipt of a petition with the required number of verified signatures, the municipal officers shall call and hold a public hearing. The purpose of the public hearing is to allow municipal residents, officers and residents in the secession territory to discuss secession. The public hearing must be conducted by a moderator elected in the manner provided for in section 2524, except that no other official vote may be taken at the public hearing. The public hearing must be conducted in accordance with the following.

1. **Hearing advertised.** The municipal officers shall publish notice of the public hearing in a newspaper of general circulation in the area. One notice must be published as close as possible to the 14th day before the hearing and a 2nd notice must be published as close as possible to the 7th day before the hearing.

2. **Purpose of secession hearing.** The public hearing must include a formal presentation by those initiating the petition, which must include a description of the problems that have led to the secession effort. Attendees shall discuss the problems, potential solutions other than secession and the potential impact of secession on the secession territory and the municipality. The persons initiating the petition shall submit a written report at the public hearing that describes the impact of the proposed secession on property taxes in the municipality as well as in the secession territory.

CONSOLIDATION, SECESSION & A Ch. 113

3. **Nonresidents eligible to participate.** Nonresidents may participate in the referendum process. 1999, c. 381, § 2.

§ 2171-D. Advisory referendum

Unless a majority of the secession territory by filing written notice of such with the Legislature shall conduct an advisory referendum will be held at least 30 days but not more than 60 days after the referendum is conducted pursuant to Title 21-A, chapter 113. The question at the referendum must be:

"Do you favor secession of the territory from the State of Maine?"

(descript

The municipal officers may hold a separate referendum for the secession territory at the same time as the referendum for the municipality. The results of the referendum are kept and reported separately.

1999, c. 381, § 2.

1 21-A M.R.S.A. § 621-A et seq.

2 21-A M.R.S.A. § 651 et seq.

§ 2171-E. Vote of municipal officers

Following the advisory referendum, the municipal officers shall vote on whether to support the secession request and more than 50% of the registered voters of the municipality must vote in the referendum pursuant to section 2171-D. The results of the referendum must be submitted to the Legislature with the petition for secession. 1999, c. 381, § 2.

§ 2171-F. Resolving conflicts; settlement

If the vote of the municipal officers is in favor of secession, the municipal officers and the secession territory shall attempt to resolve any issues related to the secession. If the parties do not reach agreement on all issues, a 3rd-party mediator must be retained to mediate the secession representatives. The mediator shall be selected by the municipal officers and municipal law as well as conflict resolution.

If the municipal officers and secession territory agree upon a qualified mediator with the parties must petition the Court Alter the mediator's fee, for mediation services. The mediator shall be selected by the municipal officers and municipal law as well as conflict resolution.

1. **Mediator assignment.** Assign a mediator to mediate the secession territory and municipal law;

2. **Fee.** Establish a fee for services provided by the mediator for mediation services provided;

3. **Mediation schedule; notice.** Ensure notice is provided to all parties and ensure all parties are participating; and

4. **Mediation report.** Upon the completion of the mediation, the mediator shall submit a report to the joint standing committee of the government matters. The report must include the mediated agreement. In the event that the parties do not reach agreement, the mediator shall submit a report to the joint standing committee of the government matters.

in accordance with the Constitution of the feasible right to institute government their safety and happiness require it. the responsibility to ensure that the on to alter or otherwise change the with caution and only after following

Notes

municipality

follow the procedures set forth in this are to secede from the municipality.

to the municipal officers a petition the secession territory that requests ing whether the specified territory set forth the physical boundaries of resident population and a list of not s of the secession territory. For the area described in the petition for

the signatures on the petition within

of verified signatures, the municipal se of the public hearing is to allow i territory to discuss secession. The ted in the manner provided for in en at the public hearing. The public ig.

publish notice of the public hearing oice must be published as close as oice must be published as close as

must include a formal presentation iption of the problems that have led lems, potential solutions other than ecession territory and the municipali- en report at the public hearing that ty taxes in the municipality as well

CONSOLIDATION, SECESSION & ANNEXATION
Ch. 113

30-A § 2171-F

3. **Nonresidents eligible to participate.** Notwithstanding section 2524, subsection 3, paragraph A, nonresidents may participate in the public hearing on secession. 1999, c. 381, § 2.

§ 2171-D. Advisory referendum

Unless a majority of the secession territory representatives withdraws support for secession by filing written notice of such withdrawal with the municipal officers, the municipality shall conduct an advisory referendum within the secession territory. The referendum must be held at least 30 days but not more than 120 days after the initial public hearing and must be conducted pursuant to Title 21-A, chapter 9, subchapter I, article II¹ and subchapter II.² The question at the referendum must be:

“Do you favor secession of the territory described below from the municipality of _____?”
(description of secession territory)

The municipal officers may hold a separate advisory referendum in the municipality outside the secession territory at the same time with the same question, provided that the vote totals are kept and reported separately.

1999, c. 381, § 2.

¹ 21-A M.R.S.A. § 621-A et seq.

² 21-A M.R.S.A. § 651 et seq.

§ 2171-E. Vote of municipal officers

Following the advisory referendum, the municipal officers shall take a recorded vote on whether to support the secession request. If a majority of the officers approves the request and more than 50% of the registered voters in the secession territory voting at the advisory referendum pursuant to section 2171-D favor secession, legislation requesting secession may be submitted to the Legislature with the information required in section 2172.

1999, c. 381, § 2.

§ 2171-F. Resolving conflicts; selecting mediator

If the vote of the municipal officers and the advisory referendum are in conflict, the municipal officers and the secession territory representatives shall meet to attempt to resolve issues related to the secession. If the municipal officers and secession territory representatives do not reach agreement on all issues within a reasonable amount of time, an independent 3rd-party mediator must be retained and the costs shared by the municipality and the secession representatives. The mediator must be knowledgeable in municipal management and municipal law as well as conflict resolution.

If the municipal officers and secession territory representatives can not select a mutually agreed upon and qualified mediator within 30 days of reaching impasse on secession issues, the parties must petition the Court Alternative Dispute Resolution Service, created in Title 4, section 18-B, for mediation services. The Court Alternative Dispute Resolution Service shall:

1. **Mediator assignment.** Assign a mediator who is knowledgeable in municipal management and municipal law;

2. **Fee.** Establish a fee for services in an amount not to exceed \$175 for every 4 hours of mediation services provided;

3. **Mediation schedule; notice.** Establish the mediation schedule, ensure that proper notice is provided to all parties and ensure that the parties necessary for effective mediation are participating; and

4. **Mediation report.** Upon the completion of the mediation effort, file a written report with the joint standing committee of the Legislature having jurisdiction over state and local government matters. The report must provide the details of the mediation effort and any mediated agreement. In the event that the mediation effort does not result in the resolution

30-A § 2171-F

MUNICIPALITIES AND COUNTIES

of all issues, the mediation report must indicate to the extent possible what issues remain unresolved and why the parties failed to reach a mutually agreeable resolution of the dispute. 1999, c. 381, § 2.

§ 2171-G. Submission of dispute to the Legislature

If the parties have not reached agreement on all issues within 6 months after beginning discussions, the matter may be submitted to the Legislature. The Legislature may consider the information submitted pursuant to section 2172 in making its decision.

1999, c. 381, § 2.

§ 2172. Information to be submitted with legislation proposing secession

A territory that seeks to have legislation submitted on its behalf proposing its secession from a municipality shall provide the Legislature with the following information, which the Legislature may use in making a determination on a proposal for secession:

1. **Report on attempts to resolve differences.** A report on attempts by the secession territory to resolve concerns that have caused the desire to secede from the municipality. If a neutral 3rd party was involved in the attempt to resolve concerns through alternative dispute resolution methods such as mediation, facilitation or arbitration, the territory must also submit a report from the neutral 3rd party;

[See main volume for 2 to 6]

1997, c. 699, §§ 2 to 4; 1999, c. 381, § 3.

Historical and Statutory Notes

1997 Legislation

Laws 1997, c. 699, § 2, in the section leading, substituted "Information to be submitted with" for "Guidelines for".

Laws 1997, c. 699, § 3, in the first par., deleted "if available" after "information."

Laws 1997, c. 699, § 4, repealed and replaced subsec. 1, which prior thereto read:

"1. **Use of alternative dispute resolution.** Any report prepared by a neutral 3rd party on the

extent to which the secession territory and the affected municipality have attempted to resolve their differences through alternative dispute resolution such as mediation, facilitation or arbitration;"

1999 Legislation

Laws 1999, c. 381, § 3, in subsec. 1, in the first sentence, deleted "As required in section 2173," preceding "A report".

§ 2173. Repealed. Laws 1999, c. 381, § 4

Historical and Statutory Notes

The repealed section, which required secession proponents to make a local effort prior to seeking secession legislation, was derived from: Laws 1997, c. 699, § 5.

CHAPTER 117

PUBLIC SELF-FUNDED POOLS

Section

2252. "Political subdivision" defined.

WESTLAW Computer Assisted Legal Research

WESTLAW supplements your legal research in many ways. WESTLAW allows you to

- update your research with the most current information
- expand your library with additional resources
- retrieve current, comprehensive history and citing references to a case with KeyCite

QUASI-MUNICIPAL CORPS, ETC. Ch. 120

For more information on using WESTLAW to supplement your research, see the WESTLAW Research Guide, which follows the Preface.

§ 2252. "Political subdivision" defined

"Political subdivision" means any municipality and special purpose district, including, district, hospital district, municipal transmissive unit. "School administrative unit" in section 1, subsection 26.

1999, c. 657, § 11, eff. April 10, 2000.

Historical and

1999 Legislation

Laws 1999, c. 657, § 11, in the first sentence, substituted "transmission and distribution" for "electric".

CHAP

QUASI-MUNICIPAL CORP

Section

2356. General provisions.

2357. Public access to quasi-municipal decisions.

WESTLAW Computer

WESTLAW supplements your legal research in many ways.

- update your research with the most current information
- expand your library with additional resources
- retrieve current, comprehensive history and citing references to a case with KeyCite

For more information on using WESTLAW to supplement your research, see the WESTLAW Research Guide, which follows the Preface.

§ 2356. General provisions

[See main volume for 1 to 3]

3. **Trustees' compensation; water distribution.** affect the procedures concerning changes in water and sewer districts as provided in Title 35-A, section 1252, subsection 5.

1995, c. 616, § 1.

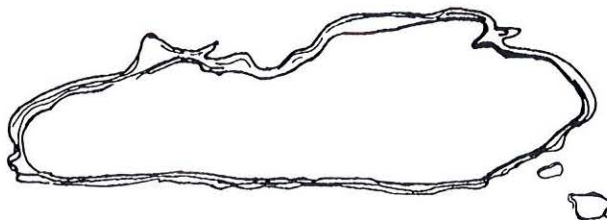
Historical and

Amendments

1995 Amendment. Laws 1995, c. 616, § 1, in subsection 3, substituted "Title 35-A, section 6410

SCORPIO ISLAND CORP.
HOPE ISLAND
Casco Bay, Maine

Klara Form 6
R.C. 9/28/01



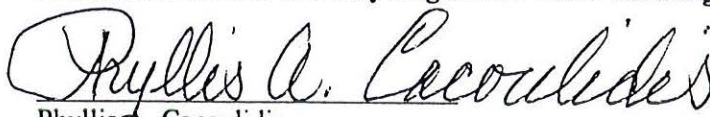
September 7, 2001

Stephen Moriarty, Chair, Town Council
Cumberland County Town Hall
290 Tuttle Road
South Portland, Maine 04021

Dear Mr. Moriarty:

Pursuant to Title 30-A, M.R.S.A. § 2171 *et. seq.*, the undersigned respectfully requests a public hearing be held to consider the petition of the registered voters of Hope Island, Maine to secede from the Town of Cumberland.

- I. **Secession Territory:** Hope Island, Maine
- II. **Description of Territory:**
See Attached Schedule "A"
- III. **Resident Population:** Two (2)
Non-Resident Population: Approximately Four (4)
- IV. **Designated Representatives of Secession Territory:**
John Cacoulidis
- V. **Name and Address of Every Registered Voter Residing in Hope Island, Maine:**


Phyllis A. Cacoulidis
Hope Island, Maine

Signatures verified by:

Registrar of Voters
Cumberland County, Maine

(seal)

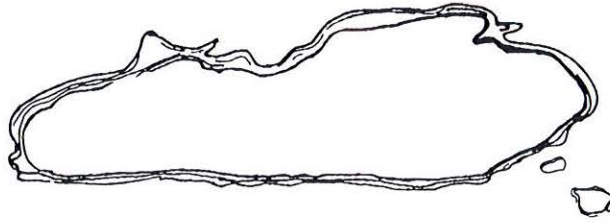
SCHEDULE "A" LEGAL DESCRIPTION

A certain lot or parcel of land, being all of certain island situated in Casco Bay, within the limits of the Town of Cumberland and the City of Portland, County of Cumberland and State of Maine, called and known as "Hope Island", with the buildings thereon, being the same premises purchased by one Obadiah E. Durgin of John C. Remick and others and described in the deed of said Remick and others to said Durgin, recorded in the Cumberland County Registry of Deeds in Book 255, Page 262, to which deed reference is hereby made for a particular description of the premises; and being also the same premises conveyed by Allethiare L. Rotan, William M. Elkins, George W. Elkins, Jr., Stella Tyler and Louise Sinkler, devisees under the Last Will and Testament of said George W. Elkins, deceased to W. Wallace Alexander, by their deed dated September 13, 1922 and recorded in the Cumberland County Registry of Deeds in Book 1123, Page 115.

Also containing the title and interest acquired in the adjacent smaller islands known as Rogues Island, Great O, Little O and Nothing.

Being the same premises conveyed to Scorpio Island Corporation by deed of Hope Island Club, dated October 14, 1993 and recorded in the Cumberland County Registry of Deeds in Book 11018, Page 168.

SCORPIO ISLAND CORP.
HOPE ISLAND
Casco Bay, Maine

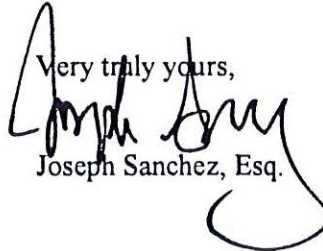


September 24, 2001

Registrar of Voters
Cumberland County Town Hall
290 Tuttle Road
South Portland, Maine 04021

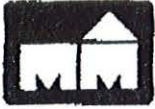
Dear Registrar:

Pursuant to Title 30-A, M.R.S.A. § 2171 *et. seq.*, you are instructed to verify the signature of the registered voter on the attached petition and to return the verified petition to the undersigned within thirty (30) days of your receipt of this petition.

Very truly yours,

Joseph Sanchez, Esq.

Please return to:
Joseph Sanchez, Esq.
Scorpio Island Corp.
25 South Service Road, Suite 300
Jericho, NY 11753

Encl. Petition for Secession

**Maine Municipal
Association**

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.mamun.org

FAX Cover Sheet

Count
10/22/01

Date: Oct 1, 2001# of Pages (including cover): 6

To

FAX#

136 Benson,829-2224From: Kate Dufour

State and Federal Relations, MMA

Phone: 623-8428 or 1-800-452-8786

FAX: 626-3358

REMARKS☐ URGENT☐ Reply ASAP☐ For Your Review☒ As Requested

County Budget Process.

NOTICE: This message is intended only for the personal and confidential use of the individual(s) or entity(ies) to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. This message may be an Attorney-Client communication and, as such, is privileged and confidential. 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 communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

County Budget Process

County	Committee	Number of Members	Term	How Elected	Commissioners on Committee	Budget Approval Process	Final Approval
Androscoggin (30A, § 723) <i>Don Glover + Core Elected CV 9505</i>	Budget Committee	11 Three members from each of the commissioner's districts (maximum of three municipal officials on the committee) and two members of the legislature.	1 3 years	Elected by the municipal officers as a board.	Yes – advisory role only.	Commissioners submit budget estimates to the budget committee. Budget committee can amend the submitted budget and must hold public hearing on proposed budget. By a unanimous vote the commissioners can amend the budget. Committee can reject that change by a 2/3 vote.	Budget Committee
Aroostook (30A, § 739)	Finance Committee	9 Three members from each commissioner's district.	4 years	Elected by the voters in the commissioner's district.	No	Commissioners submit budget estimates to the committee. Committee can amend the submitted budget and must hold a public hearing on the proposed budget. Committee submits its adopted budget to the commissioners. By a unanimous vote the commissioners can amend the budget. Committee can reject that change by a 2/3 vote.	Finance Committee
Cumberland (30A, § 741-A)	Budget Advisory Committee	12 Three members from each commissioner's district and the commissioners.	3 years	Elected by those municipal officers present and voting at the annual caucus.	Yes – advisory role only.	Commissioners submit budget estimates to the committee. Committee can amend the submitted budget and must hold a public hearing on the proposed budget. Committee submits its adopted budget to the commissioners. County commissioners can amend the submitted budget.	County Commissioners

County Budget Process

County	Committee	Number of Members	Term	How Elected	Commissioners on Committee	Budget Approval Process	Final Approval
Androscoggin (30A, § 723)	Budget Committee	11 Three members from each of the commissioner's districts (maximum of three municipal officials on the committee) and two members of the legislature.	3 years	Elected by the municipal officers as a board.	Yes – advisory role only.	Commissioners submit budget estimates to the budget committee. Budget committee can amend the submitted budget and must hold public hearing on proposed budget. By a unanimous vote the commissioners can amend the budget. Committee can reject that change by a 2/3 vote.	Budget Committee
Aroostook (30A, § 739)	Finance Committee	9 Three members from each commissioner's district.	4 years	Elected by the voters in the commissioner's district.	No	Commissioners submit budget estimates to the committee. Committee can amend the submitted budget and must hold a public hearing on the proposed budget. Committee submits its adopted budget to the commissioners. By a unanimous vote the commissioners can amend the budget. Committee can reject that change by a 2/3 vote.	Finance Committee
Cumberland (30A, § 741-A)	Budget Advisory Committee	12 Three members from each commissioner's district and the commissioners.	3 years	Elected by those municipal officers present and voting at the annual caucus.	Yes – advisory role only.	Commissioners submit budget estimates to the committee. Committee can amend the submitted budget and must hold a public hearing on the proposed budget. Committee submits its adopted budget to the commissioners. County commissioners can amend the submitted budget.	County Commissioners

County	Committee	Number of Members	Term	How Elected	Commissioners on Committee	Budget
Franklin (30A, § 873)	Budget Advisory Committee	10 Three municipal officers from each of the commissioner's districts and one non- voting member of the legislature.	3 years	Elected by the municipal officers in the commissioner's district.	No	Commissioners estimate the subm a public budget. adopted commis vote the the budg that cha
Hancock (30A, § 763)	Budget Advisory Committee	10 Three municipal officers from each of the commissioner's districts and one member of the legislature.	3 years	Elected by those municipal officers present and voting at the annual caucus.	No	Commis hearing committ Commit submitt majority vote the the cha
Kennebec (30A, § 862)	Budget Committee	9 At least two municipal officers and up to one municipal official from each of the commissioner's districts.	3 years	Elected by those municipal officers present and voting at the annual caucus.	No	Commis estimate Commit submitt public h budget. adopted commis vote the the bud; that cha

Budget Approval Process	Final Approval
<p>Commissioners submit budget to the advisory committee. Committee can amend the budget and must hold a hearing on the proposed budget. Committee submits its budget to the commissioners. By a unanimous vote, commissioners can amend the budget. Committee can reject the budget by a 2/3 vote.</p>	<p>Budget Advisory Committee</p>
<p>Commissioners hold a public hearing in conjunction with the committee on the estimated budget. Committee can amend the budget only with a 2/3 vote. By a unanimous vote, commissioners can amend the budget. Changes made by the committee.</p>	<p>County Commissioners</p>
<p>Commissioners submit budget to the budget committee. Committee can amend the budget and must hold a hearing on the proposed budget. Committee submits its budget to the commissioners. By a unanimous vote, commissioners can amend the budget. Committee can reject the budget by a 2/3 vote.</p>	<p>Budget Committee</p>

County	Committee	Number of Members	Term	How Elected	Commissioners on Committee	Budget Approval Process	Final Approval
Knox (30A, § 751)	Budget Committee	9 Three members from each commissioner's district.	4 years	Elected by the voters in the commissioner's district.	No	Commissioners submit budget estimates to the budget committee. Committee can amend the submitted budget and must hold a public hearing on the proposed budget. Budget committee submits its adopted budget to the commissioners. By a unanimous vote the commissioners can amend the budget. Committee can reject that change by a 2/3 vote.	Budget Committee
Lincoln (30A, § 793)	Budget Advisory Committee	10 Three municipal officers from each district and one legislative delegate.	3 years	Elected by those municipal officers present and voting at the annual caucus.	No	Commissioners hold a public hearing in conjunction with the committee on the estimated budget. The committee reviews the budget and makes recommendations. The commissioners adopt the final budget.	County Commissioners
Oxford (30A, § 892)	Budget Advisory Committee	9 Three municipal officers appointed by the commissioners and two municipal officers elected in each district.	1 year	Elected by those municipal officers present and voting at the annual caucus.	No	Commissioners hold a public hearing on the estimated budget. The committee reviews the budget and makes recommendations for changes. By a unanimous vote the commissioners can amend the budget. Committee can reject that change by a 2/3 vote.	Budget Advisory Committee
Penobscot (30A, § 900-H)	Budget Committee	15 Three members elected from each commissioner's district, three municipal officials appointed by the commissioners and three members of the legislature.	2 years	Members elected by those municipal officials present and voting at the annual caucus.	No	Commissioners hold a public hearing on the estimated budget. The committee reviews the budget and makes recommendations for changes. Commissioners can amend the budget. Committee can reject that change by a 2/3 vote.	Budget Committee

County	Committee	Number of Members	Term	How Elected	Commissioners on Committee	Budget Approval Process	Final Approval
Piscataquis (30A, § 823)	Budget Committee	9 Three members from each commissioner's district. Three municipal officials and three members of the public.	3 years	Appointed by the county commissioners.	No	Commissioners submit budget estimates to the budget committee. Committee can make recommendations for amending the submitted budget. Commissioners must hold a public hearing on the budget. The commissioners adopt the final budget.	County Commissioners
Sagadahoc (30A, § 883)	Budget Advisory Committee	9 Three members from each commissioner's district. Three municipal officials and three members of the public.	3 years	Appointed by the municipal officers from commissioner's district.	No	Commissioners submit budget estimates to the budget committee. Committee holds a public hearing and can make recommendations for amending the submitted budget. Commissioners make final budget decisions.	County Commissioners
Somerset (30A, § 892)	Budget Committee	9 Two municipal officers elected from each district, two municipal officials elected from each district and three nonvoting members of the legislature.	3 years	Elected by those municipal officers present and voting at the annual caucus.	No	Commissioners submit budget estimates to the committee. Committee can amend the submitted budget and must hold a public hearing on the proposed budget. Committee submits its adopted budget to the commissioners. By a unanimous vote the commissioners can amend the budget. Committee can reject that change by a 2/3 vote.	Budget Committee
Waldo (30A, § 853)	Budget Committee	9 Three members from each commissioner's district. At least 3 municipal officers.	3 years	Elected by municipal officers by written ballot.	Yes – advisory only.	Commissioners submit budget estimates to the budget committee. Committee can amend the submitted budget and must hold a public hearing on the proposed budget. Budget committee submits its adopted budget (simple majority) to the commissioners.	Budget Committee

County	Committee	Number of Members	Term	How Elected	Commissioners on Committee	Budget Approval Process	Final Approval
Washington (30A, § 900-B)	Budget Advisory Committee	10 Three municipal officers from each commissioner's district and 1 member of the legislature.	3 years	Elected by those municipal officers present and voting at the annual caucus	No	Commissioners hold a public hearing in conjunction with the committee on the estimated budget. The committee reviews the budget and makes recommendations. The commissioners adopt the final budget.	County Commission
York (30A, § 831)	Budget Committee	16 Three members from each commissioner's district. Ten elected municipal officials, five members of the public and one nonvoting legislator.	3 years	Elected by those municipal officers present and voting at the annual caucus.	No	Commissioners submit budget estimates to the budget committee. Committee can amend the submitted budget and must hold a public hearing on the proposed budget. Budget committee submits its adopted budget to the commissioners. By a majority vote of commissioners and committee members, the budget can be amended	Budget Committee

Oct 1, 2001

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
(19) 4-1957

YORK COUNTY
OFFICE

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

October 17, 2001

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

Dear Bob:

You have asked me to flesh out my letter of October 1st, 2001 in regard to the possible secession of Hope Island.

I again enclose a copy of the secession statute which was passed by the legislature in 1999 to provide informational background prior to the legislature taking up whether or not it will allow a particular area of a community to secede and become a new town. It clearly did not contemplate an island with one resident seceding and I do not believe the legislature would ever permit such a secession. Given that preface, assuming the Attorney General finds that the petition received by Klara Norton is adequate, the statute does require the municipal officers to hold a public hearing.

Pursuant to Title 30-A Section 2171-C, the municipal officers are required to publish the notice of the public hearing in a newspaper of general circulation approximately 14 and 7 days prior to the hearing. The hearing is to be conducted by a moderator elected in a manner similar to the town meeting statute (i.e. those in attendance simply cast a paper ballot for an individual to serve in that capacity and, although conducted by a moderator, it could be conducted as a part of a regular scheduled council meeting so long as appropriate notices were given). It is required that a formal presentation by the initiators of the petition be made at the public hearing. A discussion is then had by the attendees of the problems and the potential solutions other than secession and the potential impact of secession on a municipality and the territory to secede. Specifically, the persons initiating the petition must also submit a written report at the public hearing that describes the impact of the proposed secession on property taxes in the municipality as well as the seceding property.

As we have discussed, Council should schedule such a formal public hearing at its next regular Council meeting. Again, following the formal public hearing, an advisory referendum is required, unless the Attorney General rules, as we have requested, that this statute is not applicable in this instance. The vote is only in the secession territory. I have indicated to Klara

Jensen Baird
Gardner, Henry

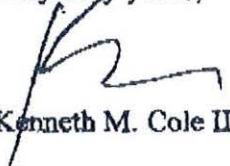
Robert B. Benson, Town Manager
October 17, 2001
Page 2

before that would mean that only one person, the petitioner, could vote. It must be held at least thirty (30) days, but not more than one hundred twenty (120) days, after the public hearing. Following the vote, the municipal officers are to take a formal recorded vote on whether or not they support the secession. In the event that the majority of the municipal officers approve the request and the majority of the registered voters in the secession territory also favor secession, legislation may be submitted. If all parties can not reach agreement under Section 2171-G on all issues within six (6) months after the beginning of discussions, the matter may be still submitted to the legislature thereafter.

In summary, I would hope that the Attorney General will rule that the particular statute is not intended to apply in this instance and that based on the one registered voter and that individual also being the petitioner, the Council can simply register its opinion on its own without a special election or even a specially moderated public hearing. However, in the event that we do not hear back in a timely basis, I would suggest proceeding with the public hearing notices since it could clearly be tabled to a new date or indefinitely depending on information received from the Attorney General during the intervening time frame.

If anything further is needed in this regard, please let me know.

Very truly yours,



Kenneth M. Cole III

KMC/dmv
cc: Klara Norton, Town Clerk

Date: SEPTEMBER 28, 2001

**AUTHORIZATION OF PAYMENT OF
FORECLOSED REAL ESTATE TAXES**

THIS ITEM IS BEFORE THE COUNCIL DUE TO THE FORECLOSURE OF THE
1996-1998 TAX LIENS. THE OWNER HAS SUBMITTED A CHECK FOR THE
TOTAL AMOUNT DUE TO THE TOWN.

Owner: THOMAS A. & NANCY HOLLIS, 30 Carriage Way, No. Providence
RI, 02904

Location: Bar Point Rd., Chebeague Island

Property ID: I07/71 2002 Assessment: \$41,600
Land only - (1.24 acre)

The following is a breakdown of monies owed:

1993 Taxes

\$207.10 tax
163.81 int.
28.52 lien charge
\$399.43

1994 Taxes

\$212.55 tax
146.86 int.
28.52 lien charge
\$387.93

1995 Taxes

\$219.09 tax
139.18 int.
37.29 lien charge
\$395.56

1996 Taxes

\$225.63 tax
137.10 int.
37.54 lien charge
\$400.27

1997 Taxes

\$ 748.80 tax
306.74 int.
37.75 lien charge
\$1093.29

1998 Taxes

\$ 792.48 tax
247.41 int.
38.72 lien charge
\$1078.61

1999 Taxes

\$ 844.48 tax
161.03 int.
31.98 lien charge
\$1037.49

2000 Taxes (Mar00)

\$422.24 tax
30.71 int.
31.98 lien charge
\$484.93

2001 Taxes (9/15/00)
\$453.44 tax
50.35 int.
32.94 lien charge
\$536.73

2001 Taxes (3/15/01)
\$453.44 tax
26.31 int.
\$479.75

2002 Taxes (9/15/01)
\$482.56 tax
1.67 int.
\$484.23

2002 Taxes (3/15/02)
\$482.56 tax

THE FULL AMOUNT DUE - \$7,260.78 - PLUS THE ADMINISTRATIVE FEE OF
\$100.00 HAS BEEN PAID.

**Maine Municipal Association**

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.mamun.org

FAX Cover Sheet

Council
10/22/01

Date: Oct 1, 2001# of Pages (including cover): 6ToFAX #Bos Benson,829-2224

From:

Kate Dufour

State and Federal Relations, MMA

Phone: 623-8428 or 1-800-452-8786

FAX: 626-3358

REMARKS☐ URGENT☐ Reply ASAP☐ For Your Review☒ As Requested

County Budget Process

NOTICE: This message is intended only for the personal and confidential use of the individual(s) or entity(ies) to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. This message may be an Attorney-Client communication and, as such, is privileged and confidential. 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 communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

[illegible]

#	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	01-129	07/10/01
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	01-188	09/04/01
13	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	01-212	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 Rd	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 Lane	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	01-200	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 Road	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 Road	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 Road	06/28/01	11:30 AM	07/28/01	09/28/01	01-194	09/14/01
9															
10															
11															
12															

#	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			
	05/15/01	4:30 PM	Non-subdiv		Doane	Jeffrey	U10	7C	Wyman Way	07/02/01	12:52 PM	Growth permit not accepted			
	07/10/01	11:19 AM	Non-subdiv		Chase	Susan	U12	11D	31 Wasabi Way	07/10/01	3:19 PM	Growth permit not accepted			
	01/09/01	3:50 PM	Island		Crosby	Russell &	I01	15	Cottage Road	06/04/01	8:55 AM	Decided not to apply for building permit			

	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
23				True Spring Farm	Bragg	Terry	U04	8 A	4	4 Amy Lane				01-176	08/28/01
24				True Spring Farm	Bragg	Terry	U04	8 A	3	6 Amy Lane				01-177	08/28/01

RB

SOLID WASTE TO R.W.S.

YEAR	2001	1996	1997	1998	1999	2000
MONTH						
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	248.17	232.78	223.52	224.88	212.91	223.73
August	244.76	224.45	175.55	194.03	251.36	267.61
September	217.00	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



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

To: Participants of MMA's Residential Property Value Survey
From: Kate Dufour
Date: October 3, 2001

Re: Residential Property Value Survey Results

Thank you for taking the time and effort necessary to complete the Residential Property Value Survey that was mailed to you in August. Although the information requested was difficult to retrieve in some communities, 172 municipalities responded to the survey. In appreciation for your efforts we have attached the results of the survey.

As you know, MMA will be participating in the deliberations of the Education Funding Reform Committee this fall. This Committee was created by the Legislature and charged with the task of developing a package of comprehensive tax reform legislation for consideration in the second legislative session in January 2002. The tax reform package is required to provide more state money for education, provide property tax relief for homeowners and businesses and balance the primary methods of raising taxes between the property tax, sales tax and individual income tax. The Committee is made up only of legislators, representing both political parties equally, from the Education Committee (three members), Appropriations Committee (three members) and the Taxation Committee (eight members).

Under consideration by Committee is the Michigan approach to funding education. As adopted in Michigan, the cost of education burden on primary residential property is capped three mills (in Maine equivalents) and the education burden on non-residential property is capped at twelve mills. This funding mechanism therefore requires the state to more adequately fund the cost of education. A member of Maine's Education Funding Reform Committee is proposing a similar education tax cap mechanism for Maine. Under this proposal, there would be a property tax cap of four mills for education purposes on the property of Maine residents and businesses, and a cap of twelve mills on all other property. The survey you completed enabled us to calculate how this type of cap would impact Maine communities and to get a sense of the impact on state resources.

As seen in the attached document, if Maine were to adopt a similar two-tiered education funding cap mechanism, roughly 82% of taxable property in Maine would benefit from the four mill cap. The methods we used were as follows: Using the total value of primary residential property collected in the survey and industrial property value information collected by the Maine Revenue Services we were able to calculate the total value of commercial property in a community. By adding total value of primary residential, industrial and commercial property and subtracting that value from the total municipal assessed value, we were able to identify the total value of the nonresidential, non-business property in each community.

Total Assessed Value - (Primary Residential + Commercial + Industrial) = Non-resident, Non-business Value

(over)

In addition to the community name and county, in the attached spreadsheet you will find seven columns of data. The first column is the total assessed value of the community as provided in the 2000 Municipal Valuation Return Statistical Summary. The second column shows the total value of residential property in the community. The third column shows the total value of homestead or primary residential property in the community. The fourth column shows assessed value of industrial property in the community. The fifth column shows the calculated value of the commercial property in the community. The sixth column shows the value of the property, as calculated above, eligible for the proposed four mill education funding cap. Finally, the seventh column shows the percentage of the total value in a community eligible for the funding cap.

Although a total of 172 communities responded to the survey, only 95 are listed in the final analysis. Some of the data received in the survey was, for a variety of reasons, incomplete. We made attempts to use the provided data to project value, but for the final analysis we decided to use only the surveys that had all the necessary data.

Again, thank you for your time and effort. If you have any questions about the Education Funding Reform Committee please feel free to contact Geoff Herman. If you have questions about the data presented in this spreadsheet please contact Kate Dufour. Both Geoff and I can be reached at 1-800-452-8786 or by e-mail gherman@memun.org or kdufour@memun.org.

Residential Property Value Survey (includes value of multi-family housing w/ 3 or less units)

		Total Municipal Value	Total Municipal Residential Value	Total Value Homestead	Total Industrial	Calculated Total Commercial	Value Property Eligible for 4 Mill Cap	% of Value Eligible Cap
ANSON	SOME	65,437,746	45,693,263	33,776,534	7,614,396	12,130,087	53,521,017	81.8
ARUNDEL	YORK	171,155,684	145,600,000	131,700,000	785,986	24,769,698	157,255,684	91.9
ASHLAND	AROO	72,260,840	26,882,600	20,205,100	32,239,220	13,139,020	65,583,340	90.8
AUBURN	ANDR	1,099,903,900	516,372,300	377,523,700	242,887,400	340,644,200	961,055,300	87.4
AUGUSTA	KENN	897,567,900	401,679,600	318,063,700	74,786,000	421,102,300	813,952,000	90.7
BAILEYVILLE	WASH	377,802,988	33,991,400	28,927,400	303,891,388	39,920,200	372,738,988	98.7
BANCROFT	AROO	4,559,965	1,128,000	484,055	-	3,431,965	3,916,020	85.9
BANGOR	PENO	1,499,086,900	608,439,600	439,302,000	95,896,700	794,750,600	1,329,949,300	88.7
BATH	SAGA	587,526,700	238,952,000	160,308,300	207,586,600	140,988,100	508,883,000	86.6
BELFAST	WALD	397,057,000	191,728,100	148,900,400	14,652,300	190,676,600	354,229,300	89.2
BETHEL	OXFO	175,904,001	143,600,742	85,114,448	11,047,170	21,256,089	117,417,707	66.8
BOOTHBAY	LINC	405,590,503	350,880,930	348,701,130	5,021,777	49,687,796	403,410,703	99.5
BOWDOINHAM	SAGA	108,258,300	91,027,400	78,870,000	-	17,230,900	96,100,900	88.8
BRUNSWICK	CUMB	1,103,868,200	764,918,200	600,284,900	84,924,100	254,025,900	939,234,900	85.1
BUCKFIELD	OXFO	57,868,895	47,195,875	38,110,500	2,760,390	7,912,630	48,783,520	84.3
BUCKSPORT	HANC	488,466,378	122,660,340	88,360,700	293,628,000	72,178,038	454,166,738	93.0
BUXTON	YORK	319,791,824	307,729,200	281,100,000	1,522,430	10,540,194	293,162,624	91.7
CAMDEN	KNOX	567,524,900	151,515,800	121,172,000	2,026,800	413,982,300	537,181,100	94.7
CAPE ELIZABETH	CUMB	699,556,500	604,517,800	402,679,500	-	95,038,700	497,718,200	71.1
CARATUNK	SOME	16,265,990	9,500,000	2,568,990	-	6,765,990	9,334,980	57.4
CARRABASSETT	FRAN	229,840,000	82,040,800	12,994,700	-	147,799,200	160,793,900	70.0
CASCO	CUMB	243,829,100	204,661,000	95,615,000	8,329,200	30,838,900	134,783,100	55.3
CHARLOTTE	WASH	13,256,007	10,724,427	6,929,398	223,500	2,308,080	9,460,978	71.4
CORINTH	PENO	69,011,400	57,805,000	53,348,340	2,014,800	9,191,600	64,554,740	93.5
CUMBERLAND	CUMB	517,980,400	504,164,100	327,430,100	-	13,816,300	341,246,400	65.9
DAYTON	YORK	76,771,628	74,979,693	46,742,218	1,552,680	239,255	48,534,153	63.2
DETROIT	SOME	26,617,800	19,296,800	14,075,300	3,041,200	4,279,800	21,396,300	80.4
DYER BROOK	AROO	9,448,722	8,334,042	3,985,250	-	1,114,680	5,099,930	54.0
EASTON	AROO	130,736,600	20,751,700	15,496,200	103,040,000	6,944,900	125,481,100	96.0
EASTPORT	WASH	61,537,278	33,627,028	19,862,504	13,979,823	13,930,427	47,772,754	77.6
EDDINGTON	PENO	75,866,580	39,659,620	37,434,760	845,510	35,361,450	73,641,720	97.1
ELLSWORTH	HANC	486,963,192	247,000,000	139,000,000	1,845,300	238,117,892	378,963,192	77.8
EUSTIS	FRAN	74,037,000	33,174,800	14,501,400	26,930,800	13,931,400	55,363,600	74.8
EXETER	PENO	27,784,700	21,423,600	18,373,800	-	6,361,100	24,734,900	89.0

Residential Property Value Survey (includes value of multi-family housing w/ 3 or less units)

		Total Municipal Value	Total Municipal Residential Value	Total Value Homestead	Total Industrial	Calculated Total Commercial	Value Property Eligible for 4 Mill Cap	% of Value Eligible Cap
FARMINGTON	FRAN	261,341,800	168,182,867	88,248,300	7,305,500	85,853,433	181,407,233	69.4
FAYETTE	KENN	61,355,600	58,884,300	18,313,600	-	2,471,300	20,784,900	33.9
FORT FAIRFIELD	AROO	126,486,290	66,654,563	50,544,000	27,772,560	32,059,167	110,375,727	87.3
FRENCHVILLE	AROO	25,689,955	18,673,138	17,732,520	-	7,016,817	24,749,337	96.3
GARFIELD PLT	AROO	4,330,550	1,511,610	1,441,230	265,360	2,553,580	4,260,170	98.4
GRAY	CUMB	331,076,351	288,242,100	167,520,000	4,428,416	38,405,835	210,354,251	63.5
GREENBUSH	PENO	37,471,850	37,086,700	20,605,600	-	385,150	20,990,750	56.0
HAMPDEN	PENO	279,721,612	207,517,100	154,101,700	9,155,500	63,049,012	226,306,212	80.9
HANCOCK	HANC	144,707,450	118,975,800	68,500,000	-	25,731,650	94,231,650	65.1
HAYNESVILLE	AROO	6,223,203	2,661,567	1,323,679	-	3,561,636	4,885,315	78.5
HIGHLAND PLT	SOME	4,397,272	721,358	548,270	393,282	3,282,632	4,224,184	96.1
HIRAM	OXFO	66,570,655	54,024,150	30,848,450	574,280	11,972,225	43,394,955	65.2
HOLDEN	PENO	119,065,400	109,360,250	7,500,000	-	9,705,150	17,205,150	14.5
HOWLAND	PENO	39,642,400	23,081,000	18,831,700	9,315,700	7,245,700	35,393,100	89.3
KINGFIELD	FRAN	50,485,009	35,685,679	24,008,000	2,329,382	12,469,948	38,807,330	76.9
LEE	PENO	32,653,300	21,853,700	16,489,500	-	10,799,600	27,289,100	83.6
LEVANT	PENO	60,657,400	51,573,700	44,406,300	-	9,083,700	53,490,000	88.2
LEWISTON	ANDR	1,281,655,720	607,526,550	475,290,150	12,400,950	661,728,220	1,149,419,320	89.7
LUBEC	WASH	72,463,863	53,867,900	29,890,200	1,409,900	17,186,063	48,486,163	66.9
MATINICUS ISLE PL	KNOX	10,696,900	10,144,620	2,846,525	-	552,280	3,398,805	31.8
MATTAWAMKEAG	PENO	23,443,035	7,849,032	5,834,478	1,426,185	14,167,818	21,428,481	91.4
MECHANIC FALLS	ANDR	77,230,630	60,030,600	45,310,100	856,600	16,343,430	62,510,130	80.9
MONROE	WALD	33,722,410	32,601,570	20,377,120	-	1,120,840	21,497,960	63.7
MOOSE RIVER	SOME	25,800,220	5,976,140	5,003,330	12,063,760	7,760,320	24,827,410	96.2
MOSCOW	SOME	64,960,049	10,431,666	6,602,168	-	54,528,383	61,130,551	94.1
NEW LIMERICK	AROO	49,823,950	24,986,780	14,100,230	21,537,500	3,299,670	38,937,400	78.1
NEWPORT	PENO	124,313,400	58,375,100	47,311,900	8,607,300	57,331,000	113,250,200	91.1
NOBLEBORO	LINC	112,531,538	96,811,100	51,753,400	-	15,720,438	67,473,838	60.0
NORRIDGEWOCK	SOME	106,090,978	76,116,000	33,227,000	7,385,170	22,589,808	63,201,978	59.6
NORWAY	OXFO	194,440,800	141,707,200	80,157,900	8,484,600	44,249,000	132,891,500	68.3
OAKLAND	KENN	221,529,500	188,243,700	133,352,200	397,600	32,888,200	166,638,000	75.2
OGUNQUIT	YORK	446,555,200	266,923,600	76,580,400	1,386,500	178,245,100	256,212,000	57.4
PITTSFIELD	SOME	143,071,100	70,536,600	59,563,700	24,714,200	47,820,300	132,098,200	92.3
PLEASANT RIDGE F	SOME	98,187,820	2,175,542	1,922,550	-	96,012,278	97,934,828	99.7

Residential Property Value Survey (includes value of multi-family housing w/ 3 or less units)

		Total Municipal Value	Total Municipal Residential Value	Total Value Homestead	Total Industrial	Calculated Total Commercial	Value Property Eligible for 4 Mill Cap	% of Value Eligible Cap
PORTER	OXFO	59,300,666	56,934,215	31,971,168	1,535,630	830,821	34,337,619	57.9
PORTLAND	CUMB	3,741,219,400	1,876,980,500	1,141,542,500	162,794,460	1,701,444,440	3,005,781,400	80.3
PRESQUE ISLE	AROO	336,419,000	156,819,800	131,196,400	18,242,200	161,357,000	310,795,600	92.4
RAYMOND	CUMB	398,148,762	316,250,720	140,787,617	11,637,224	70,260,818	222,685,659	55.9
ROCKPORT	KNOX	436,154,800	286,133,200	163,857,700	3,460,100	146,561,500	313,879,300	72.0
SACO	YORK	838,691,850	565,610,100	393,213,500	230,749,450	42,332,300	666,295,250	79.4
ST. AGATHA	AROO	35,530,948	22,500,000	18,518,980	-	13,030,948	31,549,928	88.8
ST. GEORGE	KNOX	296,908,200	138,471,401	121,525,100	-	158,436,799	279,961,899	94.3
ST. JOHN PLT	AROO	10,862,723	4,369,468	4,226,368	1,887,159	4,606,096	10,719,623	98.7
SANFORD	YORK	797,135,880	575,227,200	509,548,300	138,855,900	83,052,780	731,456,980	91.8
SEARSMONT	WALD	64,022,192	47,192,400	24,772,100	10,554,500	6,275,292	41,601,892	65.0
SEARSPORT	WALD	111,517,280	65,664,150	45,827,290	22,555,930	23,297,200	91,680,420	82.2
SKOWHEGAN	SOME	917,325,900	206,870,900	123,583,000	627,931,600	82,523,400	834,038,000	90.9
SOLON	SOME	40,112,056	27,232,715	15,430,875	5,169,350	7,709,991	28,310,216	70.6
SOUTH PORTLAND	CUMB	2,149,608,200	730,094,200	569,541,600	722,647,500	696,866,500	1,989,055,600	92.5
SOUTHPORT	LINC	188,284,764	180,000,000	39,302,060	-	8,284,764	47,586,824	25.3
STONEHAM	OXFO	29,227,251	27,258,872	6,154,337	-	1,968,379	8,122,716	27.8
STOW	OXFO	21,462,588	12,198,970	5,879,241	288,600	8,975,018	15,142,859	70.6
STRONG	FRAN	35,592,209	24,820,291	17,199,571	7,387,365	3,384,553	27,971,489	78.6
TOPSHAM	SAGA	402,611,400	283,158,000	189,615,400	2,539,800	116,913,600	309,068,800	76.8
UPTON	OXFO	8,681,784	8,568,049	1,143,070	-	113,735	1,256,805	14.5
WASHINGTON	KNOX	63,471,895	53,069,227	24,400,000	-	10,402,668	34,802,668	54.8
WATERVILLE	KENN	525,923,300	270,675,600	192,001,400	33,128,300	222,119,400	447,249,100	85.0
WELD	FRAN	33,698,564	25,974,793	13,760,057	-	7,723,771	21,483,828	63.8
WINDHAM	CUMB	786,405,700	636,944,400	451,707,000	4,937,100	144,524,200	601,168,300	76.4
WINTHROP	KENN	285,073,300	192,235,200	157,560,400	10,811,670	82,026,430	250,398,500	87.8
YARMOUTH	CUMB	973,125,300	535,579,400	465,710,000	12,388,200	425,157,700	903,255,900	92.8
Total		29,484,044,642	16,467,482,813	11,332,003,561	3,734,785,753	9,281,776,076	24,348,565,390	82.6

Data Sources: Maine Revenue Services - 2000 Municipal Valuation Return Statistical Summary
MMA 2001 Residential Property Value Survey

**Planning Board Meeting
Council Chambers of the Town Offices
290 Tuttle Road, Cumberland Center
Tuesday, August 21, 2001
7:00 PM**

A. Call to order

The meeting was called to order at 7:00 p.m.

B. Roll Call

Present: Phil Hunt, Tom Powers, Joseph Taylor, Terry Turner, Beth Howe

Absent: Martha Porch, Stephen Sloan

Staff: Andy Fillmore, Town Planner, Pam Bosarge, Board Clerk

C. Minutes of Prior Meetings

Ms. Howe moved to approve the minutes of July 17, 2001 as written.

Mr. Powers seconded.

VOTE: Unanimous

D. Consent Calendar

There were no consent calendar items.

E. Hearings and Presentations

1. Public Hearing – Minor Site Plan Review, to construct an 8' x 12' storage shed on Chebeague Island, Tax Assessor Map I06, Lot 31, MSAD # 51 owner, Don Foster representative.

Mr. Hunt stated the Board members had done a site visit to the proposed shed location prior to the meeting.

Mr. Fillmore presented background information as follows:

The Applicant (MSAD #51, represented by Don Foster) is seeking to construct a storage shed on school land on Chebeague Island. The property is located at 14 Schoolhouse Road, Tax Assessor Map I06, Lot 31, in the Island Residential zone.

The Planning Board is asked to:

- 1) Conduct a minor site plan review.
- 2) Review the proposed findings of fact.
- 3) Render a final decision.

II. DEPARTMENT HEAD REVIEWS:

Andy Fillmore: Comments follow in section III.

Barbara McPheters: In addition to site plan review by the Planning Board, special exception review by the Board of Adjustment and Appeals is required. In order to appear on the agenda for the September 13, Board of Adjustment and Appeals meeting, the special exception application must be submitted to the code enforcement office by August 30, 2001. The proposed shed has a floor area of less than 100-sq. ft. (it is 96- sq. ft.), the use of skids instead of a foundation or posts set in concrete is acceptable.

III. DISCUSSION:

The proposed structure is located within the Island Residential zone, but is not located within the Shoreland or Floodplain areas. Although site plan review requires a plan showing setbacks, the proposed shed is on the interior of the site and clearly meets all setback requirements. The planning department has therefore not required such a plan to be submitted.

The construction or placement of a new building or structure for a use identified in Section 204 (which this school is) requires site plan approval by the Planning Board (Sec. 206.2.1, page 59). Given the small size of the proposed structure and its limited impact on the site and surrounding environment, this application has been deemed a minor site plan application. The applicant is seeking approval of this application by the Planning Board.

However, when located in the Island Residential zone a municipal use such as a school is classified as a special exception use. (Sec. 204.4.2, Page 37). When an applicant wishes to add an accessory building to a special exception use, the applicant is required to appear before the Board of Adjustment and Appeals for approval.

In this instance, therefore, the applicant is required to get the approval of both the Planning Board (site plan approval) and the Board of Adjustment and Appeals (special exception approval). The applicant intends to appear before the Board of Adjustment and Appeals on September 13, 2001, and the code enforcement officer reasonably expects it to be approved. If the Planning Board grants the applicant site plan approval at this meeting, the board is asked to make it necessary, as a condition of their approval, that the applicant also get approval from the Board of Adjustment and Appeals before a building permit is granted.

Mr. Foster, applicant stated the 8' x 12' shed would house the existing electrical panel. It will be built to match the school. The main purpose of the shed will be to house the electrical panel and the irrigation tanks, athletic equipment and supplies for the athletic field. It will not be used for school storage.

Mr. Hunt asked if the shed would have water.

Mr. Foster stated no.

Ms. Howe asked if the shed would have electricity?

Mr. Foster stated there would be no new electricity, only the existing.

Mr. Turner asked for clarification on the location of the shed. Would it be close to the birch trees?

Mr. Foster stated the shed would cover the electrical panel and the three white pipes.

Mr. Turner asked what was the use of the three pipes.

Mr. Foster stated the three irrigation tanks.

Mr. Taylor asked if they were well points.

Mr. Foster stated no, holding tanks that were sunk into the ground, the well is at the school. The tanks are filled by the school well. The water is held in reserve for irrigation. The tanks are also hooked up to the Recreation Center wells.

Mr. Turner asked if the tanks were used for fire protection.

Mr. Foster stated they could be, but the Recreation Center uses the swimming pool. In front of the school to the left is the well for the school, which provides fire protection.

Mr. Hunt asked if the shed would lock, and what substances would be kept in the shed.

Mr. Foster stated that the door would lock. There would be rakes and shovels, no chemicals or fertilizers would be kept in the shed.

Mr. Hunt asked if the school would be re-locating the existing shed on the site.

Mr. Foster stated no; there would be a new shed. The existing shed is used for storage for the school and playground equipment.

The Board reviewed the proposed findings of fact with the following findings:

1. Utilization of the Site

Utilization of the Site - The plan for the development, including buildings, lots, and support facilities, must reflect the natural capabilities of the site to support development. Environmentally

sensitive areas, including but not limited to, wetlands, steep slopes, floodplains, significant wildlife habitats, fisheries, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, and sand and gravel aquifers must be maintained and preserved to the maximum extent. The development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

An 8'x12' storage shed will be built upon the site. Its proposed location is acceptable.

Based on these facts the standards of this section have been met.

2. Traffic Access and Parking

Vehicular access to and from the development must be safe and convenient. Driveways must be designed to provide the minimum site distance according to MDOT standards. Access and egress must be located to avoid hazardous conflicts.

The standards of this section do not apply.

3. Access way Location and Spacing

Access must meet the specific ordinance requirements.

Access to this shed will only be by pedestrians, and the access is acceptable.

Based on these facts the standards of this section have been met.

4. Internal Vehicular Circulation

The layout of the site must provide for the safe movement of passenger, service, and emergency vehicles through the site.

The standards of this section do not apply.

5. Parking Layout and Design

Off street parking must conform to the specific standards.

The standards of this section do not apply.

6. Pedestrian Circulation

The site plan must provide for a system of pedestrian ways within the development appropriate to the type and scale of development. This system must connect the major building entrances/ exits with parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project. The pedestrian network may be located either in the street right-of-way or outside of the right-of-way in open space or recreation areas. The system must be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect the amenities such as parks or open space on or adjacent to the site.

Pedestrian circulation will not be affected by this proposal.

Based on these facts the standards of this section have been met.

7. Stormwater Management

Adequate provisions must be made for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces, through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.

The standards of this section do not apply.

8. Erosion Control

1. All 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. Parking lots on sloped sites

must be terraced to avoid undue cut and fill, and / or the need for retaining walls. Natural vegetation must be preserved and protected wherever possible.

2. Soil erosion and sedimentation of watercourses and water bodies must be minimized by an active program meeting the requirements of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, dated March 1991, and as amended from time to time.

The standards of this section do not apply.

9. Water Supply Provisions

The development must be provided with a system of water supply that provides each use with an adequate supply of water. If the project is to be served by a public water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source of distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.

The standards of this section do not apply.

10. Sewage Disposal Provisions

The development must be provided with a method of disposing of sewage which compliance with the State Plumbing Code. If provisions are proposed for on-site waste disposal, all such systems must conform to the Subsurface Wastewater Disposal Rules.

The standards of this section do not apply.

11. Utilities

The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from view to the extent feasible. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

The standards of this section do not apply.

12. Groundwater Protection

The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to the public water supply systems. Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Maine.

The standards of this section do not apply.

13. Water Quality Protection

All aspects of the project must be designed so that:

.1 No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxious, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwaters so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.

.2 All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials, must meet the standards of the Maine Department of Environmental Protection and the State Fire Marshall's Office.

The standards of this section do not apply.

14. Capacity of the Applicant

The applicant must demonstrate that he / she has the financial and technical capacity to carry out the project in accordance with this ordinance and the approved plan.

MSAD #51 has the capacity to complete the project.

Based on these facts the standards of this section have been met.

15. Historic and Archaeological Resources

If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

This standard does not apply to the application.

16. Floodplain Management

If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Town's Floodplain management provisions.

Based on Flood Insurance Rate Map #230162 0023 E, dated May 19, 1981, the project area is not in a flood zone.

Based on these facts the standards of this section have been met.

17. Exterior Lighting

The proposed development must have adequate exterior lighting to provide for its safe use during nighttime hours, if such use is contemplated. All exterior lighting must be designed and shielded to avoid undue glare, adverse impact on neighboring properties and rights - of way, and the unnecessary lighting of the night sky.

No lights are proposed.

Based on these facts the standards of this section have been met.

18. Buffering of Adjacent Uses

The development must provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for the screening of mechanical equipment and service and storage areas. The buffer may be provided by distance, landscaping, fencing, changes in grade, and / or a combination of these or other techniques.

The storage shed will be located on the interior of a 10-acre site, surrounded by other school uses; therefore no buffering is required.

Based on these facts the standards of this section have been met.

19. Noise

The development must control noise levels such that it will not create a nuisance for neighboring properties.

No additional noise is anticipated from this use.

Based on these facts the standards of this section have been met.

20. Storage of Materials

1. Exposed nonresidential storage areas, exposed machinery, and areas used for the storage or collection of discarded automobiles, auto parts, metals or other articles of salvage or refuse must have sufficient setbacks and screening (such as a stockade fence or a dense evergreen hedge) to provide a visual buffer sufficient to minimize their impact on abutting residential uses and users of public streets.

2. All dumpsters or similar large collection receptacles for trash or other wastes must be located on level surfaces, which are paved or graveled. Where the dumpster or receptacle is located in a yard, which abuts a residential or institutional use or a public street, it must be screened by fencing or landscaping.

3. Where a potential safety hazard to children is likely to arise, physical screening sufficient to deter small children from entering the premises must be provided and maintained in good condition.

No hazardous or questionable materials are expected to be stored within or near this use.

Based on these facts the standards of this section have been met.

21. Landscaping

Landscaping must be provided as part of site design. The landscape plan for the entire site must use landscape materials to integrate the various elements on site, preserve and enhance the particular identity of the site, and create a pleasing site character. The landscaping should define street edges, break up parking areas, soften the appearance of the development, and protect abutting properties.

No landscaping is proposed.

Based on these facts the standards of this section have been met.

22. Building and Parking Placement

1. The site design should avoid creating a building surrounded by a parking lot. Parking should be to the side and preferably in the back. In rural, uncongested areas buildings should be set well back from the road so as to conform to the rural character of the area. If the parking is in front, a generous, landscaped buffer between road and parking lot is to be provided. Unused areas should be kept natural, as field, forest, wetland, etc.

2. Where two or more buildings are proposed, the buildings should be grouped and linked with sidewalks; tree planting should be used to provide shade and break up the scale of the site. Parking areas should be separated from the building by a minimum of five (5) to ten (10) feet. Plantings should be provided along the building edge, particularly where building facades consist of long or unbroken walls.

The standards of this section do not apply to the application.

Based on these facts the standards of this section have been met.

SECTION 300 – AQUIFER PROTECTION (if applicable)

The use is located in the Aquifer Protection district. Due to the small size of the project and its intended use, no positive finding by the board is required.

Mr. Powers moved to approve the proposed findings of fact as presented.

Mr. Turner seconded.

VOTE: Unanimous

Mr. Turner moved to approve the minor site plan approval to MSAD# 51 for an 8' x 12' storage shed on Chebeague Island, Tax Assessor Map I06, Lot 31, with the standard and additional conditions of approval.

Ms. Howe seconded.

VOTE: Unanimous

Standard Conditions of Approval

This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents, except de minimus changes as so determined by the Town Planner which do not affect approval standards, is subject to review and approval of the Planning Board prior to implementation.

Additional Conditions of Approval

1. The site plan is to be amended to show the actual location of the storage shed.
2. The approval is conditional upon the applicant receiving a special exception from the Board of Adjustment and Appeals.

Mr. Hunt asked Board members if they had any non-reactive projects they would like to discuss with the Town Planner.

Ms. Howe stated that it would have been helpful to have received the Department Head reviews on the Draft Chebeague Island Comprehensive Plan.

Mr. Turner asked about the Route One Guidelines. He would also like to see some design review standards for commercial buildings such as the proposed post office.

Mr. Powers agreed the Town should be prepared for potential development of Route One. He voiced concerns with Route 9 (Main Street). The community needs to make the commitment to preserve the area as residential or to allow the gradual change of the residential zone to allow more businesses. The use of signage is becoming an issue in the Town. As growth increases north of Cumberland the traffic impact will be felt on Route 9. The increased burden should be addressed regionally. The Pineland Center will create an increased burden on all surrounding road systems.

Mr. Turner asked about Pineland's level of review.

Mr. Hunt stated Pineland went through extensive review by New Gloucester, Gray, Pownal and some review by North Yarmouth. DEP and DOT have also reviewed the project.

Mr. Turner asked about DOT issues.

Mr. Hunt stated most of the traffic impact issues have been Depot Road, and Gray Center and the turnpike access down Route 231 from Auburn.

Mr. Turner stated it is a significant development and change of use, which will increase traffic.

Mr. Hunt stated there would be office uses, store uses, a farm operation, which will be visited by the community and school children.

Mr. Turner asked about the regulation of signs.

Mr. Hunt stated signs are regulated in section 424 of the Zoning Ordinance. The Board of Adjustment and Appeals regulate Home Occupations and signs.

Mr. Powers stated that at a recent home occupation request the Board members felt they had little guidance in the usage of signs.

Mr. Hunt stated there is quite a bit of detail in the ordinance regarding specifics of size, lighting, portability etc.

Mr. Fillmore stated Ms. McPheters and he have discussed the sign ordinance. They would like to have a more suitable and equitable review for signs, which may include staff review.

Mr. Taylor asked about urban or rural development guidelines for developers, specifically for sidewalks. Another concern was lack of information between Board of Adjustment and Appeals and the Planning Board.

Mr. Hunt stated one of the jobs of the Board of Adjustment and Appeals is to interpret the Ordinance or the opinion of the Code Enforcement Officer.

Mr. Turner asked about receiving minutes of the Board of Appeals.

Mr. Hunt stated traditionally the Planning Board looks at the projects on a case by case basis and determines whether sidewalks would be required. The presumption of the Ordinance is that all developments would have sidewalks. The burden is on the developer to persuade the Board on the need of or lack of need for sidewalks. If there were a sense of the Town's view of sidewalks and trails, it would be easier to envision a future need. If a development does not connect to any existing trails or sidewalks there is no need for sidewalks.

Mr. Taylor asked if there was a preference from Town Council on private or public roads. His utility experience makes him leery of private ways.

Mr. Powers stated the Town has very little input into design of projects. He would like the Planning Board to have the ability to have some input.

Mr. Fillmore stated that adding Site Plan Review to subdivision review would give the Board input into the design.

Mr. Hunt stated Route One design standards would be important. The Route One design standards in Falmouth and Yarmouth cover the appearance of structures, exterior finish, lighting, architecture things of that nature. The Board feels this should be a priority item.

Mr. Turner stated if the Post Office had gone into the Chase Flower Shop location, there was no mechanism to control design.

Mr. Powers stated he is more concerned with design standards for commercial use. Traffic connections are another concern, cul-de-sacs are a reflection of inadequate planning. The Town should have a macro view of traffic with an overview of impact with other towns. He voiced concerned that a the number of residential construction units taking place on private roads almost equals or exceeds the number of applications that come before the Planning Board for subdivision review.

Mr. Fillmore stated the Town has signed onto a fledging committee with the Greater Portland Council of Governments called the "corridor coalition" which include Routes One, 9, 26 and 100.

Mr. Hunt stated the Route 9 problem needs to be addressed. Most of the Center of Town exits onto Route 9, and the major traffic generators such as the school, post office, and food stop are located in the Center on Route 9. The school will be moving its recreation areas to the Twin Brook fields. Parents will be going from one field to the other and there are no road connections from Twin Brook to Greely Road. Traffic will have to drive up Greely Road down Main Street and down Tuttle Road. The Town should be trying to find ways to keep the through traffic from further clogginh up the Center of Town. The Town needs a plan to improve and make better the existing highway net, whether it is expanding the width of the roads for pedestrian walkways or particularly to get to the recreation areas from the center of Town. Route One Design Guidelines are a priority.

Mr. Taylor asked if the Planning Board had ever presented the Council with a long-range master plan.

Ms. Howe stated there was a comprehensive plan that was adopted in June 1998 by the Council.

Mr. Turner stated with the design of the new school there is an opportunity to improve traffic in the Center of Town.

Mr. Hunt stated the Comprehensive Plan goals were:

1. To develop road standards, which match the use, they will serve.
2. To ensure private roads are built to a standard that will allow the town to provide public services.
3. To provide safe roads in good conditions.
4. To strive for safe roads for bicycles and pedestrians.
5. To take steps to encourage residents to use alternative transportation.
6. To encourage the trail system.
7. To manage and control, through traffic so as to minimize adverse impacts and assure safety for residential neighborhoods.
8. To encourage adequate, affordable, and uninterrupted transportation to and from Chebeague Island.

The specific actions taken by the Planning Board were to determine standards for the level of use the road was to have. This was done. To have the Planning Board develop standards for private roads that ensure such roads will be built to a standard, which would allow town vehicles to safely use them. Section 421 of the Zoning Ordinance addresses Private Ways. To have the staff research accident rates, and determine why the accidents occur and develop a schedule to correct the problems. Using the Tuttle Road byway as an example, have the long-range Planning Committee re-evaluate the Byways Plan. To have the long-range Committee explore the possibility of developing park and ride lots to encourage car-pooling or future rail service. To encourage the Town Council to continue discussions on the state and local level to ensure that adequate parking and transportation is provided to Chebeague Island residents. This has been done. Have the Islands Committee make recommendations regarding parking to serve Island wharves. The traffic issues, the Comprehensive Plan has addressed.

Mr. Fillmore stated he would like these issues to be winter projects. Assistant Town Manager Carla Nixon and Councilor Donna Damon are researching the paper streets on Chebeague. Councilor Damon gave a tour to the Council prior to the Town Council meeting.

Mr. Hunt stated the Planning Board was to hold a public hearing on the Island and make recommendations to the Council. The Town extended the rights to the paper streets for another twenty years.

Mr. Turner asked about the changes in the new subdivision laws. There was some question if a town had home rule authority. The amendments made in June reference relatives and gifting of lots. Was the implied home rule authority taken away?

Mr. Fillmore stated he was not sure.


Mr. Powers asked Mr. Fillmore about his project goals and plans.

Mr. Fillmore stated he would write a memo to the Planning Board with an approximate time line and priority of expected projects. He stated some of his pet projects are getting the school built as a "good neighbor", connectivity of roads (a priority), Route One Design Guidelines, a lighting ordinance for the Town, and public access to the ocean.

Move to adjourn: 8:20 p.m.

A TRUE COPY ATTEST:


Philip Hunt, Board Chair


Pam Bosarge, Board Clerk

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

P. O. Box 6A

Cumberland Center, ME 04021

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

Board of Directors

Minutes

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.

Attendance:

Board of Directors: John Aromando, Maryellen Fitzpatrick, Polly Haight Frawley, Henry Kennedy, Betts Gorsky, Audrey Lones, Kim True, Bob Vail

Administrators: Brenda Breton, Becky Foley, Wayne Fordham, Don Foster, Suzanne Godin, Robert Hasson, Pat Palmer, Scott Poulin, Susie Robbins, Scott Smith, Judy True

2. Approval of the Minutes – of the Board of Directors meetings held on September 10, 2001.

Motioned 2nd ed.

Voted: To approve the minutes of the Board of Directors meeting held on September 10, 2001. (Voted: 7-0, 1 absent)

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 to Publish Student Information on the District's Web Site	JKF	Disciplinary Removal of Students 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

- Election / appointment of new Chairperson of the Board of Directors

I, John Aromando, nominate Kim True for appointment to the position of Chairperson of the Board of Directors.

Motioned: John Aromando second: Henry Kennedy

Voted: to appoint Kim True as Chairperson of the MSAD #51 Board of Directors, to become effective at 12:01 A.M., September 18, 2001. (Voted: 8-0)

- Election / appointment of new Vice Chair of the Board of Directors.

I, Audrey Lones, nominate John Aromando for appointment to the position of Vice Chairperson of the Board of Directors.

Motioned: Audrey Lones second: Henry Kennedy

Voted: to appoint John Aromando as Vice Chairperson of the MSAD #51 Board of Directors, to become effective at 12:01 A.M., September 18, 2001. (Voted: 6-0, 2 opposed)

b) Vote to appoint athletic co-curricular stipend positions for the 2001-2002 school year

Motioned 2nd ed.

Voted: to appoint athletic co-curricular stipend positions for the 2001-2002 school year. (Voted: 8-0)

GJHS Grade 7 girls soccer – Katie Frank

GJHS Grade 7 boys soccer – Peter Valente

GHS Cheerleading – Nicole Nadeau

GHS Cheerleading – Keri Bals

c) Vote to appoint co-curricular stipend positions for the 2001/2002 school year

Motioned: 2nd ed.

Vote to: to appoint co-curricular stipend positions for the 2001/2002 school year. (Voted: 8-0)

Freshmen Class Advisor – Rick Yager

Sophomore Class Advisor – Margaret Yenco

Junior Class Advisor – Cherie Perkins

d) Appointment of individuals to teaching positions for the 2001-2002 school year

Motioned 2nd ed.

Vote to: to appoint (Voted: 8-0)

MIW

Julie Chandler - .5 Guidance

District

Melissa Dauteuil – Occupational Therapist

e) Confirm committee appointments

Motioned: 2nd ed.

Vote to: to confirm committee appointments. (Voted: 8-0)

f) Vote to adopt revised 2001-2002 school calendar

Motioned: 2nd ed.

Vote to: adopt revised 2001-2002 school calendar. (Voted: 8-0)

g) Vote to approve IASA 2001 Grant.

Motioned: 2nd ed.

Vote to: approve IASA 2001 Grant. (Voted: 8-0)

6. Adjourn Meeting 9:25 PM

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

9/17/01 BOD Minutes

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

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

P.O. Box 6A

Cumberland Center, ME 04021

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

Board of Directors

Minutes

Monday

October 1, 2001

7:00 PM

Mabel I. Wilson School Multipurpose Room

1. Call To Order - by MSAD #51 Board of Directors Chairperson, Kim True at 7:08 PM.

Attendance:

Board of Directors: John Aromando, Maryellen Fitzpatrick, Polly Haight Frawley, Henry Kennedy, Betts Gorsky, Audrey Lones, Kim True, Bob Vail

Administrators: Brenda Breton, Becky Foley, Wayne Fordham, Suzanne Godin, Robert Hasson, Pat Palmer, Scott Poulin, Susie Robbins, Scott Smith, Judy True, Penny Wheeler-Abbott

2. Approval of the Minutes – of the Board of Directors meetings held on September 17, 2001.

Motioned 2nd ed

Voted: To approve the minutes of the Board of Directors meeting held on September 17, 2001.

(Voted: 7-0)

3. Presentations

a) BOD goal setting

4. Committee Reports

- a) Finance Committee
- b) Negotiation Committee
- c) Design Team
- d) Steering Committee
- e) Policy Committee
- f) Facilities

5. Items for Action

a) Vote to approve coaching positions

Motioned 2nd Ed

Voted: To approve coaching positions. (Voted: 8-0)

Intramural Coordinator Martyn Keen

GJHS Girls Lacrosse Eleanor Alexander

GJHS B/G Track & Field Denise Allen

b) Vote to appoint co-curricular stipend positions for the 2001/2002 school year

Motioned 2nd ed

Voted: To appoint co-curricular stipend positions for the 2001/2002 school year. (Voted: 8-0)

CIS

Chebeague Island Coordinator

Carin Wilson

MIW Monthly Grade Level Chairs

	Kindergarten	1st Grade	Multiage	2nd Grade	3rd Grade	Specialists/ Special Ed.
September	Brown/Russell	Erskine	O'Rourke	Pattison	Esty	Whittier/ Arsenault
October	Brown/Russell	Colby	O'Rourke	Pattison	Folley	Beaule/ Lowery
November	Brown/Russell	Erskine	O'Rourke	Libby	Esty	Demick/ Lonegan
December	Brown/Russell	Colby	O'Rourke	Libby	Folley	Lawler/ Sproul
January	Brown/Russell	Erskine	O'Rourke	Chesley	Esty	Mock/ Burrall
February	Grosso/King	Colby	O'Rourke	Chesley	Folley	Stanley/ Lapoint
March	Grosso/King	Erskine	O'Rourke	Allen	Esty	Shufelt/ Conley
April	Grosso/King	Colby	O'Rourke	Cooper	Folley	Locker/ Sproul
May	Grosso/King	Erskine	O'Rourke	Cooper	Esty	Whittier/ Crumrine
June	Grosso/King	Colby	O'Rourke	Cooper	Folley	Rozene/ McMellon/Dwyer

NYMS

Student Council

Co-Team Leader Gr. 4

Co-Team Leader Gr. 4

Team Leader Gr. 5

Team Leader Specialist

Yearbook

Teacher Leadership

Tammy Heathco

Dixie Hayes

Sheila Mayberry

Carol Pappas

Candy Price

Lynda McCann-Olson

Ann Bilodeau

DRS

Student Council	Lucy Vaughan
Team Leader Gr. 6	Andrea Powell
Team Leader Multiage	Lucy Vaughan/Julia Hanauer-Milne
Yearbook	Dave Brown
Teacher Leader/Staff Dev.	Patricia Wolff
Teacher Leader/Facility Mgmt.	Ken Marks
Teacher Leader/Community Outreach	Pat McGillicuddy
Certification Chair	Ken Marks

GJHS

Literary Magazine	Mary Hinman
Math Team	Kaleele Sarkis-Ahlers
Japan Exchange	Patty Mullen
Outing Club	Mark Phillips
Outing Club	Rick Hogan
Outing Club	Erica Corbett
Peer Leaders	Bobbi Goodwin
Shop Maintenance	Bill Jones
Student Council	Shirley Storey-King
Gr. 8 Team Leader	Wright Faatz
Gr. 8 Team Leader	Steve Hill
Gr. 8 Team Leader	Kim Brandt
Gr. 7 Team Leader	Shirley Storey-King
Gr. 7 Team Leader	Mary Belisle
Gr. 7 Team Leader	Rick Hogan
Foreign Language	Nora Noonan
Allied Arts TL	Scott Thurston
Yearbook	James Treadwell/Elizabeth Fenwick
Teacher Leader	Mary Hinman
Foreign Language Club	Kim Brandt

GHS

Foreign Language Dept. Head	Grace Leavitt
Critical Friends	Katie Dexter
Math Dept. Head	Dan McKeone
Math Team	Joyce Hale
Specials Dept. Head	Todd Livingston

c) **Vote** to appoint mentor/support team co-curricular stipend positions for the 2001/2002 school year

Motioned 2nd ed

Voted: to appoint mentor/support team co-curricular stipend positions for the 2001/2002 school year.

(Voted: 8-0)

	Mentors	Support Teams/Support System
MIW		
Will McMellon	Nancy Boucher	
Shelley Schweizer		Nancy Boucher
Johna King	Jenna Erskine	
Donna Stoudt	Bonnie Esty	
Debbie Harmon	Theresa Folley	
		Liz King (Support System)
		LeeAnn Kennie (Support System)
Julie Chandler	Kathy Locker	Liz King
Alison Manion	Luann Lawler	
Julie Chandler	Kathie Locker	
Emily Bergson	Sue Williams	Liz Pattison
Melissa Colby	Paul White	Lynn Spadinger
Dafney Shufelt	Linda Whittier	
Kristyn Allen	Sue Williams	Liz Pattison
		Sue Williams (Support System)
Kathy Hardy	Karen Williamson	
NYMS		
Jennifer Piesik	Dixie Hayes	
Carrie Hedman	Maggie Alexander	Steve Jack
Monica Simmons	Dena McFarland	Julie Kingsley
Carol Chandler		Gary Pighetti
		Gary Pighetti (Support System)
Shelley Schweizer	Jean West	
DRS		
Tom Madden	Linda Naas	Donna Colbeth
Holly Groom	Ken Marks	Donna Colbeth
		Ken Marks (Support System Chair)

GJHS

Tammy Heathco
Morgan Cuthbert

Mari Baker
Mary Belisle

Dick Mahany
Dick Mahany (Support System)

Doug Maker
Tina Edwards
Jane Crowley
Diane Peters
Teresa Swinbourne
Erica Corbett

Wright Faatz
Bobbi Goodwin
Mary Hinman
Anne Smith
Dick Mahany
Nora Noonan

Martyn Keen

Anne Ervin

Doreen Thompson

Mary Ryder
Shirley Storey-King (Support System)
Beth Fenwick

GHS

Kelly Welch

Tom Pascarella

Denise Allen
John Day (Support System)
Barry Mothes

Peter Ryan
Elaine Brassard
Carol Nale
Sebastian Brenes
Sue Bartlett
Esther Coyle
Joyce Hale
Diane Libby-Rose

Katie Dexter
Sue Hunt
Sue Hunt
Grace Leavitt
Frankie Stone
Dan McKeone
Doug Pride
Karen Roykouff

Jessica Zipper
Rachel Macgowan

Frankie Stone (Support System)

6. Adjourn Meeting 9:30 PM

Upcoming Meetings/Events

9/27/01 – Yom Kippur
10/2/01 – Finance Committee Meeting, Central Office, 7:00 AM
10/2/01 – Sukkot
10/2 and 3/01 – GHS Yearbook Pictures – Grades 9 & 11
10/3/01 – Kindergarten Open House, 6:30 – 8:30 PM
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
10/10/01 – Volunteer Orientation Coffee at Val Halla
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
10/18/01 – Drowne Rd. School photos
10/18/01 – BOD and Steering Committee Public Forum, North Yarmouth Memorial School, 7:00 PM
10/19/01 - Bus Driver and Custodian Appreciation Day
10/19/01 – GJHS School photos
10/20/01 – PSAT Test
10/24/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/24/01 - BOD and Steering Committee Public Forum, GJHS, 7:00 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 15, 2001 – Chebeague Island School

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

October 1, 2001

7:00 PM

Mabel I. Wilson School Multipurpose Room

1. Call To Order - by MSAD #51 Board of Directors Vice Chairperson, Kim True.
2. Approval of Minutes
3. Presentations
 - a) BOD goal setting -
4. Committee Reports
5. Items for Action
 - a) Vote to approve coaching positions
 - b) Vote to appoint co-curricular stipend positions for the 2001/2002 school year
 - c) Vote to appoint mentor/support team co-curricular stipend positions for the 2001/2002 school year.
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:

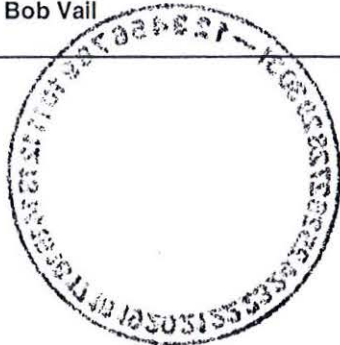
- Use effective instructional practices and provide professional development to assure that all students meet or exceed the District's benchmarks and outcomes;
- Ensure a safe and respectful environment where all feel a sense of belonging; and
- Promote parental participation as fundamental to each student's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

9/27/01 – Yom Kippur
10/2/01 – Finance Committee Meeting, Central Office, 7:00 AM
10/2/01 – Sukkot
10/2 and 3/01 – GHS Yearbook Pictures – Grades 9 & 11
10/3/01 – Kindergarten Open House, 6:30 – 8:30 PM
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
10/10/01 – Volunteer Orientation Coffee at Val Halla
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
10/18/01 – Drowne Rd. School photos
10/18/01 – BOD and Steering Committee Public Forum, North Yarmouth Memorial School, 7:00 PM
10/19/01 - Bus Driver and Custodian Appreciation Day
10/19/01 – GJHS School photos
10/20/01 – PSAT Test
10/24/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/24/01 - BOD and Steering Committee Public Forum, GJHS, 7:00 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 15, 2001 – Chebeague Island School

**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

There will be two boats:

- For the 5:00 PM boat, the bus leaves the MSAD #51 Garage, Drowne Rd., at 4:30 PM and the Methodist Church on Tuttle Rd. at 4:38 PM for those who would like to leave from that location.
- For the 6:00 PM boat, the bus leaves the MSAD #51 Garage, Drowne Rd., at 5:30 PM and the Methodist Church on Tuttle Rd. at 5:38 PM for those who would like to leave from that location.
- The boat departs the island at 9:00 PM for the return trip.

Monday

October 15, 2001

7:00 PM

Chebeague Island School, Chebeague Island

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

2. Approval of Minutes

3. Superintendent's Report

4. Presentations

- a) Transportation – Don Foster
- b) CIS Update – Susie Robbins
- c) Chebeague Island School Advisory Committee – Carol White
- d) Discussion of Board goals

5. Committee Report

- a) Finance Committee
- b) Negotiation Committee
- c) Design Team
- d) Steering Committee
- e) Policy Committee

6. Items for Action

- a) Vote to approve Gifted and Talented Phase-In Plan Annual Update for 2001-2002
- b) Vote to approve coaching positions
- c) Vote to appoint co-curricular stipend positions for the 2001/2002 school year

7. Adjourn Meeting _____PM

MSAD #51 Mission

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

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

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

Board Goals for 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, Vice Chair	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, Chair	829-3209	ktrue1@maine.rr.com
Bob Vail	829-5393	

Upcoming Meetings/Events

10/10/01 – Volunteer Orientation Coffee at Val Halla
10/15/01 – GHS District II Auditions
10/16/01 – Steering Committee, MIW Library, 7:00 PM
10/16/01 – Book Fair, GJHS Library
10/16/01 – Finance Committee Meeting, Central Office Conference Room, 7:00 AM
10/16/01 – Policy Committee Meeting, Central Office Conference Room, 4:30 PM
10/17/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/18/01 – Drowne Rd. School photos
10/18/01 – BOD and Steering Committee Public Forum, NYMS, 7:00 PM
10/18/01 – NYMS School pictures
10/19/01 - Bus Driver and Custodian Appreciation Day
10/19/01 – GJHS School photos
10/20/01 – PSAT Test
10/23/01 – Policy Committee Meeting, Central Office Conference Room, 4:30 PM
10/24/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/24/01 - BOD and Steering Committee Public Forum, GJHS, 7:00 PM
10/25/01 – Multiage Open House, DRS, 6:30 PM
10/26/01 – Pumpkinfest, GHS 5:30 – 7:30 PM
10/28/01 – Daylight Saving Time Ends – Set clocks back one hour
10/30/01 - Policy Committee Meeting, Central Office Conference Room, 4:30 PM
10/31/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/31/01 – Halloween
11/1/01 – First Practice – Jr. High School boy's basketball (tentative)
11/1/01 – GHS PAC meeting, 4:00 PM
11/2/01 – End of 1st Quarter
11/6/01 – Referendum: Voting day on 1) Middle School project and 2) Phase I of the high school renovation of GJHS project, Cumberland Town Hall and North Yarmouth Town Hall, 7:00 AM – 8:00 PM
11/6/01 - Policy Committee Meeting, Central Office Conference Room, 4:30 PM
11/7/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
11/10/01 – Foundation 51 Auction Third Annual Dinner Auction, 58 Fore St., Portland
11/12/01 – Veterans Day Observed – no school
11/13/01 - Policy Committee Meeting, Central Office Conference Room, 4:30 PM
11/14/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
11/15/01 – GHS Play “Annie Get Your Gun,” 7:30 PM
11/16/01 – GHS Play “Annie Get Your Gun,” 7:30 PM
11/16/01 – GHS: Make-up day for yearbook pictures
11/16 and 11/17 - All State Auditions
11/17/01 – GHS Play “Annie Get Your Gun,” 7:30 PM
11/18/01 – GHS Play “Annie Get your Gun,” 2:00 PM
11/19/01 – First Practice High School Winter Athletics (tentative)
11/19/01 – All New England Band Festival
11/19 and 11/20 – Teacher Inservice Days and Parent/Teacher Conferences - No School
11/20/01 - Policy Committee Meeting, Central Office Conference Room, 4:30 PM
11/21/01 – Thanksgiving Break starts - No School
11/22/01 – Thanksgiving – No School

11/23/01 – Thanksgiving – No School

11/26 through 12/7 – MEA Testing: Grades 4, 8, & 11

11/27/01 - Policy Committee Meeting, Central Office Conference Room, 4:30 PM

11/28/01 – GHS ASVAB Test

11/28/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM

Next Meeting:

Monday, November 5, 2001 – Mabel I. Wilson School Multipurpose Room

**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

October 1, 2001

7:00 PM

Mabel I. Wilson School Multipurpose Room

1. Call To Order - by MSAD #51 Board of Directors Vice Chairperson, Kim True.
2. Approval of Minutes
3. Presentations
 - a) BOD goal setting
4. Committee Reports
5. Items for Action
 - a) Vote to approve coaching positions
 - b) Vote to appoint co-curricular stipend positions for the 2001/2002 school year
 - c) Vote to appoint mentor/support team co-curricular stipend positions for the 2001/2002 school year.
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:

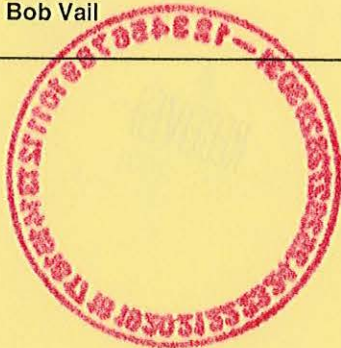
- Use effective instructional practices and provide professional development to assure that all students meet or exceed the District's benchmarks and outcomes;
- Ensure a safe and respectful environment where all feel a sense of belonging; and
- Promote parental participation as fundamental to each student's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

9/27/01 – Yom Kippur
10/2/01 – Finance Committee Meeting, Central Office, 7:00 AM
10/2/01 – Sukkot
10/2 and 3/01 – GHS Yearbook Pictures – Grades 9 & 11
10/3/01 – Kindergarten Open House, 6:30 – 8:30 PM
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
10/10/01 – Volunteer Orientation Coffee at Val Halla
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
10/18/01 – Drowne Rd. School photos
10/18/01 – BOD and Steering Committee Public Forum, North Yarmouth Memorial School, 7:00 PM
10/19/01 - Bus Driver and Custodian Appreciation Day
10/19/01 – GJHS School photos
10/20/01 – PSAT Test
10/24/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/24/01 - BOD and Steering Committee Public Forum, GJHS, 7:00 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 15, 2001 – Chebeague Island School

*checked
10-22-01
M*

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

COMMISSIONERS' MEETING

MINUTES

September 10, 2001

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

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

Minutes of the regular meeting of August 27 and special meetings of August 23, 27 and 28, 2001 were approved as written. Commissioner Plummer abstained from voting on the August 23 and 28 meetings, as he did not attend them.

Peter Crichton, County Manager, reported that he would be presenting his FY2002 budget recommendations at the Budget Advisory Committee meeting scheduled for Wednesday, September 12 at 6:30 PM in the Jury Assembly Room at the Courthouse.

Robert Devlin, Deputy County Manager, reported that the Strategic Planning retreat with County department heads and key staff has been scheduled for September 20 at 5:30 PM at the Scarborough Town Hall; and a meeting with the Cumberland County Legislative Delegation scheduled for September 24 has been postponed as many legislators and community leaders were unable to attend due to other commitments.

Commissioner Feeney initiated discussion on a preliminary meeting with Peter O'Donnell before their meeting with the Commissioner of Mental Health regarding the recent problems with the County's inmate health care providers.

Chairperson Clenott welcomed the return of our loyal meeting attendee, Sylvia Plumley of Standish. She also noted that County officials had met earlier in the day with the Portland City Council regarding budget issues.

01-80 Approval, Continuation, Advertising for Correction Officers

Mr. Crichton commended Judy Klein-Golden, Human Resources Director, on her efforts in recruiting of applicants for correction officers, and supported her request to continue.

Ms. Klein-Golden reviewed the current advertising efforts of ads in the Maine Sunday Telegram, the Employment Times, and the commercials on Fox51/UPN35. She reported that to continue these efforts through the last quarter of the year, the costs would be \$10,593 for the Maine Sunday Telegram, \$10,920 for the Employment

Times, and \$11,775 for Fox51/UPN35. She highlighted the applicant/hired ratio from the current advertising efforts, as well as the vacancy rate. Commissioner Plummer initiated discussion on the changes due at FOX51/UPN35 due to the Time Warner Cable replacement of them with the WB channel, and suggested that they approve the two ads, but wait until Ms. Klein-Golden receives clarification from FOX51/UPN35 officials before approving the commercials.

Motion by Commissioner Feeney to approve the continuation of advertising, at a cost of \$10,593 for the Maine Sunday Telegram and \$10,920 for the Employment Times. Second by Commissioner Plummer, so voted.

01-81 Authorization, Application for FEMA Mitigation Grant, EMA

Mr. Crichton reported that this item was to be discussed in a workshop, but it had been postponed due to other pressing issues. He stated that he felt it was a good example of regional partnership and cooperation.

George Flaherty, EMA Director, and Betty McIness, Director of Cumberland County Soil & Water Conservation District, reviewed the grant application and program, which would be the first step in the development of a comprehensive and collaborative effort for planning, design and construction of storm water management systems. Mr. Flaherty reviewed the project costs of \$60,322 of which Cumberland County would be responsible for 25% (\$15,080). He noted that there was currently \$10,000 in the CIP for stormwater issues, and he has requested an additional \$30,000 in the proposed budget for FY2002. Commissioner Plummer clarified that the County Manager would be recommending at least the balance of \$5,080 in his CIP budget recommendations.

Motion by Commissioner Plummer to approve the application and acceptance of the grant for FEMA mitigation Funds, with a County commitment of \$10,000 from the current CIP and \$5,080 in the FY2002 CIP. Second by Commissioner Feeney, so voted.

01-82 Authorization, Comprehensive Grants, CCSO

Vic Labrecque, Director of Budget and Planning, reviewed the staff report for award notification of two grants: Seatbelt Enforcement Grant (Bureau of Highway Safety) for \$7,125 and Local Law Enforcement Block Grant (Bureau of Justice) for \$10,020. He reported that the grants do not require any matching funds from the County, and it was the Sheriff's recommendation that the County accept the grant awards. The County Manager concurred with the recommendation.

Discussion ensued regarding the conditions and use of the two grants. As no one from the Sheriff's department was present to answer questions, this item was postponed until the next meeting.

01-83 Request for Deputy Sheriff Commissions

The following request for deputy sheriff commissions were received from Sheriff Dion: Steven Mazziotti, MDEA; Todd Barlow, Amy Berry, Adam Howard, Jeffrey McCue, Edward Sawyer, David Smith, and Kevin Webster, South Portland PD; Gino Bianchini and Gerald Schofield, Freeport PD; Barry Cushman, Portland PD; Bruce Flanders, Paul Martin, Michael Morrill, Michael Peacock, and Dean Perry, Yarmouth PD; Cory Plummer, Windham PD; John Baron, Peter Beliveau, William Bessette, Thomas Coulombe, Gary Cummings, Charles Elliott, Erik Frigon, Regan Goan, David Hall, Kevin Joyce, Marc Montminy, Paul Pettingell, and Fred Stasinowsky, CCSO.

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

No further business conducted; motion to adjourn at 7:50 PM.

ATTEST:



Timothy J. Jarvis
Deputy Clerk

Next regular meeting: Monday, September 24, 2001 at 7:00 PM.

Council
R43
10-22-01

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

COMMISSIONERS' MEETING

MINUTES

September 24, 2001

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

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

Minutes of the regular meeting of September 10, 2001 were approved as written. Chairperson Clenott remarked that it was inconceivable that as they had been involved in the regular concerns of County Government at the last meeting, life as we know it would be forever changed by the events of the following day, September 11, when the United States was suddenly attacked by foreign terrorists, resulting in the deaths of thousands of innocent people.

Peter Crichton, County Manager, reported that the Jail Administrator, Director of Budget & Planning, and the Sheriff's Fiscal Officer were currently in St. Louis, Missouri attending a meeting to discuss inmate health care services. He expected they would return on Wednesday, and hopefully he would have a report by the end of the week. He noted that this was an important issue at this time, having had two providers in two years, and now looking for a third. He also noted that these issues would have unknown effects on the budget at this time. He reported that the second meeting of the Budget Advisory Committee was scheduled for October 3 at 6:30 PM in the Jury Assembly Room on the second floor of the courthouse. He noted that the recent Strategic Planning Retreat was successful, with a good discussion on what should be the top five priorities out of the 30 recommended by the Strategic Planning Committee: improving the working relationship with municipalities; new technology for the Registry of Deeds and Registry of Probate; expansion of the courthouse; putting a County insert into the envelopes that municipalities send out with their tax bills; and the problem of jail funding. He hoped to begin implementing these top five priorities in FY2002.

Commissioner Feeney reported that he and Mr. Crichton had attended a meeting with the Scarborough Town Council recently, to discuss issues ranging from strategic planning to the county jail. He noted that the meeting was being broadcast on the local access channel, and he had received a few comments from constituents.

He commended Commissioner Plummer for the excellent chairing of the recent Strategic Planning Retreat.

Chairperson Clenott commended Commissioner Feeney for his fine representation of County Government at the Scarborough meeting. She also commended the performance of FEMA, MEMA and EMA during the recent terrorist attacks. She reported that she and Bob Devlin, Deputy County Manager, had begun coordinating next year's MCCA convention, to be hosted by Cumberland County Government.

01-82 Authorization, Comprehensive Grants, CCSO

Mr. Crichton reported that this had been postponed at the last meeting because there had been no one present from the Sheriff's Department to answer questions regarding the two grant awards the County has received.

Chief Deputy Richard Gagliano and Captain Kevin Joyce reviewed the two grants the Sheriff's Department has applied for and been awarded; one in the amount of \$7,125 for Seatbelt Enforcement and the second in the amount of \$10,020 for a Local Law Enforcement Block Grant (LLEBG). Mr. Crichton concurred with the recommendation to accept the grant funds.

Motion by Commissioner Feeney to accept the Seatbelt Enforcement Grant in the amount of \$7,125 and the LLEBG in the amount of \$10,020. Second by Chairperson Clenott, so voted.

01-84 Approval, Revision, Administrative Regulation #2, Purchasing Policy

Mr. Crichton reported that the Legislature passed LD#1287, which increased the bid requirements from \$2,500 to \$10,000. He presented a revised administrative regulation, raising the former amount of \$2,500 up to \$5,000. He recommended the Board approve the revision.

Chairperson Clenott inquired why he hadn't raised it to the level of \$10,000 as approved by the Legislature. He replied that after consultation with the Director of Budget & Planning and other department heads, he felt that \$5,000 was a better figure. He noted that the legislature is not always aware of the situations behind the bids, and since the County's fiscal management is so closely scrutinized, the amount of \$5,000 was more prudent. Commissioner Feeney agreed. Chairperson Clenott noted her wish for further discussion, when Commissioner Plummer could be involved, and the item was postponed until the next meeting.

01-85 Bid Report, Wireless Telephone Service, CCSO

Brendan Benson, Purchasing Agent, reported that the Sheriff's Office had put out an RFP for wireless telephone services and received two bids; one from Verizon Wireless, the

current provider, and one from AT&T Wireless. He reviewed the bids, noting that the Verizon proposal projected a yearly cost of \$9,580.80 along with a charge of \$3,476.49 for upgrades to the current equipment. There would be no cost savings in the first year and an annual cost that is \$1,484 higher than AT&T for the same coverage. The AT&T proposal includes new upgraded equipment at no cost, the activation fee has been waived, and a projected yearly cost of \$8,096.76. The proposal would also be extended to other County departments for additional equipment free until the end of October 2001, with a one-year service contract. He noted that there would be a \$2,100 cost for early termination from the current Verizon agreement, but the Sheriff's Department would still realize a \$4,000 savings due to the lower annual rate and the new equipment at no charge. He reported that the Sheriff's recommendation was to award the bid to AT&T, and the County Manager concurred with the recommendation.

Chief Deputy Gagliano reported that the Sheriff's Department was not satisfied with the current service from Verizon, and he commended Genie Beaulieu and Mr. Benson on their excellent work on the RFP and the proposal with AT&T. Discussion ensued with Jeanne Lajoie of AT&T regarding the number of phones, the newer equipment and the rates.

Motion by Commissioner Feeney to approve the payment of \$2,100 for termination of the current Verizon agreement. Second by Chairperson Clenott, so voted.

Motion by Commissioner Feeney to authorize the Sheriff's Department to enter into the agreement with AT&T Wireless as presented. Second by Chairperson Clenott, so voted.

**01-86 Approval, Resolution Against Terrorism of September 11,
2001**

Chairperson Clenott reported that the National Association of Counties has urged counties across the United States to adopt a resolution regarding the terrorist attack of September 11, 2001.

The County Commissioners unanimously approved the following resolution:

"Whereas,

on September 11, 2001, the United States of America was suddenly and brutally attacked by foreign terrorists, and;

Whereas,

these terrorists hijacked and destroyed four civilian aircraft, crashing two of them into the twin towers of the World Trade Center in New York City, and a third into the Pentagon outside Washington, DC, and;

Whereas,

thousands of innocent Americans were killed as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers and bystanders, and;

Whereas,

these cowardly acts were by far the deadliest terrorist attacks ever launched against the United States, and, by targeting symbols of American strength and success, clearly were intended to intimidate our nation and weaken its resolve, and;

Whereas,

these horrific events have affected all Americans, it is important that we carry on with the regular activities of our lives. Terrorism cannot be allowed to break the spirit of the American people, and the best way to show these cowards that they have truly failed is for the people of the United States and their counties to stand tall and proud.

Therefore be it resolved,

that the Board of Cumberland County Commissioners condemns the cowardly and deadly actions of these terrorists; and;

Be it further resolved,

that the Board of Cumberland County Commissioners supports the President of the United States, as he works with his national security team to defend against additional attacks, and find the perpetrators to bring them to justice, and;

Be it still further resolved,

that the Board of Cumberland County Commissioners recommends to its citizens to support relief efforts by giving blood at the nearest available blood donation center, serving as a volunteer for relief agencies, or contributing financial assistance.

Signed and sealed on this date, September 24, 2001."

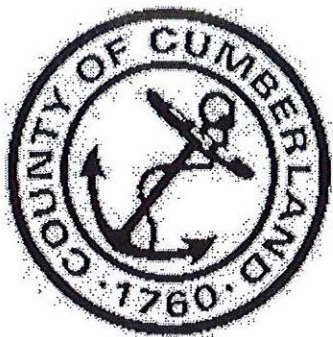
No further business conducted; motion to adjourn at 7:46 PM.

ATTEST:



Timothy J. Jarvis
Deputy Clerk

Next regular meeting: Tuesday, October 9, 2001 at 7:00 PM.



Council
20-22-01



October 24, 2001 Cumberland County Forum

The Cumberland County Board of Commissioners
cordially invite you to attend a forum with

Municipal, Legislative and County Officials of Cumberland County

to discuss the FY 2002 County Budget and Legislative Issues.

5:00– 7:00 P.M.
October 24, 2001
Room 231
Cumberland County Courthouse
Portland, Maine

Please RSVP by Thursday, October 18 @ 871-8380

Esther B. Clenott, Chair, Board of Commissioners
Gary E. Plummer, Commissioner
Richard J. Feeney, Commissioner

**County of Cumberland**

142 Federal Street, Suite 102, Portland,
ME 04101

Memo Revised October 4, 2001

To: Board of Commissioners

From: Bob Devlin, Deputy County Manager

Date: October 4, 2001

Ref. Budget Hearing Master Schedule

Cc. BAC Members, Elected and Appointed County Officials, Municipal Officials

FY 2002 Budget

Commissioner's Budget Hearings – Draft Budget

September 12, @ 6:00 p.m., Location: Jury Assembly Room, Courthouse Room 231

BAC Deliberations – Draft Budget

October 3, 2001 – CCSO – Jail Medical Contract, Law Enforcement @ 6:00 p.m.

Wednesday October 17, 2001- Human Services Committee @ 6:00 p.m. – 7:00 p.m. CCSO – Jail 7:00 p.m. 9:00 p.m. (continue discussion of law enforcement policies)

Thursday October 25th, 2001- @ 6:00 p.m. District Attorney, Facilities, Probate, Deeds, EMA, Treasurer. (departments may be requested to offer brief explanations of their proposed budget for 2002)

Location: Jury Assembly Room, Courthouse Room 231

Community Television Network

Live Call – In Program

Tentative - November 14th 7:00 p.m.

100 Oak Street Portland, Maine

District Hearings – Proposed Budget

November 8th – Naples

Location: Naples Town Office, Lamb Hill Road

Time: 7:00 p.m.

November 15th Portland

Location: Cumberland County Courthouse

Time: 7:00 p.m.

November 29th – South Portland

Location: Town Office

Time 7:00 p.m.

Final Budget Adoption

December 10, 2001 – Courtroom 1

► FORUM II: EQUITABLE TAX POLICY IN SCHOOL FUNDING

► CONFERENCE FOCUS: Equity for Taxpayers and Students

- | | |
|--|--|
| ❖ What constitutes:
good tax policy
equity for students
equity for taxpayers | ❖ Other States:
innovative tax policy
good tax policy |
| ❖ Providing:
stable, fair,
and adequate revenue | ❖ Kinds of Taxes:
property, sales,
income, others |
| ❖ Balance of funding:
state and local | ❖ Predictability |

► KEYNOTE ADDRESS

Donald J. Boyd is deputy director of the Nelson A. Rockefeller Institute of Government in Albany, New York.

► FEATURED SPEAKERS

Jane Amero	Richard Barringer	David Silvernail
	– University of Southern Maine	
S. Peter Mills	Wesley Bonney	
– Maine State Legislature	– Maine State Board of Education	
	Laurie LaChance	
	– Maine State Planning Office	

There will be ample opportunity for interactive discussion with all presenters.

► FORUM II INFORMATION

Cost: \$95.00 (Lunch included)
Date: November 9, 2001
Time: 8:30 a.m. - 3:00 p.m.
Location: Augusta Civic Center
Credit: 0.5 CEU
Enrollment: 100 Maximum
Information: 780-5326

Success for All Children: Equitable Tax Policy in School Funding

Name _____
Home Address _____
City _____ State _____ Zip _____
Telephone: (H) _____ (W) _____
Method of Payment: ☐ Check enclosed Amount \$ _____
☐ P.O.# _____
Agency _____
Address _____
☐ Credit Card (Circle One) Visa - Master Card - Discover Card
Amount \$ _____ Exp. Date _____ / _____
Credit Card Number _____ / _____ / _____
Signature _____

Please detach and submit with appropriate fee or purchase order.

Make Checks/Purchase Orders Payable to: University of Southern Maine
Complete this form and mail to: Professional Development Center,
University of Southern Maine, 305 Bailey Hall, Gorham, ME 04038

Please indicate if you need special services, assistance or accommodations to fully participate in this program by contacting the Professional Development Center at (207) 780-5326. Requests for reasonable accommodations must be received 48 hours in advance. USM does not discriminate on the basis of race, color, religion, sex, sexual orientation, national origin or citizenship status, age, disability, or veteran's status and shall comply with Section 504 and Title IX, and the ADA in employment, education, and all other areas of the University. The University provides reasonable accommodations to qualified individuals with disabilities upon request. Discrimination inquiries can be directed to Kathleen Roberts, 780-5171, TDD 780-4395, or to the Office of Civil Rights (617) 223-9692.

Council
NS
10.22-01

UNIVERSITY OF
Southern Maine

College of Education and Human Development
and
Muskie School of Public Service

Success for All Children

A Series of Forums on
Educational Policy

Forum II: Equitable Tax Policy in School Funding

What are the implications for property taxes,
school funding, and the economy?

featuring

DONALD J. BOYD

Nelson A. Rockefeller Institute of Government

Friday, November 9, 2001
Augusta Civic Center
Augusta, Maine

pdc

Professional Development Center
College of Education and Human Development
University of Southern Maine
305 Bailey Hall
Gorham ME 04038
207-780-5326

ROBERT B BENSON
TOWN MANAGER
TOWN OF CUMBERLAND
290 TUTTLE RD
CUMBERLAND CENTER ME 04021

Non-Profit Org.
U.S. Postage
PAID
Portland, ME
04101
Permit #370

This series is designed for policy makers, including legislators, municipal leaders, school administrators, educators, school board members, and interested parents. Forum goals are to enable participants to become familiar with the issues surrounding "success for all children" in Maine and to provide a forum in which they can share ideas and gain practical information for improving education in Maine.



MEMORANDUM

TO: Civic Center Board of Trustees
Cumberland County Commissioners
Leonard Nelson, Legal Counsel
The Portland Newspapers, City Editor
News Desk, WPOR

FROM: Gary Lorfano, Chair

DATE: October 12, 2001

RE: Regular Monthly Meeting of Board of Trustees

The Regular Monthly Meeting of the Civic Center Board of Trustees will be held on **Wednesday, October 17, 2001, at 8:00 A.M.** The meeting will take place in the Captain's Club at the Civic Center.

GL/ap



TRUSTEES' MEETING
October 17, 2001
A G E N D A

CALL TO ORDER

- 01-63 To approve the minutes of the Board of Trustees' Meeting held on
 September 17, 2001
- 01-64 Treasurer's Report: Tom Bartell
 (a) September's Financial Statement
- 01-65 Long Range Committee Report
- 01-66 General Manager's Report
- 01-67 Other

ADJOURNMENT



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

October 9, 2001

Dear Cumberland Board/Committee Chair:

I am writing to request that your Board or Committee submit its annual report for the period of July 1, 2000 to June 30, 2001. Please send the report to me via email at cnixon@cumberlandmaine.com. If this is not possible, mail to Carla Nixon, Town of Cumberland, 290 Tuttle Road, Cumberland, Maine 04021. I need all reports by November 5, 2001. Please call if you have any questions, 829-2205. Thank you.

Sincerely,

Carla Nixon
Assistant Town Manager

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 24, 2001

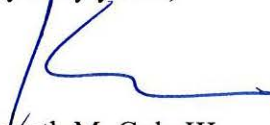
Robert B. Benson, Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Dear Bob:

Enclosed herewith please find an acreage deed from Casco Partners (George Rickley) to the Town conveying all of its remaining interests in the roads and ways at Idlewood as well as the parcel they designate as the Towns on the plan and the interest reserved in the 30 foot access easement. Would you please double check with Andy Fillmore and Barbara McPheters, as well as Adam Ogden, to be sure that everything is complete. If so, would you place this on the Council agenda for acceptance of the deed and once it is accepted, let me know and I will record it.

Thank you for your attention to this matter.

Very truly yours,



Kenneth M. Cole III

KMC/ab
Enclosure

cc: Drew A. Anderson, Esq.



WARRANTY DEED
Maine Statutory Short Form

CASCO PARTNERS, INC., a Maine corporation with a principal place of business in Cumberland, County of Cumberland, State of Maine, for consideration paid, grants to **THE TOWN OF CUMBERLAND**, a municipal corporation, with a principal place of business in Cumberland, County of Cumberland, State of Maine, with WARRANTY COVENANTS, the land in said Cumberland, County of Cumberland, State of Maine and being more particularly described in Exhibit A attached hereto and made a part hereof.

This property is dedicated for use as a public highway pursuant to Title 23, M.R.S.A. §3025 without claim for damages.

IN WITNESS WHEREOF, the said CASCO PARTNERS, INC. has caused this instrument to be signed by George R. Rickley, its President thereunto duly authorized this 18th day of Sept., 2001.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

CASCO PARTNERS, INC.

Elizabeth M. Brown

By: George R. Rickley
George R. Rickley
President

STATE OF NEW HAMPSHIRE
COUNTY OF Hockingham

9-18, 2001

Then personally appeared the above named George R. Rickley, in his said capacity and acknowledged the foregoing instrument to be his free act and deed, and the free act and deed of said corporation, before me.

Kristie M. Browne
Notary Public
Kristie M. Browne
Printed Name



EXHIBIT A
TO
DEED

All of the roads and ways located in the Town of Cumberland, County of Cumberland, State of Maine and as shown on the plan entitled "Idlewood, Range Road, Cumberland, Maine" prepared by Richard A. Manthorne for George Rickley dated January 7, 1996 and recorded in the Cumberland County Registry of Deeds in Plan Book 197, Page 538 (the "Plan").

Also conveyed is the parcel labeled "Town" and located on the westerly border of Lot 14 as shown on the Plan.

Also conveyed together herewith is Grantor's right, title and interest in, and the benefits of, the 30' Easement as shown on the Plan.

Being a portion of the premises conveyed to Casco Partners, Inc. by deed of David J. Andersen, et al., dated December 18, 1997 and recorded in said Registry of Deeds in Book 13504, Page 277.

Lisa Brown

From: Jeanne and Vince Rapone [vjrapone@worldnet.att.net]
Sent: Sunday, October 14, 2001 9:59 PM
To: lbrown@cumberlandmaine.com
Subject: Letter of May 11

Dear Ms. Brown,

I am hoping you will forward this email to Mr. Bob Benson. On or around May 11, 2001, I delivered a letter addressed to Mr. Benson regarding the speed limit on Route 26/100 from Blackstrap Rd. to the Gray Town Line.

I was wondering if you could update me on the status of the letter. Mr. Benson did tell me that it was going to take a long time for the state to evaluate but I am wondering when the state was in receipt of the letter and who I can keep in contact with at the state regarding it's progress.

I do not want my letter to become a forgotten piece of paper and I am very willing to do all of the follow up needed.

Please email me as soon as possible with what information you may know.

I so appreciate your help.

Sincerely,

Jeanne Rapone
vjrapone@att.net
829.5190



ANGUS S. KING, JR.
GOVERNOR

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
DIVISION #6 OFFICE
P.O. BOX 1940
PORTLAND, MAINE
04104

count 1-0-0-9-10-0-0
NY
COPY

JOHN G. MELROSE
COMMISSIONER

August 30, 2001

Mr. Adam J. Ogden
Public Works Director
290 Tuttle Road
Cumberland Center, Maine 04021-9321

BOB (FYI Adam
now what?

RE: Routes 100/26 and Skillin/Blackstrap Road
Traffic Signal Request

Dear Mr. Ogden:

Per your letter to the Department of Transportation dated May 30, 2001, I am responding to your request for a review of signalization at the above intersection. Prior to us reviewing the intersection for signalization, turning movement counts are required at the intersection. We have placed the intersection on our list of intersections to count but this could take up to a year. If you would like an answer sooner, we would be happy to review counts performed by someone else if you choose to hire someone. Once the counts are completed, a signal warrant analysis could then be performed.

If you have any questions or would like to discuss this further please feel free to contact me.

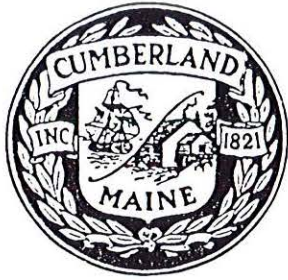
Sincerely,
Maine Department of Transportation

Randall Dunton, PE
Division 6 Traffic Engineer

C: File



PRINTED ON RECYCLED PAPER



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

30 May 2001

State of Maine
Department of Transportation
MDOT Division 6
Mr. Roger Gobiell, P.E.
P.O. Box 1940
Portland, ME 04101

Re: Traffic Light Request

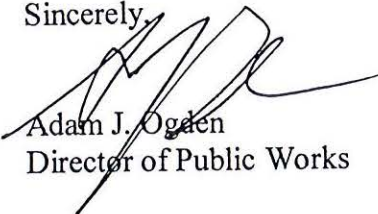
Dear Roger:

The Town of Cumberland's Town Council has directed me to write to you regarding the intersection of Routes 100/26 and Skillin/Blackstrap Roads. The Town Council is requesting a review of this intersection to determine if the warrants for a traffic control device other than the existing flashing beacons are met for the installation of a standard traffic signal.

The Town Council believes that the traffic and the physical conditions at this location require a standard traffic signal.

If you have any questions or require additional information please call me at 829-2205.

Sincerely,



Adam J. Ogden
Director of Public Works

CC: Robert B. Benson, Town Manager

Council
5-13-01
RJ

Vincent & Jeanne Rapone

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

May 11, 2001

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

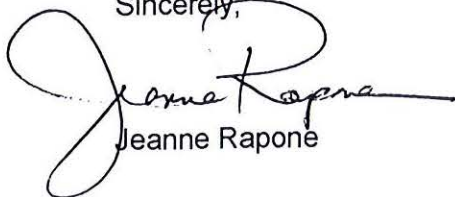
Dear Mr. Benson,

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

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

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

Sincerely,


Jeanne Rapone

Neighbors in support of the speed limit reduction:

Karl C. Nielsen
Anne Senne
Buffy & Sharon Senne
Vicki Michaud
Col. Kenneth R. Torr
Robert G. Jafford

Earl Estabrook
Maris Estabrook
Mike Wolstead
Vince Rapone

250 (A) Gray Road: Very Dangerous in both directions.

received
5-14-01



Town of Gray

Post Office Box 258 • 6 Shaker Road
Gray, Maine 04039-0258
grayme@maine.rr.com

1738
First Settled

October 22, 2001

To: Tony Plante – No. Windham & Town Councilors
Scott Seaver – North Yarmouth
Bill Cooper – New Gloucester
Don Willard – Raymond & Selectman
Sue Mack – Pownal
Robert Benson - Cumberland

From: Ronna Budd – Gray Town Office

Subject: **NOVEMBER 13, 2001 REGIONAL MEETING**

Following is an agenda for the November 14, 2001 Regional Meeting at Stimson Hall with the Gray Town Manager and Gray Town Council.

Agenda:

- 6:30 p.m. - Cog Presentation – Neal Allen
- 7:15 p.m. - Regional Discussions
- County Budget - Matt Sturgis
 - Regional Transportation Issues – Pam Wilkinson
 - Education Funding – Mitch Berkowitz and Bill Cooper
 - Identify other Regional Issues and Opportunities to Collaborate
- 9:00 p.m. - Adjournment

Please call ASAP and let me know if and how many will attend this meeting. The Phone number is 657-3339. Thank you, Ronna D. Budd

WARRANTY DEED
Maine Statutory Short Form

CASCO PARTNERS, INC., a Maine corporation with a principal place of business in Cumberland, County of Cumberland, State of Maine, for consideration paid, grants to **THE TOWN OF CUMBERLAND**, a municipal corporation, with a principal place of business in Cumberland, County of Cumberland, State of Maine, with WARRANTY COVENANTS, the land in said Cumberland, County of Cumberland, State of Maine and being more particularly described in Exhibit A attached hereto and made a part hereof.

This property is dedicated for use as a public highway pursuant to Title 23, M.R.S.A. §3025 without claim for damages.

IN WITNESS WHEREOF, the said CASCO PARTNERS, INC. has caused this instrument to be signed by George R. Rickley, its President thereunto duly authorized this 18th day of Sept., 2001.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

CASCO PARTNERS, INC.

Stephen M. Brown

By: George R. Rickley
George R. Rickley
President

STATE OF NEW HAMPSHIRE
COUNTY OF Hachigam

9-18, 2001

Then personally appeared the above named George R. Rickley, in his said capacity and acknowledged the foregoing instrument to be his free act and deed, and the free act and deed of said corporation, before me.

Kristie M. Browne
Notary Public
Kristie M. Browne
Printed Name



EXHIBIT A
TO
DEED

All of the roads and ways located in the Town of Cumberland, County of Cumberland, State of Maine and as shown on the plan entitled "Idlewood, Range Road, Cumberland, Maine" prepared by Richard A. Manthorne for George Rickley dated January 7, 1996 and recorded in the Cumberland County Registry of Deeds in Plan Book 197, Page 538 (the "Plan").

Also conveyed is the parcel labeled "Town" and located on the westerly border of Lot 14 as shown on the Plan.

Also conveyed together herewith is Grantor's right, title and interest in, and the benefits of, the 30' Easement as shown on the Plan.

Being a portion of the premises conveyed to Casco Partners, Inc. by deed of David J. Andersen, et al., dated December 18, 1997 and recorded in said Registry of Deeds in Book 13504, Page 277.

**MAINE REVENUE
SERVICES**

Property Tax Division
P.O. Box 9106
Augusta, Maine 04332



FILE BOTH COPIES
OF THIS FORM WITH
COUNTY REGISTRY OF DEEDS
DO NOT DETACH!

PLEASE READ INSTRUCTIONS ON REVERSE BEFORE COMPLETING DECLARATION

REAL ESTATE TRANSFER TAX

DECLARATION

TITLE 36, M.R.S.A., SECTIONS 4641 through 4641-N

1. MUNICIPALITY OR TOWNSHIP Cumberland	COUNTY Cumberland	BOOK (REGISTRY)	PAGE USE ONLY
---	----------------------	--------------------	------------------

GRANTEE (BUYER)

2. IDENTITY: NAME(S) (LAST, FIRST, INITIAL) AND SOCIAL SECURITY NUMBER(S) OR CORPORATE NAME(S) AND FEDERAL IDENTIFICATION NUMBER(S)

Town of Cumberland

3. NUMBER AND STREET

CITY OR TOWN

STATE AND ZIP CODE

Cumberland

ME 04021

GRANTOR (SELLER)

4. IDENTITY: NAME(S) (LAST, FIRST, INITIAL) AND SOCIAL SECURITY NUMBER(S) OR CORPORATE NAME(S) AND FEDERAL IDENTIFICATION NUMBER(S)

Casco Partners, Inc.

01-0423266

5. NUMBER AND STREET

CITY OR TOWN

STATE AND ZIP CODE

24 Great Bay Drive East

Greenland

NH 03840

PROPERTY

6. TAX MAP & LOT NUMBER (Required)

☐ MUNICIPALITY DOES NOT HAVE TAX MAPS (Please describe property)

7. DATE OF TRANSFER MO. DAY YR.
(Use numerals) 01

Warning to Buyer!

If the property is classified as Farmland, Open Space, or Tree Growth, a substantial financial penalty could be triggered by development, subdivision, partition, or change in use of the property.

☐ Applicable ☒ Not Applicable

CONSIDERATION

8. Consideration meaning total amount or price paid, or required to be paid, for real property valued in money, whether received in money or otherwise and shall include the amount of any mortgage, liens or encumbrances thereon. If a gift or nominal consideration only is paid, consideration is based on the value of the property. Value is the estimated price the property would bring in the open market. (Tax will be collected at the registry when the deed is recorded. The tax rate is \$2.20 per \$500, or fractional part thereof, of consideration or value. The tax is equally divided between the buyer and the seller.) If exempt, complete line 9

FULL
VALUE

\$ -0- .00

TAXABLE
CONSIDERATION

\$ -0- .00

EXEMPTION

9. EXPLAIN BASIS FOR EXEMPTION (Complete only if transfer is claimed to be fully or partially exempt pursuant to M.R.S.A. 36 §4641-C)

Deed to Municipality without consideration.

**SPECIAL
CIRCUMSTANCES**

10. Were there special circumstances in the transfer which suggest that the price of the property was either more or less than its fair market value. (Such as the fact that transfer was a forced sale, foreclosure, intercorporate sale, exchange, or transfer tax was based on estimate value.) PLEASE EXPLAIN.

☐ YES
☒ NO

**INCOME TAX
WITHHELD**

11. ☐ Buyer(s) certify that they have withheld Maine income tax from the purchase price as required by § 5250-A and will remit to Maine Revenue Services within 30 days after date of transfer.

☒ Buyer(s) not required to withhold Maine income tax because:
☐ seller has qualified as a Maine resident,
☐ a waiver has been received from the State Tax Assessor,
☒ consideration for the property is less than \$50,000,
☐ foreclosure sale: exempt per 36 MRSA §5250-A, sub§ 3-A

OATH

12. Aware of penalties as set forth by Title 36, Section 4641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief, it is true, correct, and complete.

GRANTEE(S) or AUTHORIZED AGENT

DATE

GRANTOR(S) or AUTHORIZED AGENT

DATE

Town of Cumberland

By
Its

Casco Partners, Inc.

By *[Signature]*
Its President

15 Sep 01

PREPARER

13. Name and address of person or firm preparing this form Drew A. Anderson, Esq., Murray, Plumb & Murray, P.O. Box 9785, Portland, ME 04104-5085

BOB, ANY THOUGHTS ON THIS? -ANDY.

Andy Fillmore

From: Andrew L. Black [ablack1@maine.rr.com]
Sent: Wednesday, June 20, 2001 10:33 AM
To: afillmore@cumberlandmaine.com
Cc: aogden@cumberlandmaine.com
Subject: Idlewood Subdivision

Mr. Fillmore:

My name is Andrew Black and I live at 80 Idlewood Drive. I spoke to you on the phone last week about the Idlewood Subdivision and yesterday I reviewed the files that Pam had on it at the town office. I also pestered Adam about what he knew about the acceptance of the road by the town.

After reviewing the files, I was still unclear about a couple of things and thought that you might be able to answer the questions or at least refer me to someone who could. Here are the questions:

- (1) Did Casco Partners, Inc. (George Rickley) ever convey, and did the Town of Cumberland ever accept, a conservation easement on the Open Space parcel of the Idlewood Subdivision? I could not find a signed copy of the deed or any documentation of official acceptance by the town.
- (2) According to the town tax records the record owner for the Open Space parcel (R05/C 23) is the Idlewood Homeowners Association. It appears from these records that taxes on the Open Space are assessed evenly to the 19 lot owners. Is that the case? If so, is there a separate tax bill to each lot owner or is the tax included in the bill for the lot? If the latter, is this tax somehow itemized on the bill or is the 1/19 part of the value of the Open Space simply included in the land value of the lot? Are there any back taxes owed on the Open Space?

Just as a heads up, at some point I and probably some other folks living in the subdivision will likely be requesting that the Town accept the Idlewood Drive and Idlewood Crossing as town roads. We will probably try to light a fire under the developer, George Rickley, but anticipating that he will take no action we may try to petition the town to take some action or at least explicitly identify what conditions must be met before it will accept the road. Per Adam's suggestion we will probably write to the town manager asking what we should do.

I hope you have answers to the above questions or know who might. Thanks for your time.

Andrew Black

SOLID WASTE TO R.W.S.

<u>YEAR</u> <u>MONTH</u>	<u>2001</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>
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	248.17	232.78	223.52	224.88	212.91	223.73
August	244.76	224.45	175.55	194.03	251.36	267.61
September	217.00	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



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

To: Participants of MMA's Residential Property Value Survey
From: Kate Dufour
Date: October 3, 2001

Re: Residential Property Value Survey Results

Thank you for taking the time and effort necessary to complete the Residential Property Value Survey that was mailed to you in August. Although the information requested was difficult to retrieve in some communities, 172 municipalities responded to the survey. In appreciation for your efforts we have attached the results of the survey.

As you know, MMA will be participating in the deliberations of the Education Funding Reform Committee this fall. This Committee was created by the Legislature and charged with the task of developing a package of comprehensive tax reform legislation for consideration in the second legislative session in January 2002. The tax reform package is required to provide more state money for education, provide property tax relief for homeowners and businesses and balance the primary methods of raising taxes between the property tax, sales tax and individual income tax. The Committee is made up only of legislators, representing both political parties equally, from the Education Committee (three members), Appropriations Committee (three members) and the Taxation Committee (eight members).

Under consideration by Committee is the Michigan approach to funding education. As adopted in Michigan, the cost of education burden on primary residential property is capped three mills (in Maine equivalents) and the education burden on non-residential property is capped at twelve mills. This funding mechanism therefore requires the state to more adequately fund the cost of education. A member of Maine's Education Funding Reform Committee is proposing a similar education tax cap mechanism for Maine. Under this proposal, there would be a property tax cap of four mills for education purposes on the property of Maine residents and businesses, and a cap of twelve mills on all other property. The survey you completed enabled us to calculate how this type of cap would impact Maine communities and to get a sense of the impact on state resources.

As seen in the attached document, if Maine were to adopt a similar two-tiered education funding cap mechanism, roughly 82% of taxable property in Maine would benefit from the four mill cap. The methods we used were as follows: Using the total value of primary residential property collected in the survey and industrial property value information collected by the Maine Revenue Services we were able to calculate the total value of commercial property in a community. By adding total value of primary residential, industrial and commercial property and subtracting that value from the total municipal assessed value, we were able to identify the total value of the nonresidential, non-business property in each community.

Total Assessed Value - (Primary Residential + Commercial + Industrial) = Non-resident, Non-business Value

(over)

In addition to the community name and county, in the attached spreadsheet you will find seven columns of data. The first column is the total assessed value of the community as provided in the 2000 Municipal Valuation Return Statistical Summary. The second column shows the total value of residential property in the community. The third column shows the total value of homestead or primary residential property in the community. The fourth column shows assessed value of industrial property in the community. The fifth column shows the calculated value of the commercial property in the community. The sixth column shows the value of the property, as calculated above, eligible for the proposed four mill education funding cap. Finally, the seventh column shows the percentage of the total value in a community eligible for the funding cap.

Although a total of 172 communities responded to the survey, only 95 are listed in the final analysis. Some of the data received in the survey was, for a variety of reasons, incomplete. We made attempts to use the provided data to project value, but for the final analysis we decided to use only the surveys that had all the necessary data.

Again, thank you for your time and effort. If you have any questions about the Education Funding Reform Committee please feel free to contact Geoff Herman. If you have questions about the data presented in this spreadsheet please contact Kate Dufour. Both Geoff and I can be reached at 1-800-452-8786 or by e-mail gherman@memun.org or kdufour@memun.org.