

**TOWN OF CUMBERLAND  
SPECIAL MEETING OF THE TOWN COUNCIL  
TUESDAY, NOVEMBER 13, 2001**

**6:30 pm – Workshop – Fire Truck purchase**

- I. Call to order in the Council Chambers at Cumberland Town Hall at 7:00 p.m.
- II. Approval of Minutes
  - a) October 22, 2001
- III. Manager's Report
- IV. Public Discussion
- V. Legislation and Policy
  - 01-85 To hold a Public Hearing to solicit comments on secession petition of Hope Island.
  - 01-86 To set Shellfish License allocations for 2002
  - 01-87 To consider and act on opening part of the mainland shore for commercial shellfish digging.
  - 01-88 To hold a Public Hearing to adopt the MMA Model Ordinance General Assistance Appendixes A, B & C for the period of 10/01/01 to 10/01/02
  - 01-89 To set date for Public Hearing to consider and act on application by Winn Road LLC db/a Route 9 Diner for a Liquor License.
  - 01-90 To set date for Public Hearing to consider and act on application of Cumberland Salvage, Inc. for an Automobile Graveyard and/or Junkyard Permit.
  - 01-91 To set date for Public Hearing to consider and act on application of Thomas Greenlaw for an Automobile Graveyard and/or Junkyard Permit.
  - 01-92 To set date for Public Hearing on amendments of 204.8 of Zoning Ordinance - Southern Office Commercial Zone.
  - 01-93 To consider and act on application of Val Halla Golf & Recreation Center for Liquor License Renewal.
  - 01-83 To accept payment of foreclosed taxes and issuance of quit claim deed Map I07 Lot 71 (Tabled)
- VI. Correspondence
- VII. New Business
- VIII. EXECUTIVE SESSION
  - a) Land Acquisition
- 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
Michael Savasuk	781-3061		



Town Council  
November 13, 2001

OK

**TOWN OF CUMBERLAND  
MEETING OF THE TOWN COUNCIL  
TUESDAY, NOVEMBER 13, 2001**

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

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) October 22, 2001

Councilor Storey moved to adopt October 22, 2001 minutes as written.  
Second by Councilor Damon  
VOTE: UNANIMOUS (5)

III. Manager's Report

No Report

IV. Public Discussion

None

V. Legislation and Policy

01-85 To hold a Public Hearing to solicit comments on secession petition of Hope Island.

Town Attorney Ken Cole explained the state statutes regarding secession and the process.

Acting Town Clerk, Debbie Flanagan called for nominations to elect a moderator for the proceedings.

Councilor Porter moved to elect Chairman Moriarty as Moderator.  
Second by Councilor Damon

Councilor Damon moved to close nominations.  
Second by Councilor Storey

Ballots were distributed to attending registered voters of the Town of Cumberland. Ballots were collected and counted by the Acting Town Clerk.

VOTE: IN FAVOR (13 Registered Voters)

Acting Town Clerk announced 13 votes in favor of electing Chairman Moriarty as Moderator.

Acting Town Clerk administered the oath to accept duty of Moderator.  
Moderator Moriarty opened the Public Hearing

Chris Nagle, Attorney representing Phyllis Cacoulidis, presented why his client was seeking secession from the Town of Cumberland. Attorney Nagle said



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Phyllis Cacoulidis was paying taxes for services not afforded to her due to seclusion of the property.

John Cacoulidis spoke on behalf of Phyllis Cacoulidis listing reasons why they wish to secede.

Assessor Bill Healy quoted the assessed value of Hope Island as \$1,690,000. The last Town Revaluation was conducted in 96-97. The most recent assessed value was based on Building Permit Reports that were filed.

Residents Louise Doughty (Chebeague), Pat Amadon (Cumberland), Mark Robinson (Cumberland), Melissa Doughty (Chebeague) and Meg Miller (Cumberland) voiced their opinion.

Moderator Moriarty recommended that Phyllis Cacoulidis seek tax abatement procedure or inquire about public easements.

Moderator Moriarty summarized by announcing that the Town has 30-120 days to hold a Special Election to vote on a Secession Petition Referendum. Moderator Moriarty recommended an Absentee Ballot be prepared for the voter.

Moderator Moriarty closed the Public Hearing at 8:06 pm. No action was taken. Moderator Moriarty returned to the Council Meeting.

01-86 To set Shellfish License allocations for 2002

Councilor Porter moved to adopt the 2002 Shellfish License allocations as recommended by the Cumberland Shellfish Conservation Commission.  
Second by Councilor Storey

*Discussion on the motion:*

Councilor Porter asked the Harbormaster, Ted Curtis if there was a significant reason why the licenses can't be extended all year. Ted Curtis said that it wouldn't be an issue if the Town allowed licenses to be year round.

Councilor Porter moved to amend the motion to extend the Monthly Recreational Licenses to include all twelve months and the Daily Recreational Licenses to include all twelve months.

Second by Councilor Storey

VOTE: UNANIMOUS (5)

01-87 To consider and act on opening part of the mainland shore for commercial shellfish digging.

Councilor Porter moved to adopt the Cumberland Shellfish Conservation Commission's recommendation to expand the present Shellfish license to include the mainland area from Sea Cove Road in Cumberland Foreside, north to the outflow at the northerly edge of Wildwood Beach for only the months of April and May, and to allow the commercial harvesting limit to be unlimited each tide during this time on the mainland only.



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Second by Councilor Damon  
VOTE: UNANIMOUS (5)

Councilor Damon departed 8:40 pm

- 01-88 To hold a Public Hearing to adopt the MMA Model Ordinance General Assistance Appendixes A, B & C for the period of 10/01/01 to 10/01/02

Chairman Moriarty opened the Public Hearing.  
Public – no comments.  
Chairman Moriarty closed the Public Hearing

Councilor Porter moved to adopt the MMA Model Ordinance General Assistance Appendixes A, B, & C for the period of 10/01/01 to 10/01/02.

Second by Councilor Storey  
VOTE: UNANIMOUS (4)

- 01-89 To set date for Public Hearing to consider and act on application by Winn Road LLC d/b/a Route 9 Diner for a Liquor License.

Councilor Kuntz moved to set date of November 26, 2001 to hold Public Hearing to consider and act on application by Winn Road LLC d/b/a Route 9 Diner for a Liquor License.

Second by Councilor Storey  
VOTE: UNANIMOUS (4)

- 01-90 To set date for Public Hearing to consider and act on application of Cumberland Salvage, Inc. for an Automobile Graveyard and/or Junkyard Permit.

Councilor Storey moved to set date of December 17, 2001 to hold Public Hearing and act on application of Cumberland Salvage, Inc. for an Automobile Graveyard and/or Junkyard Permit.

Second by Councilor Porter  
VOTE: UNANIMOUS (4)

- 01-91 To set date for Public Hearing to consider and act on application of Thomas Greenlaw for an Automobile Graveyard and/or Junkyard Permit.

Councilor Storey move to set date of December 17, 2001 to hold Public Hearing and act on application of Thomas Greenlaw for an Automobile Graveyard and/or Junkyard Permit.

Second by Councilor Porter  
VOTE: UNANIMOUS (4)

- 01-92 To set date for Public Hearing on amendments of 204.8 of Zoning Ordinance - Southern Office Commercial Zone.

Councilor Kuntz moved to set date of November 26, 2001 for Public Hearing on amendments of 204.8 of Zoning Ordinance – Southern Office Commercial Zone.

Second by Councilor Storey  
VOTE: UNANIMOUS (4)



- 01-93 To consider and act on application of Val Halla Golf & Recreation Center for Liquor License Renewal.

Councilor Storey moved to approve application of Val Halla Golf & Recreation Center for Liquor License Renewal.

Second by Councilor Porter

*Discussion on the motion:*

Councilor Kuntz recommended tabling the item until the next Town Council Meeting for November 26, 2001.

Councilor Storey moved to withdraw previous motion and moved to table this item until November 26, 2001.

Second by Councilor Kuntz

VOTE: UNANIMOUS (4)

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

This item taken out of order to precede item 01-87

2002 Assessment Evaluation of property is \$41,600; land is 1.2 acres, taxes were \$482. The landowner's attorney Terry Snowe said there were questions from the landowners regarding the lot being considered unbuildable, however, no written proof of those claims were found. Chairman Moriarty recommended that the Councilors further review the Tax Acquired Property Policy before making a decision. The land currently is considered 'town owned' property and must be considered in accordance with the policy.

Councilor Porter moved to table this item until the next Council meeting on Monday, November 26<sup>th</sup>.

Second by Councilor Storey

VOTE: (4) In Favor

## VI. Correspondence

- Press Herald Article dtd 11/5/01 "Island-owners want to secede
- TOC Shellfish Conservation Commission 2001 Annual Report
- Election Results of Nov 6, 2001 TOC/MSAD Election
- Memo fm Bill Healey, Assessor RE: Cumberland Mainland Population
- Master Summary Report of Building Permits – September 2001
- Master Summary Report of Building Permits – October 2001
- Master Summary Report of Building Permits – October 2001 (Revised)
- Growth Permit Log of 11/5/01
- Impact Fee Log of 11/5/01
- RWS Board Meeting Notice for 11/15/01
- RWS Board of Directors Minutes of 10/18/01
- State of Maine DOT ltr dtd 10/24/01 RE: New Law on Speed Limits



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- APWA Main Chapter ltr dtd 4/5/01 RE: LD 643 An act to allow municipalities to lower certain speed limits
- Website printout from State of Maine Community Services Division RE: How are Speed Limits Set?
- Website printout Public Laws of Maine RE: Speed Limits
- "How to set a Local Speed Limit using Maine DOT criteria"
- Stone Wharf Committee Minutes of 11/01/01
- State of Maine Dept of Education dtd 11/3/01 RE: School Funding in Maine Forum
- Cumberland County Commissioners Budget Hearing Master Schedule
- Maine Turnpike Authority ltr dtd 11/2/01 RE: Widening Project
- County of Cumberland Emergency Management Agency "Sept 11<sup>th</sup> Economic Injury Disaster Loan Program
- Portland Water District Public Hearing Notice for 11/13/01
- Cumberland County Commissioners Special Meeting Minutes of 10/10/01
- Email fm Steve Kenney dtd 10/18/01 RE: Budget vs. Property Taxes
- Southern Maine Agency on Aging Recognition Luncheon 11/15/01
- TOC Shellfish Conservation Commission Recommendations of 2002
- Town of Gray memo dtd 11/5/01 RE: Regional Meeting on November 14, 2001
- MSAD #51 Minutes of 10/24/01
- MSAD #51 Minutes of 10/15/01
- MSAD #51 Agenda of 11/5/01
- GPCOG RE: Falmouth Property Tax Relief Forum
- TOC Appeals Board Agenda of 11/8/01

VII. New Business

Councilor Porter voiced his concerns of regarding voter turnout for the recent election.

Councilor Storey voiced his concerns of the new school building RE: tax increases in the next five years.

VIII. Adjourn

Councilor Porter moved to enter into Executive Session to discuss Land Acquisition at 9:00 pm.

Second by Councilor Kuntz

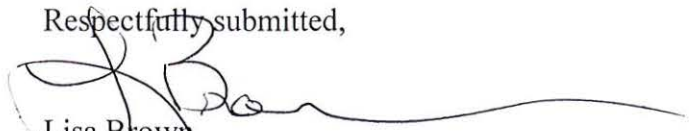
VOTE: UNANIMOUS (4)

Councilor Kuntz moved to come out of Executive Session to adjourn meeting at 9:25 pm.

Second by Councilor Porter

VOTE: UNANIMOUS (4)

Respectfully submitted,



Lisa Brown  
Administrative Assistant



## FY2002 County of Cumberland **PROPOSED BUDGET**

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

**THIS IS THE PROPOSED BUDGET PREPARED FOR DISCUSSION PURPOSES ONLY. IT IS BASED ON PROPOSED 2002 STATE VALUATION FOR 2002. THE ADOPTED BUDGET AND ASSESSMENTS WILL REFLECT THE 2002 STATE CERTIFIED PROPERTY VALUATION FOR EACH MUNICIPALITY.**

**THE PROPOSED BUDGET INCLUDES THE BUDGET ADVISORY COMMITTEE RECOMMENDATIONS.**

### Tax Distribution Schedule

Town	2001 Property Valuation	2001 Tax 0.0007720851	Proposed 2002 State Valuation	2002 PROPOSED BUDGET	Percent Tax Change
Baldwin	72,550,000	56,015	76,150,000	63,780	13.9%
Bridgton	365,350,000	282,081	404,200,000	338,538	20.0%
Brunswick	1,130,600,000	872,919	1,185,950,000	993,294	13.8%
Cape Elizabeth	814,150,000	628,593	918,150,000	768,998	22.3%
Casco	245,100,000	189,238	260,100,000	217,847	15.1%
Cumberland	603,100,000	465,645	664,350,000	556,427	19.5%
Falmouth	997,250,000	769,962	1,107,750,000	927,798	20.5%
Freeport	811,300,000	626,393	895,050,000	749,650	19.7%
Frye Island	46,900,000	36,211	51,000,000	42,715	18.0%
Gorham	643,800,000	497,068	716,650,000	600,231	20.8%
Gray	383,700,000	296,249	422,900,000	354,200	19.6%
Harpeswell	621,850,000	480,121	775,800,000	649,772	35.3%
Harrison	198,750,000	153,452	221,800,000	185,769	21.1%
Long Island	40,400,000	31,192	48,350,000	40,496	29.8%
Naples	274,800,000	212,169	303,800,000	254,448	19.9%
New Gloucester	196,600,000	151,792	215,200,000	180,241	18.7%
North Yarmouth	187,400,000	144,689	218,650,000	183,131	26.6%
Portland	3,873,900,000	2,990,980	4,305,150,000	3,605,784	20.6%
Pownal	88,700,000	68,484	99,600,000	83,420	21.8%
Raymond	406,950,000	314,200	454,150,000	380,374	21.1%
Scarborough	1,374,950,000	1,061,578	1,571,700,000	1,316,379	24.0%
Sebago	154,050,000	118,940	165,650,000	138,740	16.6%
South Portland	1,925,300,000	1,486,495	2,128,900,000	1,783,063	20.0%
Standish	471,200,000	363,806	528,050,000	442,269	21.6%
Westbrook	965,800,000	745,680	1,061,000,000	888,642	19.2%
Windham	827,000,000	638,514	893,750,000	748,562	17.2%
Yarmouth	882,000,000	680,979	950,200,000	795,841	16.9%
Totals	18,603,450,000	14,363,447	20,644,000,000	17,290,410	20.4%

Tax Calculation	1999	2000	2001	2002 PROPOSED
Total Estimated Expenditures	18,742,002	19,605,223	21,062,574	23,791,203
Total Estimated Revenues	(5,548,640)	(6,002,878)	(5,949,128)	(5,500,793)
Designated Surplus	(1,200,000)	(750,000)	(750,000)	(1,000,000)
Tax Revenue Required	11,993,362	12,852,345	14,363,446	17,290,410



**Secession Public Hearing Outline**

1. Elect moderator
  - a. Clerk to call for nominations
  - b. Clerk distributes and counts ballots
  - c. Clerk swears in moderator
2. Moderator conducts statutory public hearing
  - a. Petitioner to make formal presentation re problems leading to secession effort. (Petitioners are also to submit written report re impact of secession on property taxes.)
  - b. Other attendees (including non-residents):
    - (1) discuss problems
    - (2) potential solutions other than secession
    - (3) impact of secession on secession territory and Town
3. Moderator closes public hearing -- no action required (Revert to Council meeting)



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

- 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



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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 24<sup>th</sup>, 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.



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



Town Council  
Oct 22, 2001

- 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

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 14<sup>th</sup> 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 1<sup>st</sup>. 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,

  
Lisa Brown  
Administrative Assistant



# Community Update

## Election Results for Cumberland Nov 6, 2001

### MSAD 51 School Construction & Renovations Questions

#### Cumberland Results

Question 1: 1611 Yes 585 No

Question 2: 1570 Yes 620 No

#### North Yarmouth Results

Question 1: 631 Yes 249 No

Question 2: 562 Yes 252 No

#### Cumberland Town Council

Mike Savasuk 1387 votes

Total Voters for election results = 2213

- Last Updated: Tuesday, Nov 06, 2001



TOWN OF CUMBERLAND, MAINE

Post-it® Fax Note	7671	Date	11-7	# of pages	1
To	Steve Morant	From	Bob		
Co./Dept.					
Phone #	8	Phone #	829-2205		
Fax #	775-8806	Fax #			

Post-it® Fax Note	7671	Date	11-7	# of pages	1
To	John Lambert	From	Bob		
Co./Dept.					
Phone #		Phone #	829-2205		
Fax #	871-0394	Fax #			





# MEMO

**Date:** 11/7/01  
**To:** Town Council Members  
**From:** Robert Benson  
**RE:** Town Council Meeting 11/13/01

Newly elected Town Councilor Michael Savasuk is unable to attend, his swearing in will take place at the December 10<sup>th</sup> meeting.

01-85 At this point, we are still holding a public hearing on the Hope Island Secession Petition, please refer to the material furnished to you last meeting from the Town Attorney regarding this subject. The Town Attorney will be present at this Public Hearing to advise the Town Council.

01-86 Please review the Shellfish Commission's Report and Ted Curtis, Town Harbormaster and Shellfish Warden will be present to discuss the next two items with the Town Council. We are recommending that their suggestions be adopted for next year

01-87 See previous item.

01-88 I have the model ordinance in my packet. I did not give this to the Council to review as this is an administrative procedure we do every year at this time which updates the guidelines and puts us in compliance with the state regulations on this subject

01-89 Self Explanatory

01-90 Recommending November 26<sup>th</sup>

01-91 Recommending November 26<sup>th</sup>

01-92 Recommending November 26<sup>th</sup>

01-93 I am recommending approval of application of Val Halla Golf & Recreation Center for Liquor License Renewal

01-83 I am hoping to have a report from the Lands & Conservation Commission by the meeting. If I don't have the report, I'll recommend tabling this item for the next meeting.

Thank you

Bob



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Portland Press Herald  
KENNEBEC JOURNAL  
Morning Sentinel  
NEWS 8 WMTW

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SPECIAL REPORTS

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NEWS

Local and state  
Midday Report

WEATHER

4-day forecast  
Tides  
On the Bay

SPORTS

High schools  
Pirates Cove  
Running

BUSINESS

News  
Resources

ENTERTAINMENT

Movies  
Dining  
Music  
Theater  
Art

CALENDAR

Southern Maine  
Central Maine

TV LISTINGS

Search your area

TRAVEL

Visiting Maine  
Foliage guide  
Lodging guide

OUTDOORS

Fishing  
Hiking  
Nature watching  
More activities

20 BELOW

Teen writing  
Views and reviews

CAREERS

Classifieds  
Advice and info  
Dream Job  
Employer profiles

HOMES

Classifieds  
Advice and info  
Find an agent  
Seasonal rentals  
Moving to Maine  
Retiring in Maine

WHEELS

Classifieds  
Advice and info  
Dealer Showroom

MILESTONES

Weddings

SHOPPING

Stores

Monday, November 5, 2001

E-mail this story  
to a friend

## Island-owners want to secede

By CLARKE CANFIELD, Associated Press

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**CUMBERLAND** — Irked at paying taxes and getting nothing in return, the owners of a Casco Bay island with a 20-room mansion, horse stables, helicopter pad and scenic ocean views want to secede from town.

Phyllis Cacoulidis has filed a petition asking for a public hearing for Hope Island to break free from Cumberland. Cacoulidis and her husband, New York developer John Cacoulidis, own the island under the name Scorpio Island Corp.

Other Maine islands — Long Island and Frye Island — seceded from municipalities. But Hope Island is a little different.

"This isn't a community. This is one big summer place owned by one rich family," said Cumberland's attorney, Kenneth Cole III, who gives the Cacoulidises a one-in-a-million chance of succeeding.

Hope Island may be privately owned, but John Cacoulidis says the issue is the same as on the other islands before they seceded: a lack of services.

"We're not against taxes but if they tax me and give me zero services, that's my beef," he said from his office on New York's Long Island.

Hope Island is the type of place you'd expect to see on "Lifestyles of the Rich and Famous." The Cacoulidises bought the island for \$1.3 million in 1993.

Situated 5 miles from Portland, the 88-acre island has four beaches

Extra

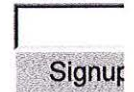


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and pine, spruce and birch trees. It reaches an elevation of 90 feet for stunning views of islands, open ocean and distant lighthouses.

The island's main house, built in 1913, has nearly 10,500 square feet of living area with nine bedrooms, seven bathrooms and five fireplaces. There is also a helicopter pad and boat dock.

In recent years, the Cacoulidises have gone on a building spree. They have built a separate 3,300-square-foot house, a boathouse, a "tea house" and roads looping the island. They've also erected horse stables, a chicken coop, a garage and even a church.

All that construction, of course, increases the property value. The town's tax bill was about \$7,000 when the island was bought, John Cacoulidis says, and it grew to \$39,215 this year. Next year, it will rise again.

John Cacoulidis says he senses an attitude in the town of "Let's tax him. He's from New York. He has money."

"They tax me for everything — I have no (public) transportation, no telephone, no electricity, no rubbish removal, no schools, no churches. I built all of that myself," he said.

Phyllis Cacoulidis submitted her secession petition last month and must go through several steps in the process.

A public hearing has been scheduled for Nov. 13, after which a special election could be held. The island has only one registered voter, Phyllis Cacoulidis, who registered 10 days after she filed the petition.

The final step, Cole says, is for the request to go before the Maine Legislature, which approved the secession of Frye Island from Standish in 1997, and of Long Island from Portland in 1993.

The Hope Island case raises a number of questions.

For instance, can any property owner go it alone in trying to secede from a town or city? And if the Cacoulidises are successful, what would Hope Island's form of government be?

But this much is sure: the Cacoulidises will continue paying property taxes to somebody, in addition to state taxes.

"If you have property, you pay taxes on it," said Mike Starn of the Maine Municipal Association. "Even if they didn't pay taxes in Cumberland, they would pay taxes elsewhere."



secession candidate. Orlando Delogu, a professor at the University of Maine School of Law, says the Legislature looks at things like whether a place can perform normal governmental functions for itself.

"I would think an island with one or two property owners/residents would not be a viable candidate," Delogu said.

If he's successful, John Cacoulidis says he would be responsible for providing services for the "town of Hope Island." He says he might contract with neighboring Long Island or another community for fire service.

John Cacoulidis is not new to controversial proposals. In 1999, he unveiled plans to build a 35-story hotel and convention center on the South Portland waterfront. The plan has never been formally submitted for approval.

In Cumberland, the secession petition has drawn laughs and sneers.

Cole calls it a "total and complete abuse of the legislative process." Delogu says the effort "trivializes" the state's secession law.

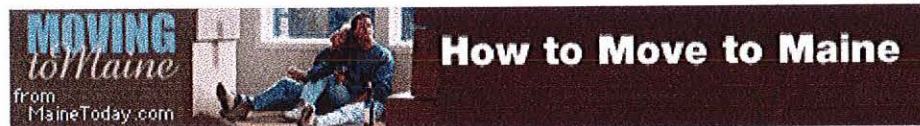
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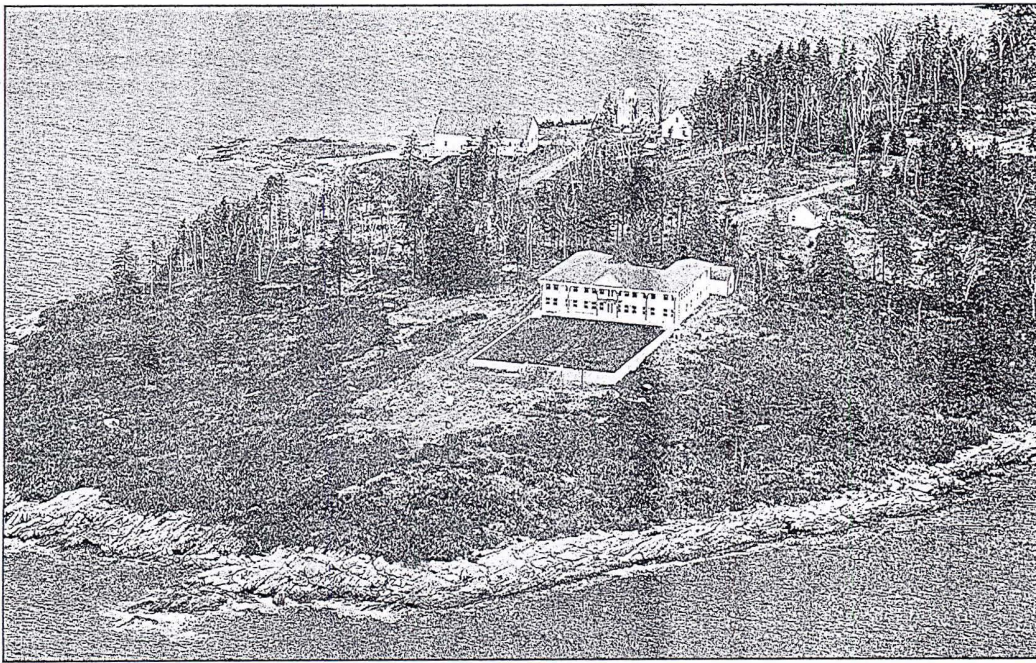
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John and Phyllis Cacoulidis bought Hope Island, near Chebeague, for \$1.3 million in 1993 and have since added a second house, a boathouse, a "tea house" and roads, as well as stables and even a church. Citing a lack of services provided, the Cacoulidis are petitioning to secede from Cumberland.

The Associated Press

# Island-owners want to secede

● John and Phyllis Cacoulidis, Hope Island's only residents, argue that the town of Cumberland taxes them unfairly.

By CLARKE CANFIELD  
The Associated Press

CUMBERLAND — Irked at paying taxes and getting nothing in return, the owners of a Casco Bay island with a 20-room mansion, horse stables, helicopter pad and scenic ocean views want to secede from town.

Phyllis Cacoulidis has filed a petition asking for a public hearing for Hope Island to break free from Cumberland. Cacoulidis and her husband, New York developer John Cacoulidis, own the island under the name Scorpio Island Corp.

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Hope Island may be privately owned, but John Cacoulidis says the issue is the same as on the other islands before they seceded: a lack of services.

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me and give me zero services, that's my beef," he said from his office on New York's Long Island.

Hope Island is the type of place you'd expect to see on "Lifestyles of the Rich and Famous." The Cacoulidis bought the island for \$1.3 million in 1993.

Situated 5 miles from Portland, the 88-acre island has four beaches and pine, spruce and birch trees. It reaches an elevation of 90 feet for stunning views of islands, open ocean and distant lighthouses.

The island's main house, built in 1913, has nearly 10,500 square feet of living area with nine bedrooms, seven bathrooms and five fireplaces. There is also a helicopter pad and boat dock.

In recent years, the Cacoulidis have gone on a building spree. They have built a separate 3,300-square-foot house, a boathouse, a "tea house" and roads looping the island. They've also erected horse stables, a chicken coop, a garage and even a church.

All that construction, of course, increases the property value. The town's tax bill was about \$7,000 when the island was bought, John Cacoulidis says, and it grew to \$39,215 this year. Next year, it will rise again.

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John Cacoulidis

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Phyllis Cacoulidis submitted her secession petition last month and must go through several steps in the process.

A public hearing has been scheduled for Nov. 13, after which a special election could be held. The island has only one registered voter, Phyllis Cacoulidis, who registered 10 days after she filed the petition.

The final step, Cole says, is for the request to go before the Maine Legislature, which approved the secession of Frye Island from Standish in 1997, and of Long Island from Portland in 1993.

The Hope Island case raises a number of questions.

For instance, can any property owner go it alone in trying to secede from a town or city? And if the Cacoulidis are successful, what would Hope Island's form of government be?

But this much is sure: the Cacoulidis will continue paying property taxes to somebody, in addition to state taxes.

"If you have property, you pay taxes on it," said Mike Starn of the Maine Municipal Association. "Even if they didn't pay taxes in Cumberland, they would pay taxes elsewhere."

On the face of it, Hope Island does not appear to be a good secession candidate. Orlando Delogu, a professor at the University of Maine School of Law, says the Legislature looks at things like whether a place can perform normal governmental functions for itself.

"I would think an island with one or two property owners/residents would not be a viable candidate," Delogu said.

If he's successful, John Cacoulidis says he would be responsible for providing services for the "town of Hope Island." He says he might contract with neighboring Long Island or another community for fire service.

John Cacoulidis is not new to controversial proposals. In 1999, he unveiled plans to build a 35-story hotel and convention center on the South Portland waterfront. The plan has never been formally submitted for approval.

In Cumberland, the secession petition has drawn laughs and sneers.

Cole calls it a "total and complete abuse of the legislative process." Delogu says the effort "trivializes" the state's secession law.

# Patrols stepped up on Piscataqua River Bridge

● Maine and N.H. police increase vigilance to guard against terrorism.

The Associated Press

KITTERY — Maine and New Hampshire state police are giving increased attention to the Piscataqua River Bridge that connects the two states.

Police say they are conducting 24-hour sweeps of the bridge to guard against potential terrorist attacks.

The added vigilance comes after last week's announcement that threats had been made to attack the Golden Gate Bridge and several other major suspension bridges on the West Coast between Nov. 2-7.

Maine State Police Lt. Randall Nichols says police agencies in the two states are working together looking for suspicious activity, abandoned vehicles and pedestrians. He said the Coast Guard is keeping a watch from the Piscataqua River, and that the scrutiny will continue past Wednesday.

"I would say it is going to be an indefinite thing," Nichols said. "We've directed our troopers that until further notice, the increased patrols over the high-rise bridge will continue."

Officials last week announced that threats had been made to attack a half dozen suspension bridges in California and other western states.

In California, National Guardsmen armed with M-16s and Humvees have been patrolling the Golden Gate and other bridges since last week. Washington, Oregon and

other Western states have taken similar measures.

Massachusetts State Police are also patrolling the Tobin Bridge and the Big Dig suspension bridge in Boston, and the Bourne Bridge and Sagamore Bridge on Cape Cod.

New York City Police have also stepped up their patrols of the Brooklyn Bridge and the George Washington Bridge.

The Piscataqua River Bridge is the largest bridge in New England north of Boston.

Nichols says police are also asking motorists to be on the alert. Drivers who have cell phones can dial 911 to reach New Hampshire State Police or 77 to reach Maine State Police, Nichols said.

"It only takes a minute to place a call and put it into our hands," he said.



**Phyllis A. Cacoulidis**  
**Hope Island, Maine 04021**

November 13, 2001

Steven Moriarty, Town Council Chair  
Town of Cumberland  
290 Tuttle Road  
Cumberland, Maine 04021

To the Members of the Town Council  
and the Residents of the Town of Cumberland:

Greetings.

My name is Phyllis Cacoulidis, I am a registered voter in the territory known as Hope Island, Maine. I submit this report based on the desire of the residents of Hope Island to secede from the Town of Cumberland, pursuant to Title 30-A, M.R.S.A. §2171-C, paragraph 2.

**Factual Background:**

Hope Island is situated in Casco Bay, approximately 7 miles northeast of Portland, Maine. The 88 acre island has four beaches and pine, spruce and birch trees, and reaches an elevation of approximately 110 feet. Deer, quail, pheasant and other wildlife are nurtured and abundant. The island has a year-round population of two (2) residents and four (4) non-residents.

Hope Island was incorporated within the Town of Cumberland in 1821.

In 1993, the island was purchased by John and myself for use as our primary and permanent residence. Plans are being considered to add additional housing on the island.



Report on Proposed Secession of Hope Island  
September 13, 2001

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Since 1993, the Town of Cumberland has taxed the island as follows:

<u>Fiscal Year</u>	<u>Tax Bill</u>	
1993	\$11,413.87	← 1.3 million
1994	\$11,714.24	
1995	\$12,074.67	Bunk House
1996	\$12,435.11	Cape House - Visitors
1997	\$25,192.80	Built Rock Wall
1998	\$23,372.45	Built Generator
1999	\$24,906.07	Renovated Barn → 6 Bed
2000	\$28,337.82	Guest House
2001	\$39,214.96	Stable - 14 stalls

making Lakes

Statement of Reasons for Secession:

One reason for the increase in the tax obligation through the years is the substantial investment in permanent improvements on the island. Some of these improvements include renovations to the main house (originally built in 1913), installation of roadways and roadway lighting to navigate the island, construction of a chapel, installation of submarine power and telephone lines from the Town of Long Island to Hope Island, providing and filtering potable water, sewage treatment, and a propane gas generator plant for emergency electric power to all buildings.

In addition to the substantial permanent investments and the annual maintenance expenses to maintain these investments, the nature of an island seven miles from the Portland shore requires that either the Town of Cumberland or the residents of Hope Island bear certain other obligations, including substantial annual expenses for transportation to and from the mainland, policing the island, protecting the island from fire, ongoing engineering and maintenance, garbage collection and removal, and other basic services.

The residents of Hope Island believe that certain of these expenses represent "essential government-type services". While the property taxes imposed by the Town of Cumberland have soared, Hope Island residents must continue to bear all of the costs to provide their own basic services. In 2001, Hope Island expects the amortized costs for these government-type services to exceed \$130,000.



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John and I are good citizens and firmly believe in paying our fair share of the costs of government. While we value our privacy, we have been generous to local charitable institutions. In 1994, when we installed electric service from Long Island, we incurred substantial additional expense by also adding additional capacity for neighboring Cliff Island, which neither the private utilities nor the local government was interested in doing. Even as we wind down our New York real estate business, we continue to pay a large sum of money for property taxes annually, but we receive government services in return: our buildings are protected by police and fire departments, we receive water, sewer, lighted streets, etc. In contrast, our experience in Maine has been that the Town of Cumberland continues to tax Hope in sharply increasing amounts while at the same time failing to provide any essential government services that other taxpayers may take for granted.

When the Town of Long Island seceded from Portland in 1993, many of the same issues and concerns were paramount. We believe that we share more in common with the Town of Long Island than with the Town of Cumberland. In addition to the shared island culture and Hope Island's close proximity to Long Island, Hope Island draws its electric and telephone service from Long Island. In an emergency, the most direct route to assistance is neighboring Long Island.

**Conclusion:**

The Town of Cumberland stands to lose approximately \$40,000 in annual tax revenue. The taxpayers in the proposed Town of Hope Island would be able to use these funds to defray the substantial costs of providing its own essential services-costs that the residents of the Town of Cumberland are rightly not inclined to bear.

For the reasons stated, Hope Island respectfully requests that the Town Council of the Town of Cumberland, in accordance with Title 30-A, M.R.S.A. §2171-D and Title 21-A, chapter 9, subchapter I, article II and subchapter II, promulgate an advisory referendum to the voters of the secession territory on the question of the secession of Hope Island.

Very truly yours,

Phyllis A. Cacoulidis  
Hope Island



The Cumberland Shellfish Conservation Commission makes the following recommendations for management of the Town's shellfish resources for 2002:

1. Quantitative surveys and observations by Commission members, Plus the recommendation of our D.M.R. biologist, Don Card, support the sale of following licenses:
2. We offer for sale ten (10) resident commercial licenses and one (1) Non-resident commercial license. The commercial license will be valid for harvesting shellfish on Great Chebeague Island and the mainland from Sea Cove Road north to the outflow at the northerly edge of Wildwood the months of April and May for ninety (90) days, to be chosen by the individual harvester throughout the year and documented in their required shellfish log. The harvesting limit per tide on Great Chebeague Island is two bushels per tide and unlimited on the mainland. The commercial license will revert to a mess license the remaining two hundred and seventy-five (275) days of the year.
3. The Cumberland Shellfish Commission recommends the following fees and number of licenses be issued:

<u>License Type</u>	<u>Fee</u>	<u>Number to be issued</u>
Resident Commercial	\$50.00	10
Non-resident Commercial	\$100.00	1
Resident Recreational	\$15.00	280
Non-resident Recreational	\$30.00	28
Monthly Rec. (June, July, Aug, Sep)	\$10.00	30/month
Non-recreational Monthly	\$20.00	15/month
Daily Rec. (June, July, Aug, Sep)	\$5.00	60/month

4. The Commission will continue to work closely with the Maine Department of Marine Resources, to assist in the management, and surveying of our shellfish resource.

Respectfully submitted on behalf of the Shellfish Commission,

Ted Curtis  
Harbor Master/ Shellfish Warden



TOWN OF CUMBERLAND  
SHELLFISH CONSERVATION COMMISSION  
2001 ANNUAL REPORT

I would like to recognize the Cumberland Police Department, including Scott McCollom, our shellfish warden on Great Chebeague Island, for their enforcement efforts and the water-sampling volunteers for their continued dedicated service.

The activities of the Shellfish Conservation Commission for the 2001 calendar year have included formal and informal field surveys of our shellfish resources, shoreline surveys, and planning meetings coordinated with our assigned Maine Department of Marine Resources (DMR) biologists, Laura Livingston, and Don Card. Our activities included the following:

Enforcement:

The Police Department including Scott McCollom, and the assigned Great Chebeague Island Officers, in coordination with the Harbor Master continued to provide effective shellfish enforcement.

Field Surveys:

Commission members, volunteers, and the Harbor Master conducted ten formal quantitative surveys on Great Chebeague Island and the Mainland.

Planning Meetings:

The Commission held four meetings during the year. The following topics were discussed:

- Management goals
- Volunteer water quality sampling program
- Scheduling the shoreline surveys as required by the DMR
- Reviewing shellfish enforcement
- Enhancing the shellfish volunteer program
- Determine the number and allocation of shellfish licenses

Water Quality Sampling Program

Working with Laura Livingston, DMR biologist, the Cumberland volunteers collected six sets of water samples around Great Chebeague Island and the Mainland. The collection of water samples (assuming the samples meet the state's minimum criteria) assures the Town's the shoreline will remain open to shellfish harvesting.

The volunteers include Dick Peterson, Gail Worthen-Todd, and Ted Curtis.

This respectfully submitted on behalf of the Cumberland Shellfish Commission.

Ted Curtis  
Harbor Master/ Shellfish Warden





# TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

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2. We offer for sale ten (10) resident commercial licenses and one (1) Non-resident commercial license. The present commercial license is valid for harvesting shellfish only on Great Chebeague Island for ninety (90) days throughout the year, the days to be chosen by the individual harvester and documented in the required shellfish log. The commercial license reverts to a recreational license the remaining two hundred and seventy-five (275) days of the year. The harvesting limit per tide on Great Chebeague Island is two bushels per tide.

The Shellfish Commission also recommends that we expand the present commercial license to include: *the mainland area from Sea Cove Road in Cumberland Foreside, north to the outflow at the northerly edge of Wildwood Beach for only the months of April and May. The Commission also recommends the commercial harvesting limit will be unlimited each tide during this time on the mainland only.*

3. The Cumberland Shellfish Commission recommends the following fees and number of licenses be issued:

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## 2001 SHELLFISH WARDEN'S YEAR END REPORT

Shellfish Enforcement	725
Shellfish Conservation	85
Shellfish Administration	130
A. Training	<u>25</u>
Total	965 hours

Shellfish Patrol Checks	265
Estimated pecks harvested	715
Estimated harvest value(\$70.00/pk)	\$12,512

Shellfish checked	165
A. Short checked	0
Violations encountered	
A. Action taken	
1. Warning	4
2. Posted closed areas	3
3. Educational	4
4. Informational	4
5. Summons	0

<u>Shellfish Licenses</u>	<u>Allocation</u>	<u>Sold</u>	<u>\$ Received</u>
Resident Commercial	10	9	\$450.00
Resident Recreational	280	147	2,205.00
Resident Rec. (Senior)		76	0
Resident Rec. Monthly	120	46	460.00
Resident Rec. Monthly (Senior)		26	0
Resident Rec. Daily	240		0
Non-Resident Commercial	1	1	100.00
Non-Resident Recreational	28	81	2,430.00
Non-Resident Rec (Senior)		15	0
Non-Resident Rec. Monthly	60	32	640.00
Non-Resident Rec. Mon. (Sen)		15	0
Non-Resident Rec. Daily		1	5.00

### Certified Shellfish Wardens

**Thomas Burgess**  
**Ted Curtis**

**Milton Calder**  
**Kevin Peterson**

**Joseph Charron**  
**Jeffery Soper**



**PUBLIC NOTICE  
TOWN OF CUMBERLAND  
YEAR 2002 SHELLFISH LICENSES**

In accordance with the provisions of the Shellfish Conservation Ordinance, the Town of Cumberland hereby gives notice that there will be **308 RECREATIONAL LICENSES (280 resident and 28 non-resident) issued in 2002.** Also, MONTHLY RECREATIONAL LICENSES will be issued for each of the months of JUNE, JULY, AUGUST and SEPTEMBER (30 resident and 15 non-resident licenses each month) and DAILY RECREATIONAL LICENSES will be available during the months of JUNE, JULY, AUGUST, and SEPTEMBER (*Two* issued per day to residents or non-residents – individuals may purchase only one daily license per month). There will be eleven (11) COMMERCIAL SHELLFISH LICENSES (10 resident and 1 non-resident) issued in 2002.

**COMMERCIAL and NON-RESIDENT RECREATIONAL LICENSES will be drawn by lottery on December 31, 2001 at 9:00 a.m. APPLICATION must be made in person during normal office hours from December 3, 2001 through December 28, 2001.** Commercial licenses will be valid for commercial harvesting for 90 DAYS. *The license holder will have the option to choose the 90 days to harvest throughout the year, but must provide log documentation.* In the remaining 9 months of the year, the license will be valid for recreational harvesting. **Commercial harvesting will be limited to a maximum of TWO BUSHELS per tide on Great Chebeague Island. The Mainland area from Sea Cove Road in Cumberland Foreside, north to the outflow at the northerly edge of Wildwood Beach will be open for commercial harvesting during the months of April and May only and the commercial harvesting limit on the mainland will be unlimited each tide during those months.**

**RECREATIONAL and COMMERCIAL LICENSES WILL BE SOLD BEGINNING JANUARY 1, 2002.** MONTHLY AND DAILY RECREATIONAL LICENSES will not be available until the first day of each month. Recreational licenses will not be issued to, or valid for, anyone holding a State of Maine Shellfish License or a recreational license from another municipality.

Application for shellfish licenses must be made in person in the Town Clerk's Office at the Cumberland Town Hall, 290 Tuttle Road, between the hours of 8:00 am and 5:00 pm, Monday-Wednesday; 8:00 am and 6:00 pm Thursdays; and Fridays from 8:00 am to 12:00 noon. Questions? Call 829-5559.

Klara M. Norton  
Town Clerk



## Master Summary Report

<i>Monthly Building Permits</i>		<i>September 2001</i>	
<i>Addition</i>	4	\$151,500.00	\$464.50
<i>Deck</i>	1	\$300.00	\$32.80
<i>Demolition</i>	2	\$20,000.00	\$20.00
<i>Foundation</i>	1	\$22,000.00	\$50.50
<i>Garage</i>	5	\$110,700.00	\$256.15
<i>House</i>	7	\$1,660,000.00	\$3,948.25
<i>House / Seasonal</i>	1	\$0.00	\$152.00
<i>Miscellaneous</i>	1	\$200.00	\$75.00
<i>Pier</i>	1	\$5,000.00	\$75.00
<i>Porches</i>	1	\$4,300.00	\$20.00
<i>Renovation</i>	2	\$4,500.00	\$30.00
<i>Shed</i>	4	\$10,000.00	\$50.80
<i>Storage Barn</i>	1	\$25,000.00	\$48.60
<i>Totals</i>	31	\$2,013,500.00	\$5,223.60

<i>YTD Building Permits</i>			
<i>Access. Struct.</i>	1	\$7,000.00	\$0.00
<i>Addition</i>	33	\$934,948.00	\$2,798.30
<i>Alterations</i>	3	\$41,500.00	\$163.00
<i>Barn</i>	2	\$11,000.00	\$211.60
<i>Commercial</i>	2	\$520,000.00	\$1,750.00
<i>Conversion</i>	2	\$21,000.00	\$40.00
<i>Deck</i>	17	\$58,960.00	\$361.60
<i>Demolition</i>	7	\$20,000.00	\$70.00
<i>Float</i>	1	\$24,000.00	\$75.00
<i>Foundation</i>	3	\$38,000.00	\$196.90
<i>Garage</i>	14	\$332,300.00	\$1,164.35
<i>Gazebo</i>	1	\$1,000.00	\$0.00
<i>House</i>	43	\$8,587,235.00	\$20,292.20



<i>House / Seasonal</i>	5	\$315,000.00	\$848.05
<i>Miscellaneous</i>	1	\$200.00	\$75.00
<i>Pier</i>	5	\$119,500.00	\$300.00
<i>Pool</i>	5	\$78,082.00	\$326.20
<i>Porches</i>	2	\$6,450.00	\$40.00
<i>Portable Classroom</i>	1	\$80,000.00	\$0.00
<i>Renovation</i>	39	\$549,820.00	\$2,018.80
<i>Retaining Wall</i>	1	\$148,000.00	\$75.00
<i>Shed</i>	17	\$29,400.00	\$217.80
<i>Storage Barn</i>	1	\$25,000.00	\$48.60
<i>Temp. Structure</i>	1	\$0.00	\$25.00
	207	\$11,948,395.00	\$31,097.40

*Electrical Permits for September 2001*

<i>Count</i>	<i>Fee</i>
13	\$142.00

*YTD Electrical Permits*

<i>Count</i>	<i>Fee</i>
132	\$2,124.00

*Plumbing Permits for September*

<i>Count</i>	<i>Fee</i>
15	\$1,572.00

<i>Count</i>	<i>Fee</i>
135	\$12,716.00



Barbara McPheters  
Building Inspector



# Building Permits

September, 2001

<i>Date</i>	<i>Permit</i>	<i>Map/Lot</i>	<i>Owner</i>	<i>Location</i>	<i>Imprvmnt</i>	<i>Est Cost</i>	<i>Fee</i>
09/01/2001	01-200	U19B / 22A	Nevens, Gregory	84 Mill Road	House	\$200,000.00	\$397.55
09/04/2001	01-188	I01 / 15	Crosby, Henry Ru	Cottage Road	House / Seaso	\$0.00	\$152.00
09/05/2001	01-178	R05A / 9B	Earl, Julie	21 Frye Drive	Addition	\$4,500.00	\$20.00
09/05/2001	01-179	R02B / 5	Goranites, Peter	4 Friar Lane	Addition	\$40,000.00	\$140.00
09/05/2001	01-180	R08 / 68C	Piampiano, Robert	Blanchard Road	Shed	\$5,000.00	\$10.80
09/05/2001	01-181	R07 / 57	Stratton, Gene	Tinker Lane ( off	Renovation	\$500.00	\$10.00
09/06/2001	01-191SZ	U03 / 5	Crane, Lawrence	26 Dean's Way	Demolition	\$20,000.00	\$10.00
09/07/2001	01-182	U10 / 1B	Russell, Constanc	50 Amanda's W	House	\$275,000.00	\$587.30
09/12/2001	01-183	U12A / 2	Sauerwald, Mark	24 Blanchard Rd	Garage	\$50,000.00	\$50.40
09/12/2001	01-184	U08 / 14	Cummings, Tim	150 Longwoods	Foundation	\$22,000.00	\$50.50
09/12/2001	01-185	U05A / 2	DeRosa, John	6 Hallmark Rd.	Porches	\$4,300.00	\$20.00
09/12/2001	01-186	U04 / 8A 1	Bragg, Terry	11 Amy Lane	House	\$220,000.00	\$642.55
09/12/2001	01-187	U04 / 8A 2	Bragg, Terry	10 Amy Lane	House	\$220,000.00	\$642.55
09/12/2001	01-189	R07 / 10	Burrell, Philip & Ka	212 Blanchard R	Garage	\$8,000.00	\$33.80
09/12/2001	01-190	R01 / 27	Fuller, Richard	137 Middle Road	Shed	\$500.00	\$10.00
09/13/2001	01-192	R08 / 62	Milliken, Robert	50 Orchard Roa	Demolition	\$0.00	\$10.00
09/14/2001	01-193	U05 / 6B	Nappi, Michelle	6 Sturdivant Roa	Shed	\$2,000.00	\$10.00
09/14/2001	01-194	R05C / 6	Sledgeski, Lee	58 Idlewood Driv	House	\$275,000.00	\$638.80
09/14/2001	01-195	R07 / 14	Noel, Kathleen	112 Mill Road	House	\$125,000.00	\$285.60
09/17/2001	01-196SZ	I04 / 20	Wessel, Nils	9 Aaron's Wharf	Pier	\$5,000.00	\$75.00
09/17/2001	01-197	R08 / 52A	Albert, Denis	125 Orchard Ro	Garage	\$29,700.00	\$48.75
09/17/2001	01-198	R08 / 36B	Irving, William	619A Pleasant V	Garage	\$8,000.00	\$83.20
09/19/2001	01-199	R06 / 18E	Ferentz, William	409 Greely Rd E	Shed	\$2,500.00	\$20.00
09/19/2001	01-201SZ	I06 / 30A	Wilson, John	North Rd - Cheb	Storage Barn	\$25,000.00	\$48.60
09/19/2001	01-202	R02A / 4	Visentin, Robert	12 Powell Road	Addition	\$30,000.00	\$120.50
09/19/2001	01-203	R07D / 6	Chase Custom Ho	54 Stonewall Dri	House	\$345,000.00	\$753.90
09/24/2001	01-204	R07 / 72C	Scherer, Lorry	30 Maloney's Rid	Deck	\$300.00	\$32.80
09/26/2001	01-205	I02 / 38	Bowman, Bruce &	John Small Rd.	Garage	\$15,000.00	\$40.00



<i>Date</i>	<i>Permit</i>	<i>Map/Lot</i>	<i>Owner</i>	<i>Location</i>	<i>Imprvmnt</i>	<i>Est Cost</i>	<i>Fee</i>
09/26/2001	01-206	U14 / 72	DeHais, William	21 Woodside Dri	Addition	\$77,000.00	\$184.00
09/26/2001	01-207	I02 / 88	Smith, Bradley	25 John Small R	Renovation	\$4,000.00	\$20.00
09/26/2001	01-208SZ	I04 / 58	Tubbesing, Capps	63 Capps Road	Miscellaneous	\$200.00	\$75.00
						\$2,013,500.00	\$5,223.60



# Master Summary Report

<b>Monthly Building Permits</b>		<b>October, 2001</b>	
Addition	3	\$410,000.00	\$913.00
Commercial	1	\$20,000.00	\$100.00
Deck	1	\$3,800.00	\$0.00
Foundation	1	\$10,000.00	\$105.45
Garage	4	\$82,400.00	\$268.20
House	4	\$935,000.00	\$1,609.35
Porches	1	\$10,000.00	\$30.00
Renovation	5	\$293,235.00	\$283.75
Shed	5	\$14,100.00	\$52.00
- Totals	25	\$1,778,535.00	\$3,361.75

<b>YTD Building Permits</b>			
Access. Struct.	5	\$117,500.00	\$101.60
Addition	86	\$3,123,503.00	\$7,726.41
Alterations	13	\$145,900.00	\$536.20
Barn	3	\$31,000.00	\$250.00
Boathouse	1	\$30,000.00	\$64.80
Commercial	5	\$574,000.00	\$1,914.00
Conversion	2	\$21,000.00	\$40.00
Deck	38	\$112,260.00	\$767.35
Demolition	16	\$26,000.00	\$160.00
Float	1	\$24,000.00	\$75.00
Foundation	9	\$61,150.00	\$654.55
Garage	33	\$714,833.00	\$2,552.95
Gazebo	1	\$1,000.00	\$0.00
House	129	\$26,128,035.00	\$59,311.54
House / Seasonal	6	\$427,000.00	\$1,144.45
Miscellaneous	5	\$7,500.00	\$85.00
Pier	9	\$295,400.00	\$300.00



<i>Pool</i>	24	\$259,767.00	\$1,425.96
<i>Pool &amp; Deck</i>	1	\$1,200.00	\$38.40
<i>Pool &amp; Pool House</i>	1	\$30,000.00	\$130.40
<i>Porches</i>	4	\$16,850.00	\$80.00
<i>Portable Classroom</i>	3	\$230,000.00	\$0.00
<i>Renovation</i>	83	\$1,960,152.00	\$4,541.75
<i>Renovation/Commercial</i>	1	\$53,000.00	\$0.00
<i>Retaining Wall</i>	1	\$148,000.00	\$75.00
<i>Shed</i>	55	\$105,725.00	\$738.20
<i>Stairway</i>	1	\$300.00	\$0.00
<i>Storage Barn</i>	1	\$25,000.00	\$48.60
<i>Temp. Structure</i>	7	\$1,000.00	\$185.80
	544	\$34,671,075.00	\$82,947.96

*Electrical Permits for October, 2001*

<i>Count</i>	<i>Fee</i>
17	\$286.00

*YTD Electrical Permits*

<i>Count</i>	<i>Fee</i>
149	\$2,410.00

*Plumbing Permits for October, 2*

<i>Count</i>	<i>Fee</i>
12	\$1,125.00

<i>Count</i>	<i>Fee</i>
147	\$13,841.00



Barbara McPheters  
Building Inspector



# Building Permits

October, 2001

<i>Date</i>	<i>Permit</i>	<i>Map/Lot</i>	<i>Owner</i>	<i>Location</i>	<i>Imprvmnt</i>	<i>Est Cost</i>	<i>Fee</i>
10/04/2001	01-209	R07 / 93D	Chase, John	Blanchard Road	House	\$240,000.00	\$309.80
10/04/2001	01-210	U19 / 37	Copp, Ronald	5 Skillin Road	Garage	\$8,000.00	\$140.80
10/10/2001	01-211	U13A / 23	Loren, Lars	3 Lockwood Lan	Renovation	\$3,000.00	\$20.00
10/10/2001	01-212	I06 / 7	Rich, Patricia	Littlefield Road	House	\$60,000.00	\$314.40
10/11/2001	01-213	I04 / 2	Mansfield, Frank	156 South Rd.	Shed	\$5,400.00	\$10.00
10/15/2001	01-214SZ	I01 / 43	Whiston, David	Cross Road	Renovation	\$30,000.00	\$90.00
10/15/2001	01-215	U04 / 12A	Olmstead, Hugh	12 Dean's Way	Addition	\$120,000.00	\$270.00
10/15/2001	01-216	U06 / 78B	Swaney, Elizabeth	5 Pine Lane	Porches	\$10,000.00	\$30.00
10/16/2001	01-217	R07 / 89C	Morris, Allan	314 Blanchard R	Garage	\$27,000.00	\$50.40
10/17/2001	01-218	R02B / 21	Harding, Nick	26 Friar Lane	Garage	\$22,400.00	\$22.40
10/17/2001	01-219	U08 / 5	Pote, Frank Rt 9 J	137 Main St.	Commercial	\$20,000.00	\$100.00
10/19/2001	01-220	U14A / 61	Getsinger, Robert	16 Crystal Lane	Addition	\$40,000.00	\$113.00
10/22/2001	01-221	R06 / 27C	Love, Peter	430 Greely Road	Shed	\$4,500.00	\$12.00
10/23/2001	01-222	U20 / 35	Sloat, Beverly	16 Highland Ave.	Renovation	\$7,735.00	\$10.00
10/24/2001	01-223	U10 / 7	Richards, Lew	235 Main St.	Shed	\$1,500.00	\$10.00
10/24/2001	01-224	I02 / 25	Chebeague Care	84 Littlefield Rd.	Deck	\$3,800.00	\$0.00
10/24/2001	01-225	I04 / 9	Martin, John & Ki	South Road	House	\$235,000.00	\$293.40
10/24/2001	01-226	R04A / 10	Machesney, Nanc	56 Greely Road	House	\$400,000.00	\$691.75
10/25/2001	01-227	I03 / 33	Thaxter, John	2 Walker Road	Renovation	\$2,500.00	\$20.00
10/25/2001	01-228	U01 / 6	Goodrich, Laura	14 Foreside Roa	Addition	\$250,000.00	\$530.00
10/26/2001	01-229	R03 / 16D	Stanhope, Andrew	23 Stanhope Lan	Garage	\$25,000.00	\$54.60
10/29/2001	01-230	I04 / 157	Searway, Janice	54 East Shore D	Renovation	\$250,000.00	\$143.75
10/29/2001	01-231	R07 / 92	McAleney, Michae	280 Blanchard R	Shed	\$1,500.00	\$10.00
10/29/2001	01-232SZ	U03 / 5	Crane, Lawrence	26 Dean's Way	Foundation	\$10,000.00	\$105.45
10/29/2001	01-233	U06 / 88	Hebert, Kenneth	6 Coveside	Shed	\$1,200.00	\$10.00
						\$1,778,535.00	\$3,361.75



# Master Summary Report

<b>Monthly Building Permits</b>			<b>October, 2001</b>
Addition	3	\$410,000.00	\$913.00
Commercial	1	\$20,000.00	\$100.00
Deck	1	\$3,800.00	\$0.00
Foundation	1	\$10,000.00	\$105.45
Garage	4	\$82,400.00	\$268.20
House	4	\$935,000.00	\$1,609.35
Porches	1	\$10,000.00	\$30.00
Renovation	5	\$293,235.00	\$283.75
Shed	5	\$14,100.00	\$52.00
<b>Totals</b>	<b>25</b>	<b>\$1,778,535.00</b>	<b>\$3,361.75</b>

<b>YTD Building Permits</b>			
Access. Struct.	1	\$7,000.00	\$0.00
Addition	36	\$1,344,948.00	\$3,711.30
Alterations	3	\$41,500.00	\$163.00
Barn	2	\$11,000.00	\$211.60
Commercial	3	\$540,000.00	\$1,850.00
Conversion	2	\$21,000.00	\$40.00
Deck	18	\$62,760.00	\$361.60
Demolition	7	\$20,000.00	\$70.00
Float	1	\$24,000.00	\$75.00
Foundation	4	\$48,000.00	\$302.35
Garage	18	\$414,700.00	\$1,432.55
Gazebo	1	\$1,000.00	\$0.00
House	47	\$9,522,235.00	\$21,901.55
House / Seasonal	5	\$315,000.00	\$848.05
Miscellaneous	1	\$200.00	\$75.00
Pier	5	\$119,500.00	\$300.00
Pool	5	\$78,082.00	\$326.20



<i>Porches</i>	3	\$16,450.00	\$70.00
<i>Portable Classroom</i>	1	\$80,000.00	\$0.00
<i>Renovation</i>	44	\$843,055.00	\$2,302.55
<i>Retaining Wall</i>	1	\$148,000.00	\$75.00
<i>Shed</i>	22	\$43,500.00	\$269.80
<i>Storage Barn</i>	1	\$25,000.00	\$48.60
<i>Temp. Structure</i>	1	\$0.00	\$25.00
	232	\$13,726,930.00	\$34,459.15

*Electrical Permits for October, 2001*

<i>Count</i>	<i>Fee</i>
17	\$286.00

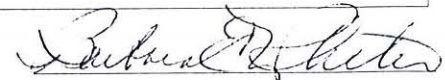
*YTD Electrical Permits*

<i>Count</i>	<i>Fee</i>
149	\$2,410.00

*Plumbing Permits for October, 2*

<i>Count</i>	<i>Fee</i>
12	\$1,125.00

<i>Count</i>	<i>Fee</i>
147	\$13,841.00

  
 Barbara McPheters  
 Building Inspector



TOWN OF GRAY



MEMO

TO: Regional Community Representatives  
FROM: Mitchell Berkowitz  
RE: Regional Meeting on November 14, 2001  
DATE: November 5, 2001

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This is a reminder to all of the town representatives regarding a regional meeting co-hosted by Bill Cooper and Mitch Berkowitz on November 14, 2001 at 6:30 Pm at the Stimson Hall in Gray. The agenda below will be our first efforts to identify those areas that we can pool our efforts.

6:30 PM GPCOG Presentation- Neal Allen

7:15 PM Cumberland County Budget Process- Matt Sturgis

7:35 PM Regional Traffic and Transportation Issues- Pam Wilkinson

7:55 PM Education Funding Issues- General Discussion

8:15 PM Issues for next meeting; set date, time and location

8:30 PM Adjourn

- Note that the times are approximate

We look forward to your participation.

For the Chairs of New Gloucester and Gray:

Bill and Mitch

S:/manager/regionalmeetings/Nov14Mtg.Nov5



FOR: TOWN MANAGER and TOWN COUNCIL  
FROM: Klara Norton, Town Clerk  
DATE: October 22, 2001

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## NOVEMBER 13, 2001 COUNCIL AGENDA ITEMS

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00- To set date for Public Hearing to consider and act on application by Winn Road LLC d/b/a Route 9 Diner for a Liquor License.

NOTE: Michael Normandeau is the Manager for Winn Road LLC, which is doing business as "Route 9 Diner", a newly owned restaurant. When a new business applies for a liquor license, a public hearing is required.

*Set date for the second meeting  
in November.*



Lisa  
FYI

## M E M O

FOR: TOWN MANAGER and TOWN COUNCIL  
FROM: Klara Norton, Town Clerk  
DATE: November 11, 2001

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### NOVEMBER 13, 2001 COUNCIL AGENDA ITEMS

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#### MOTIONS:

##### ITEM #:

01-86 MOVE to adopt the 2002 Shellfish License allocations as recommended by the Cumberland Shellfish Conservation Commission.

Porter moved  
Harland 2nd

year round  
to yearly/daily  
Porter amended vote  
Harland 2nd Unan.  
(5)

01-87 MOVE to adopt the Cumberland Shellfish Conservation Commission's recommendation to expand the present Commercial Shellfish license to include the mainland area from Sea Cove Road in Cumberland Foreside, north to the outflow at the northerly edge of Wildwood Beach for only the months of April and May, and to allow the commercial harvesting limit to be unlimited each tide during this time on the mainland only.

Porter moved  
Ramon second

Vote: Unanimous (5)



# M E M O

FOR: TOWN MANAGER and TOWN COUNCIL  
FROM: Klara Norton, Town Clerk  
DATE: October 24, 2001

---

## NOVEMBER 13, 2001 COUNCIL AGENDA ITEMS

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00-01 To set date for Public Hearing to consider and act on application by Winn Road LLC d/b/a Route 9 Diner for a Liquor License.

(Set date of 11-26-01 for Public Hearing)

NOTE: Michael Normandeau is the Manager for Winn Road LLC, which is doing business as "Route 9 Diner", a newly owned restaurant. When a new business applies for a liquor license, a public hearing is required.

00-02 To set date for Public Hearing to consider and act on application of Cumberland Salvage, Inc. for an Automobile Graveyard and/or Junkyard Permit.

(Set date of 12-10-01 for Public Hearing)

00-03 To set date for Public Hearing to consider and act on application of Thomas Greenlaw for an Automobile Graveyard and/or Junkyard Permit.

(Set date of 12-10-01 for Public Hearing)

00-04 To set Shellfish License allocations for 2002.

00-05 To consider and act on opening part of the mainland shore for commercial shellfish digging.

(from the far end of Sea Cove Rd, north to the northerly edge of the Wildwood Beach outflow during the months of April and May only.)

00-06 To consider and act on application of Val Halla Golf & Recreation Center for a Liquor License Renewal.

00-07 To hold a Public Hearing to adopt the MMA Model Ordinance General Assistance Appendixes A, B & C for the period of 10-01-01 to 10-01-02.

00-08 Swearing in of newly elected Town Councilor





## Maine Chapter - American Public Works Association

c/o John Foster, Public Works Dept.  
9 Industry Rd  
Brunswick, Maine 04011  
(207) 725-6654 FAX 725-6655  
e-mail: foster@gwi.net

April 5, 2001

Senator Kenneth D. Gagnon  
Representative Charles D. Fisher  
Joint Transportation Committee  
120<sup>th</sup> Legislature  
Augusta, Maine

**SUBJECT:** LD 643 - An Act to Allow Municipalities to Lower  
Certain Speed Limits

Dear Senator Gagnon & Representative Fisher:

On behalf of the Maine Chapter American Public Works Association we are making our organization's opposition to LD 643 a matter of record for your consideration. Today at our monthly business meeting, our Executive Committee unanimously approved a resolution directing me to write to you expressing our opposition to the legislative document approved by your committee authorizing municipalities to lower certain speed limits.

Our Board Members would welcome the opportunity to come before your committee to further detail our concerns and the problems we see with this proposed legislation. We understand there has been discussion regarding the threshold community size for applicability of the local jurisdiction for the speed limit authority. Our concerns go to the fundamental concept of transferring speed limit responsibility to ill-prepared or equipped communities. We understand the heavy work load of the MDOT Division Traffic Engineer, however, to transfer this responsibility and ancillary work load to local communities is not a viable solution to this complex problem.

Again we would welcome the opportunity to provide more input. Please feel free to call, write or e-mail me with any questions. Thank you for your consideration.

Sincerely,

Maine Chapter - APWA

John A. Foster,  
President

cc: All Members Transportation Committee  
MCAPWA Executive Committee

D:\sig\PWD\APWA\education\LD 643 to Trans Committee.doc

Public Works in the Public Interest  
Home Page: [www.mcapwa.org](http://www.mcapwa.org)

## Executive Committee

### Officers:

**President**  
John Foster  
Public Works Director  
9 Industry Rd  
Brunswick, ME 04011  
725-6654

**Vice-President**  
Tom Martin  
Public Works Director  
8 School Rd  
Windham, ME 04062  
892-1909

**Treasurer**  
Erik Street  
Deputy Pub. Works Dir.  
PO Box 907  
Yarmouth, ME 04096  
846-2416

**Secretary**  
Arthur Stockus  
Dir. of Public Services  
Bangor, ME 04401

**Past-President/Delegate**  
Greg Dore  
Road Commissioner  
42 Main Street  
Skowhegan, ME 04976  
474-6911

### Directors:

Paul Boudreau  
Public Works Director  
Westbrook, ME 04092

Alan Giove  
Howard P. Fairfield Co.  
Skowhegan, ME 04976

Gerry James  
Public Works Director  
Presque Isle, ME 04769

Roger Mosley  
Public Works Director  
Standish, ME 04084

Adam Ogden  
Public Works Director  
Cumberland, ME 04038

John Johnson  
Public Works Supervisor  
Jay, ME 04239

Al Hutchinson  
Public Works Foreman  
Union, ME 04862

Lawrence (Skip) Stanley  
Public Works Supervisor  
Auburn, ME 04210

William Stretton  
Safety Coordinator  
Lewiston, ME

Stephen Bradstreet  
EER  
Portland, ME 04102

Steve Walker  
Windham, ME 04062

**Honorary Director**  
Guy W. Melcher, Jr.

**Inst. Mun. Engineering**  
Craig Worth  
IME Branch Chair  
So. Portland, ME 04106





STATE OF MAINE  
DEPARTMENT OF EDUCATION  
23 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0023

ANGUS S. KING, JR.  
GOVERNOR

J. DUKE ALBANESE  
COMMISSIONER

November 3, 2001

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

Dear Mr. Benson:

Representative Glenn Cummings, Representative Lawrence Bliss, and I are pleased to announce that a forum, "School Funding in Maine", will be held on Tuesday, December 4<sup>th</sup>, from 7:00 p.m. to 9:00 p.m.

You are cordially invited to attend this forum and to extend this invitation to others who might be interested.

The forum will focus on school funding for K-12 education: a basic primer, plans for the future, and issues facing municipalities and school administrative units in the greater Portland area. Everyone in this area who is interested with the funding of education is invited to attend.

Following a brief presentation by the Department of Education, there will be an open discussion of funding for K-12 education. All attendees will be invited to participate in this discussion.

The forum will be held in the Deering High School Library, in Portland.

Sincerely,

J. Duke Albanese  
Commissioner



PRINTED ON RECYCLED PAPER





THE GREATER PORTLAND COUNCIL OF GOVERNMENTS

October 31, 2001

H/S/11  
R & S cannot attend  
No call to Allen - he will  
send materials to us

TO: Town & City Managers, Town & City Councilors, Other Interested Parties

FROM: Neal W. Allen, Executive Director

RE: **Falmouth Property Tax Relief Forum**

Please try to attend or have a representative from your community or organization attend a **Property Tax Relief Forum** that is being sponsored by the Town of Falmouth on **Monday, November 5, 2001 at 7:00 p.m. at the Falmouth High School Theater.**

The Property Tax Relief Forum is supported by the Greater Portland Council of Governments and will feature the following guest speakers:

*Philip Hunt, Tax Attorney*

*Geoffrey Herman, Maine Municipal Association*

*Professor Charles Colgan, The Muskie School of Public Policy, USM*

*Anne Gregory, Falmouth Town Assessor*

This initiative by the Town of Falmouth deserves the support and active participation of all those who believe that the future economic health and viability of Maine's cities and towns will continue to be at risk until meaningful tax policy reform is enacted. We simply cannot continue forever the practice (borne from necessity) of meeting the demands for municipal services through the local property tax.

To bring about change, a unified and dedicated effort will be needed from municipal and community leaders throughout the State. We can do our part by building a strong regional response.

I hope to see you on November 5 and at the reception immediately following, at which time we plan to briefly explore the possible next steps and strategies for advancing this critical public policy issue.

Thank you.





# Regional Waste Systems, Inc.

Council  
RJ  
11-13-01

## Corporate Members

Bridgton  
Cape Elizabeth  
Casco  
Cumberland  
Falmouth  
Freeport  
Gorham  
Gray  
Harrison  
Hollis  
Limington  
Lyman  
North Yarmouth  
Ogunquit  
Portland  
Pownal  
Scarborough  
South Portland  
Waterboro  
Windham  
Yarmouth

Norman E. Justice, Jr.  
Chairman

Charles E. Foshay  
General Manager

November 02, 2001

To: RWS Board of Directors

From: Charles E. Foshay, General Manager

Subject: Meeting Notice

## Associate Members

Baldwin  
Hiram  
Naples  
Parsonsfield  
Porter  
Standish

The chairman has scheduled a Board of Directors meeting for Thursday, November 15th at 7:00PM. The meeting will be held in the Directors Room located on the third floor in the Waste to Energy Plant at 64 Blueberry Road Portland.

An agenda will be sent prior to the meeting.

Also, please note that the Finance Committee will meet November 20<sup>th</sup> at 8:00AM. This meeting will also be held in the Directors Room at RWS.

64 Blueberry Road  
Portland, Maine 04102  
Tel: 207-773-6465  
Fax: 207-773-8296  
[www.regionalwaste.org](http://www.regionalwaste.org)



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# *Regional Waste Systems, Inc.*

## **MEMORANDUM**

### *Corporate Members*

Bridgton  
Cape Elizabeth  
Casco  
Cumberland  
Falmouth  
Freeport  
Gorham  
Gray  
Harrison  
Hollis  
Limington  
Lyman  
North Yarmouth  
Ogunquit  
Portland  
Pownal  
Scarborough  
South Portland  
Waterboro  
Windham  
Yarmouth

### *Associate Members*

Baldwin  
Hiram  
Naples  
Parsonsfield  
Porter  
Standish

*Norman E. Justice, Jr.*  
*Chairman*

*Charles E. Foshay*  
*General Manager*

**Date:** October 29, 2001  
**To:** Chairman and Members of the Board  
**From:** Charles E. Foshay, General Manager  
**Subject:** Minutes of 9/20/01 Board Meeting

There was a full Board meeting of RWS, Inc. on Thursday, September 20, 2001 in the Board of Directors Room.

Present	Excused	Absent
Norm Justice	George Flaherty	Jack Dawson
Jeff Jordan	Nick Mavodannes	Erving Bickford
Gary Lorfano	Jack Lufkin	
Duane Kline	Bill Bray	
Jim Cloutier	Jim Soule	
Troy Moon	Scott Seaver	
Ralph Baxter	Carol Fritz	
Susan McGinty	Ron Owens	
Harold Meade		
Bonnie Anderson		
Tony Plante		
John Boyden		
Dale Olmstead		
Maurice St. Clair		
David Cole		
Randy Cookson		
Scott Hamilton		
Len Vangaasbeek		

Staff present: Chuck Foshay, Kevin Trytek, Eric Root, Rocco Marzilli, Mark Arienti, Nick Nadzo, John Hayden, David Watson and Diane Doane. Henry Berry was an alternate for Carol Fritz. Also present was Eric Higgins.

With a quorum, the meeting was called to order at 7:20 p.m. The Agenda consisted of five items:

64 Blueberry Road  
Portland, Maine 04102  
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[www.regionalwaste.org](http://www.regionalwaste.org)



- I. Staff Report
- II. Survey Authorization
- III. Waste Deliveries
- IV. Committee Appointments
- V. Any item deemed appropriate by Chairman
- VI. Executive Session

Mr. Justice welcomed Bonnie Anderson of Falmouth to the Board of Directors and Henry Berry representing Carol Fritz.

Item I. Staff Reports:

Mr. Foshay asked if there were any questions on the reports that were included in the Agenda package?

Mr. Jordan asked with the rate change as of July 1, if our tonnage is down? Mr. Foshay said that we have not experienced any reduction in waste due to the increase in tip fee.

Mr. Foshay said that Eric is going to be working with 6 RWS communities on a report showing what commercial businesses are paying for disposal fees.

Mr. Olmstead asked if Pine Tree Waste has been bringing their waste in? Mr. Marzilli said that their year to date tonnage is around 3000 tons, which is about 800 tons less than last year.

Mr. Justice asked if there were any further questions on staff reports. There was no further discussion.

Item III. Waste Deliveries

This item was taken out of order.

Mr. Cole moved "The RWS Board of Directors hereby authorizes the General Manager to negotiate plant capacity and volume discounts for the purpose of long-term revenue stability." Seconded by Mr. Lorfano.

Mr. Justice asked if there was further discussion, with none, he asked for a vote on the motion. The motion passed all in favor as presented.

Item II. Survey Authorization

Mr. Jordan moved "The Board of Directors of RWS, Inc. do hereby authorize the General Manager to sign the survey authorization request for Maritimes and Northeast Pipeline." Seconded by Mr. Cloutier.



Mr. Jordan asked if there was any further discussion. With none, he asked for a vote on the motion. The motion passed all in favor as presented.

#### Item IV. Committee Appointments

Mr. Justice made the following appointments to the Finance Committee and Recycling Committee for the 2001/02 Year.

Finance Committee:	Recycling Committee
Gary Lorfano Chairman	Carol Fritz
Ralph Baxter	Susan McGinty
David Cole	Scott Seaver
Jeff Jordan	Jack Dawson
Ron Owens	Bonnie Anderson
Maurice St.Clair	Troy Moon
Erving Bickford	Bill Bray
Carol Fritz	John Boyden
Duane Kline	Harold Meade
Tony Plante	Jim Cloutier
Len Vangaasbeek.	George Flaherty
	Len Vangaasbeek
	John Lufkin
	Scott Hamilton
	Randy Cookson

Mr. Justice said if there was a committee any member was interested in serving on to contact the administration office. The Chairman asked if there was any further discussion on this item. There was none.

#### Item VI. Executive Session

Mr. Olmstead moved "The Board of Directors go into Executive Session for discussion of litigation with Counsel." Seconded by Mr. Cloutier.

Mr. Jordan asked for a vote on the motion. The motion passed all in favor as presented. The Board went into Executive Session at 8:00 p.m.

Mr. Lorfano moved "The Board of Regional Waste Systems go into Public Session." Seconded by Mr. Jordan. The Board went into Public Session at 9:20 p.m.

With no other items for discussion, the meeting was adjourned at 9:20 p.m.

CEF/dmd



# *Regional Waste Systems, Inc.*

## **MEMORANDUM**

### *Corporate Members*

Bridgton  
Cape Elizabeth  
Casco  
Cumberland  
Falmouth  
Freeport  
Gorham  
Gray  
Harrison  
Hollis  
Limington  
Lyman  
North Yarmouth  
Ogunquit  
Portland  
Pownal  
Scarborough  
South Portland  
Waterboro  
Windham  
Yarmouth

### *Associate Members*

Baldwin  
Hiram  
Naples  
Parsonsfield  
Porter  
Standish

*Norman E. Justice, Jr.*  
*Chairman*

*Charles E. Foshay*  
*General Manager*

**Date:** October 30, 2001  
**To:** Chairman & Members of the Board  
**From:** Charles E. Foshay, General Manager  
**Subject:** Minutes of 10/18/01 Executive Committee Meeting

There was an Executive Committee meeting of RWS, Inc. on Thursday, October 18, 2001 in the RWS Board of Directors Room.

Present	Excused	Absent
Norm Justice	Nick Mavodones	Tony Plante
Jeff Jordan	Carol Fritz	
Gary Lorfano		
Dale Olmstead		
Scott Seaver		
Maurice St.Clair		
Susan McGinty		
Duane Kline		

Staff present: Chuck Foshay, Eric Root, Kevin Trytek, Rocco Marzilli, John Hayden, David Watson, Nick Nadzo and Diane Doane. Also present was Erving Bickford and Len Vangaasbeek. With a quorum, the meeting was called to order at 6:05 p.m.

The Agenda consisted of five items:

- I. Staff Reports
- II. DCS System
- III. Legislation -Certificate of Need
- IV. Flow Control (Oneida-Herkimer Decision)
- V. Any item deemed appropriate by the Chairman

### Item I. Staff Reports

Mr. Foshay said this item was similar to the reports given at the last Board meeting in September. He said the final piece of the Consent Decree with the DEP was getting a release from the DEP that all items were met and the the dollar amount RWS was going to have to pay for violations. Mr. Foshay said that staff

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www.regionalwaste.org



met with the a mediator and the DEP last week and it was settled that RWS would pay the DEP \$100,000 for violations under the decree as well as RWS would have to pay \$5600 for Attorney General fees. Mr. Foshay said that the DEP wanted RWS to pay \$430,000 for the violations. He said this is a complete release on all items under the Consent Decree between RWS and the DEP.

Mr. Foshay said that the settlement shows that RWS was right in taking the DEP to Court. He said that we have Title V coming up for approval and that he was going to extend an invitation to the DEP to educate them on the RWS facility and how it works. He said this will be offered to supervisory staff at the DEP and we will show them how ISO 14000 will work. Mr. Foshay said that RWS will do everything we can in trying to educate the DEP staff on our facility.

Mr. Olmstead commended staff for the great job done on settling these issues with the DEP. Mr. Seaver asked if RWS license is still outstanding with the DEP/ Mr. Foshay said it was and it goes back to 1989, he also said out Title V Permit was submitted 5 years ago and RWS is still waiting for approval.

Mr. Hayden said he has seen a draft of the Title V Permit and the DEP wants to impose on RWS to operate flow meters and monitoring requirements on a 3 hour basis. Mr. Hayden said no other facility in the world is required to meet these requirements. Mr. Hayden said this will be another matter that RWS will have in the future with the DEP because the regulations cannot be met and technically are not used, they are unsupportable on a technical basis.

Mr. Root briefed the Committee on the recycling of junk mail and how RWS is looking at the processing in relation to the terrorism attack. Mr. Root said that the recycling employees process junk mail for 240,000 people in southern Maine and there is no way of knowing if a white powder substance comes through in the recycling of junk mail. He said he has spoken with Occupational Health and Rehab as well as with public health officials. He said the risk is extremely remote but that RWS will treat any employee who has a complaint for rashes, etc. if they show any symptoms that might be related to anthrax.

Mr. Root informed the Committee that he has spoken with the General Manager on this and what the risks to RWS could be. He said that if this became more than a remote risk, then RWS would not be recycling junk mail.

Mr. Foshay said Occupational Health & Rehab said they are willing to do in-house training if RWS thinks this might be a problem. He said that RWS will burn this waste as opposed to putting employees at health risks.

Mrs. McGinty mentioned security for entering this facility. Mr. Foshay said that RWS will take necessary precautions.



Mr. Olmstead said staff should have the authority to make a decision on not accepting material that is unsafe to our employees for processing. Mr. Foshay said the Board would have to look at the long term repercussions to the program if we stopped accepting junk mail or any other items in the recycling program. Mr. Foshay said staff would keep the Committee and Board up to date on this matter.

#### Item II. DCS System

Mr. Hayden said we are no longer able to get spare parts for the control system installed by Dravo.

Mr. Lorfano moved "The Executive Committee of RWS hereby authorizes entering into an agreement with New England Controls at a cost not to exceed \$600,000 to replace the control system in the plant." Seconded by Mr., Seaver.

Mr. Hayden said once we conclude negotiations with New England Control we would begin installation immediately. He said it will take 12 months to complete this, and RWS will withhold monies under the contract until completion as well as receive 20% off on parts for the system.

Mr. Justice asked if there was any further discussion? With none, he asked for a vote on the motion. The motion passed all in favor as presented.

#### Item III. Legislation (Certificate of Need)

Mr. Foshay said last year RWS submitted legislation for a needs analysis for any new solid waste facility in the State. He said this was defeated 12-1 in the Committee. The General Manager said the northern part of the state has an issue with the Hampton site. He said the owners of this site have asked the DEP to take raw garbage to a site that was licensed for special waste only. Mr. Foshay said the he has a meeting in the morning (10/19) with Glen Cummings to submit legislation. He said to get a bill in, you need 6 votes of the legislative council and that any law that goes into effect with this proposed legislation, would not effect any permits that already in place. Mr. Foshay said the Legislative Council meets on October 29<sup>th</sup> and he will keep the Board informed.

#### Item IV. Flow Control (Oneida-Herkimer Decision)

Mr. Nadzo briefed the Committee on this matter. He said that this past summer there was interest raised in Congress on Flow Control, but nothing will happen in Congress this session due to the September 11<sup>th</sup> terrorism.

Mr. Nadzo said this matter was being appealed to the Supreme Court because Carbone in New York was taking local waste out of state. If they take this case, it will be argued before the Court and the Supreme Court will decide the issue this coming summer or fall. Mr. Nadzo said that attorney general should be asked to



participate in this case if it is picked up by Supreme Court, Mr. Nadzo said that RWS will send a letter to Steve Rowe (current Attorney General) signed by the Chairman of the Board. He said that if the Court does not take this case, then the current ruling stands.

Item V. Other

Mr. Justice informed the Committee that Jim Soule has resigned from the Executive Committee and Board of Directors. Mr. Justice asked Dale Olmstead, Gary Lorfano, and Maurice St. Clair to serve with himself as Nominating Committee for filling this vacancy.

It was asked if RWS was actively looking at refinancing? Mr. Foshay said we are watching the spread at this time. Mr. Hayden said he had not spoken to investment brokers about refinancing. He said if things stay as they presently are, then next month to 6 weeks we could look at a conversion.

With no other items for discussion, the meeting was adjourned at 7:30 p.m.

CEF/dmd





November 2, 2001

Dear Friend of the Widening Project:

The busiest section of the Maine Turnpike is now wider, smoother and safer. You are invited to join Governor Angus King and members of the Maine Turnpike Authority for the inaugural ride on the new pavement on Friday, November 16, 2001.

Opening celebrations will begin at 9:30 a.m. at the Saco Hotel Conference Center, just off the Maine Turnpike between Exits 4 and 5. After a brief program recognizing the people who have made this year a success, we will board the MTA/MDOT sponsored Zoom buses and travel up the road for the official ribbon cutting and inaugural ride on the new third lane. We will return to the Saco Hotel Conference Center at approximately 11:30 a.m. for a delicious buffet lunch.

By all accounts, 2001 was to have been the most challenging year of the five-year Turnpike Widening Project. Thanks to the determination of hundreds of hard working people, this year's project will be completed on-time, on-budget and with remarkably little inconvenience to the traveling public. That is an accomplishment worth celebrating.

I hope you will make plans to join us on November 16. Please let us know if you plan to attend by calling Bruce Pelletier at 1-800-698-7747 (ext. 119) by Monday, November 12, so that we can plan appropriately. A map and directions have been enclosed for your convenience.

Thank you so much for your continued support and patience throughout this vital project for Maine.

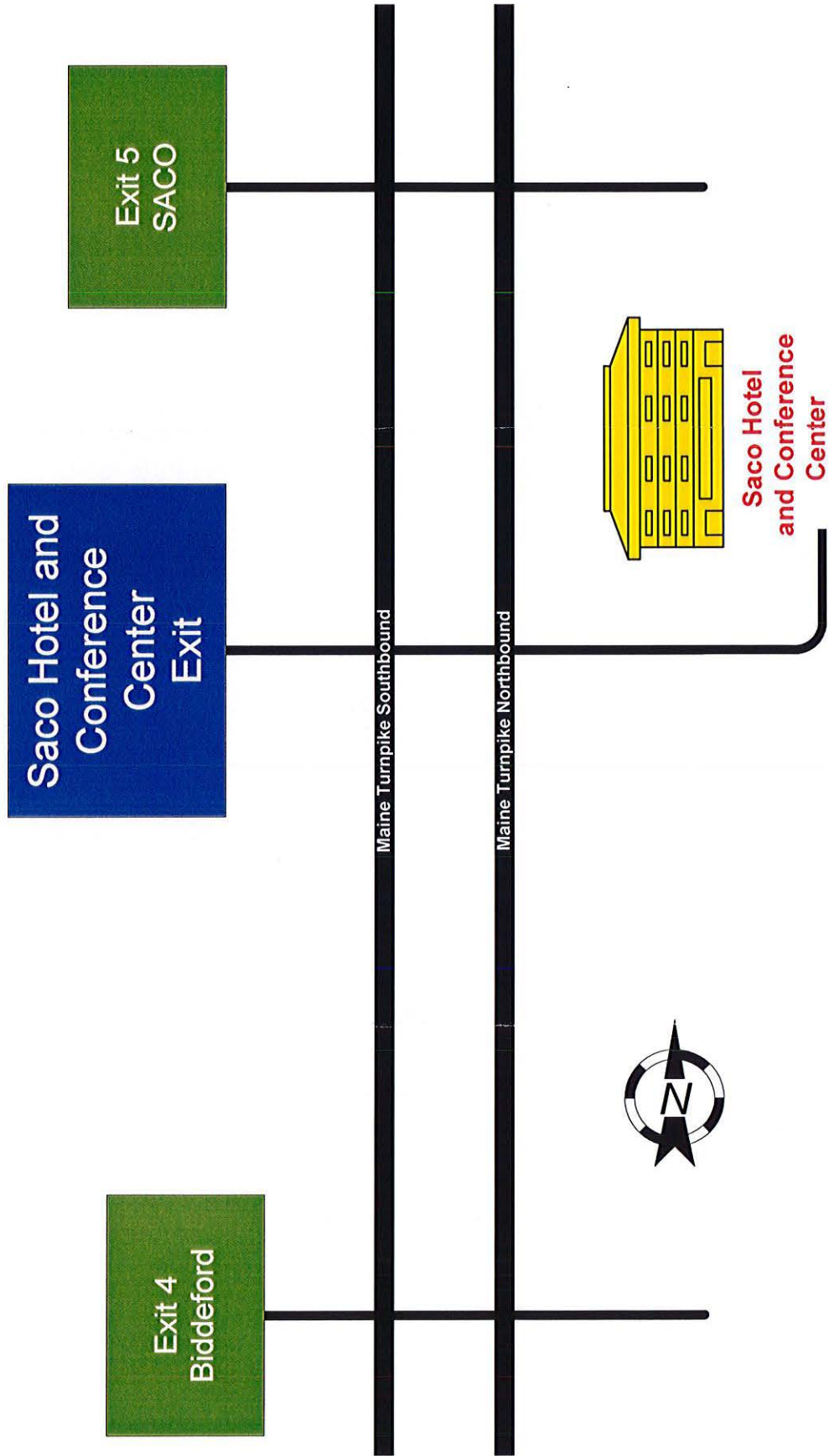
Sincerely,

Paul E. Violette  
Executive Director





# 2001 Maine Turnpike Widening Ribbon Cutting Ceremony





## CHEBEAGUE STONE WHARF COMMITTEE - NOV. 1, 2001

The Stone Wharf Committee met at the CIHCC on Chebeague on November 1, 2001 with the following members present : Chm. Steve Moriarty, V.Chm. Michael Porter, Peter Bingham, Donna Damon, Tad Runge, Alan Malony, Lindy Smith, Peter Rice, Sam Ballard, Ernie Burgess, Mal Rice, Wink Houghton, Milt Calder, Bob Libby, and Martha Hamilton. Absent were: David Stevens, and Ted Curtis. Mark Dyer also attended.

Chm.Moriarty opened the meeting at 7:10 pm and the minutes of the last meeting were approved as received and read by members. Since the lack of enforcement of existing ordinances in regard to parking on the wharf was one of the key issues discussed at the last meeting, Moriarty has suggested to Bob Benson that he meet with the Chief of Police to discuss this problem. Michael Porter cited a recommendation to ban overnight parking on the wharf from midnight to 4 am that was discussed in '96 , but he was not sure that it appeared in the final ordinance. There was a general discussion as to what areas of the wharf this covered and other parking problems , instances of violations, difficulties of enforcement, inconsistent enforcement, the effectiveness of reserve police officers, how many hours they work on the island, and results of ticketing parking violations. Milt Calder estimates that the current reserve police officer assigned to the island works about 8 to 10 hours a week here. Mal Rice questioned if a violation of parking ordinances can be enforced without a public posting of same and it was noted that it was very difficult to maintain public posting anywhere on the island. It was generally agreed that consistent enforcement of existing ordinances resulting in multiple fines over a period of time would be the most effective deterrent to parking violations. Ernie Burgess noted that at one time the area used by the fishermen for loading and unloading traps had been conspicuously taped to remind people not to park there and that this system worked well but had not been used lately, because the reserve officer who initiated the taping and policed the area no longer works for the Town. He considers the safety of pedestrians and cars in that congested area a measure of prime importance. A reminder in the monthly Calendar in the Spring and Fall might help. How much time the Harbormaster spends on the island and how boat tie-ups ordinances are enforced was discussed briefly .

There was a question in regard to the " right -of-way" of the Wharf Road, where the original road ran (1880), the measurement of 2 1/2 rods in width, what was Town Road and what belonged to the Golf Club. It would be beneficial to put the right of way where it was most effective and possibly widen the road. Moriarty and Bingham said they would confer with Adam Ogden about this.

The structure and maintenance of the wharf itself was a key issue at the first meeting and Moriarty said that inspection and input by a professional engineer should address that subject. Porter suggested that they ask Paul Pottle who did the marine engineering planning for the State on the Chandlers Cove Pier to recommend someone with more experience in regard to wharves such as this one so that we might have a second opinion on the work done by Steve Sawyer.



## STONE WHARF COMMITTEE minutes cont'd 11/01/01

Moriarty suggested that the Committee work in sub-committees to look at issues such as those presented by Fishermen, CTC, Golf Club, Traffic and Parking, Chandlers Cove. Porter offered another view of categories ...Car Parking, Structure, present and future, and Fishing/marine usage. Other suggestions were Water use, Land use, Structure and Alternatives. It was agreed that use of the Wharf is vital to island fishermen and there are no reasonable alternative sites available or feasible even at tremendous expense. Mark Dyer commented that the fisherman should be accommodated but that enforcement in regard to parking and tie-ups of small boats be regulated. Porter suggested that parking areas be designated by time use..ie: 24 hour, 48 hour, overnight, etc.and that off sight parking possibly would be inevitable. Burgess commented that the use by fishermen would probably be a constant factor whereas with property changes and increased population CTC parking would increase indefinitely. There was a discussion in regard to using the Golf Club property next to Kendalls, the proposals that have been raised in connection with use of the Sunset Landing property and the prohibitive winter ice situation there, the problems and advantages of car ferry service and the cooperation of CMP in that regard. Categories and interested persona for same evolved as follows:

**PARKING:** Tad Runge, Donna Damon, Peter Rice, Milton Calder and Malcolm Rice with Mal Rice as Chairman.

**MARINE USAGE:** Alan Malony, Wink Houghton, Ernie Burgess, Lindy Smith and Michael Porter with Porter as Chairman.

**ALTERNATIVES:** Bob Libby and Sam Ballard with Ballard as Chairman.

**STRUCTURE:** will also be a category after inspection input by marine engineer.

Individual participation in Categories may overlap eventually.

The next meeting of this committee is scheduled for 7 pm on Thursday, Nov. 27, 2001 at the Public Safety Building on Chebeague. Meeting adjourned 8:35 pm.

Respectfully submitted,

Martha O. Hamilton, Rec Sec.





STATE OF MAINE  
DEPARTMENT OF EDUCATION  
23 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0023

ANGUS S. KING, JR.  
GOVERNOR

J. DUKE ALBANESE  
COMMISSIONER

November 3, 2001

Mr. Stephen Moriarty  
Cumberland Ctr. Town Councilor  
290 Tuttle Road  
Cumberland Ctr., ME 04021

Dear Mr. Moriarty:

- Representative Glenn Cummings, Representative Lawrence Bliss, and I are pleased to announce that a forum, "School Funding in Maine", will be held on Tuesday, December 4<sup>th</sup>, from 7:00 p.m. to 9:00 p.m.

You are cordially invited to attend this forum and to extend this invitation to others who might be interested.

The forum will focus on school funding for K-12 education: a basic primer, plans for the future, and issues facing municipalities and school administrative units in the greater Portland area. Everyone in this area who is interested with the funding of education is invited to attend.

Following a brief presentation by the Department of Education, there will be an open discussion of funding for K-12 education. All attendees will be invited to participate in this discussion.

The forum will be held in the Deering High School Library, in Portland.

Sincerely,

J. Duke Albanese  
Commissioner



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*Council  
NY  
11-17-01*

## County of Cumberland

142 Federal Street, Suite 102, Portland,  
ME 04101

# Memo Revised October 26, 2001

**To:** Board of Commissioners

**From:** Bob Devlin, Deputy County Manager

**Date:** October 26, 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)

→ DECEMBER 5, 2001 @ 6:00 P.M. Final Meeting: to submit  
recommendations following public hearings.

Location: Jury Assembly Room, Courthouse Room 231

### Community Television Network

#### Live Call – In Program

Tuesday November 20<sup>th</sup> at 7:00 p.m.  
100 Oak Street Portland, Maine

### District Hearings – Proposed Budget

November 8<sup>th</sup> – Naples

Location: Naples Town Office, Lamb Hill Road

Time: 7:00 p.m.

November 15<sup>th</sup> Portland

Location: Cumberland County Courthouse

Time: 7:00 p.m.

November 29<sup>th</sup> – South Portland

Location: Town Office

Time 7:00 p.m.

### Final Budget Adoption

December 10, 2001 – Courtroom 1





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



Telephone  
(207) 892-6785

Fax  
(207) 892-8617

The County of Cumberland Emergency Management Agency is distributing to local municipal directors of Economic Development, Chambers of Commerce, other business organizations, and Town Managers, a fact sheet about the U.S. Small Business Administrations, September 11<sup>th</sup> Economic Injury Disaster Loan Program.

Sincerely yours,

  
George A. Flaherty





U.S. Small Business Administration

**FACT SHEET ABOUT U. S. SMALL BUSINESS ADMINISTRATION  
SEPTEMBER 11 ECONOMIC INJURY DISASTER LOAN PROGRAM**  
(Effective October 22, 2001)

*Filing Period to apply for economic injury loan assistance begins on October 22, 2001 and ends on January 21, 2002*

The purpose of the **September 11 economic injury disaster loan program** is to provide funds to eligible small businesses to meet its ordinary and necessary operating expenses that it could have met, but is unable to meet as a direct result of the destruction of the World Trade Center or damage to the Pentagon on September 11, 2001, or as a direct result of any Federal action taken between September 11, 2001 and the effective date of the regulations implementing this program. These loans are intended only to provide the amount of working capital needed by a small business to pay its necessary operating expenses and obligations until operations return to normal. The purpose of these loans is not to cover lost income or lost profits, or losses attributable to an economic downturn. EIDL funds cannot be used to refinance long-term debt or to expand the business.

Federal law requires SBA to determine whether credit needed to accomplish full recovery is available from non-government sources without creating an undue financial hardship to the applicant. The law calls this *credit available elsewhere*. Generally, SBA determines that over 90 percent of disaster loan applicants do not have sufficient financial resources to recover without the assistance of the Federal government. Because economic-injury loans are taxpayer subsidized, Congress intended that applicants with the financial capacity to fund their own recovery should do so and therefore are not eligible for EIDL assistance.

**Credit Requirements:** SBA's assistance is in the form of loans, as such SBA must have a reasonable assurance that such loans can and will be repaid.

**Collateral Requirements:** Loans of \$5,000 or less do not require collateral. Loans in excess of \$5,000 require the pledging of collateral to the extent that it is available. Generally the collateral will consist of a first or second mortgage on the business property. In addition, personal guaranties by the principals of the business are required. The SBA will not decline a loan for lack of collateral, but you must pledge available collateral.

**Interest Rate:** Interest rates are determined by formulas set by law and are recalculated quarterly. The maximum interest rate for this program is 4 percent.

**Loan Term:** The law authorizes loan terms up to a maximum of 30 years. SBA determines the term of each loan in accordance with the borrower's ability to repay. Based on the financial circumstances of each borrower, SBA determines an appropriate installment payment amount, which in turn determines the actual term.

**Loan Amount Limit - \$1,500,000.** The actual amount of each loan, up to this maximum, is limited to the actual economic injury as calculated by SBA, not compensated by business interruption insurance or otherwise, and beyond the ability of the business and/or its owners to provide. If a business is a major source of employment, SBA has authority to waive the \$1,500,000 statutory limit.

**Insurance Requirements:** To protect each borrower and SBA, SBA requires borrowers to obtain and maintain appropriate insurance. Borrowers of all secured loans (economic injury loans over \$5,000) must purchase and maintain full hazard insurance for the life of the loan. Borrowers whose collateral property is located in a special flood hazard area must also purchase and maintain flood insurance for the full insurable value of the property for the life of the loan.



## SEPTEMBER 11 ECONOMIC INJURY DISASTER LOAN PROGRAM

### Frequently Asked Questions

#### **I've heard that SBA loan applications are complicated and hard to complete. Is this true?**

No. The application form asks you for the same information about the business and its substantial owners and managers that generally is required for a bank loan. If you need help, SBA personnel will explain the forms and give you assistance at no charge. You may use the services of accountants, attorneys, or other representatives if you wish, but be sure they are reliable and that their fees are reasonable. You must report the use of a representative and the fees charged on your loan application.

#### **What small businesses are eligible for the September 11 Economic Injury Disaster Loan Program?**

This program is for eligible small businesses located outside the declared disaster areas of the World Trade Center and the Pentagon. Any eligible small business that is unable to meet its financial obligations or pay its necessary operating expenses as a direct result of the terrorist attacks on September 11<sup>th</sup>, or as a result of any related Federal action taken between September 11 and the effective date of the regulations implementing this program may be eligible for assistance.

#### **Must I use my own money or try to borrow from a bank before I come to SBA?**

No. The resources of the business and its principals will be considered in determining the ability of the business to recover without the assistance of the Federal government.

#### **When should I apply for the loan?**

Small businesses that meet all other eligibility requirements have until January 21, 2002 to apply.

#### **What documentation do I need to give SBA to apply for this type of loan?**

The filing requirements are listed at the beginning of the application (SBA Form 5). In addition to the financial information required that you would normally submit for any loan, your application package must also include the following:

- A written explanation of how the destruction of the World Trade Center, the damage to the Pentagon, or a related Federal action has resulted in the small business experiencing substantial economic injury.

#### **How can I show that my business has been impacted as a direct result of the September 11 terrorist attacks or as a result of a related Federal action that was taken between September 11<sup>th</sup> and the effective date of the regulations implementing this program?**

Generally, SBA will use the following criteria in determining whether your economic injury is eligible for assistance under the September 11 Economic Injury Disaster Loan Program:

1. Your small business was located in an airport or other facility that was closed as a result of national security as mandated by the Federal government; or
2. Your small business supplied or provided services to a business that was located in or near the World Trade Center or Pentagon; or
3. Your small business supplied or provided services to a business or industry adversely affected by the terrorist attacks or Federal action; or
4. Your small business is dependent upon a business that was closed or suspended its operations as a result of the terrorist attacks or Federal action.

#### **What does "substantial economic injury" mean?**

*Substantial economic injury* means that your business either has been or will be adversely impacted by the destruction of the World Trade Center, the damage to the Pentagon, or a related Federal action, and that the business is (1) unable to meet its financial obligations as they mature, and (2) is unable to pay its ordinary and necessary operating expenses.

#### **Can I use the money to pay off or refinance my existing debts?**

No. You cannot use the proceeds of an economic injury disaster loan to pay off or refinance debt. The money can only be used for operating expenses or to make payments on your debts until the business recovers.

#### **When will I know if I get the loan?**

That depends on when you file a complete SBA loan application. To make a loan, we must be satisfied that the business can repay the loan from its operations and take reasonable safeguards to help ensure that the loan is repaid. Since we process applications in the order received, the faster you return the application with all the needed information, the faster we can work on it. We try to make decisions on each application within 7 to 21 days. Be sure the information in your application is complete; missing information is the biggest cause of delay.

#### **How soon can I expect my money?**

After we approve the loan, we will tell you what documents are needed to close the loan. Once we receive these documents, we can disburse the funds.



**Below are listed the offices, addresses, phone numbers, and the states each office serves:**

Disaster Area 1 Office  
360 Rainbow Blvd., South  
Niagara Falls, NY 14303  
1-800-659-2955

Serves: Connecticut, District of Columbia, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands, Virginia and West Virginia

Disaster Area 2 Office  
One Baltimore Place, Suite 300  
Atlanta, GA 30308  
1-800-359-2227

Serves: Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Michigan, Minnesota, Mississippi, North Carolina, Ohio, South Carolina, Tennessee and Wisconsin

Disaster Area 3 Office  
4400 Amon Carter Blvd., Suite 102  
Ft. Worth, TX 76155  
1-800-366-6303

Serves: Arkansas, Colorado, Iowa, Kansas, Louisiana, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah and Wyoming

Disaster Area 4 Office  
1825 Bell Street, Suite 208  
Sacramento, CA 95853-4795  
1-800-488-5323

Serves: Alaska, American Samoa, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon and Washington

For additional information please visit SBA's website at [www.sba.gov](http://www.sba.gov).





## NEWS RELEASE

### PRESS OFFICE

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Release Date: October 18, 2001

Contact: Carol Chastang (202) 205-6987

Release Number: 01-53

Internet Address: [www.sba.gov/news/indexheadline.html](http://www.sba.gov/news/indexheadline.html)

### ***SMALL BUSINESSES ACROSS THE COUNTRY CAN APPLY FOR SBA ECONOMIC INJURY DISASTER LOANS IN WAKE OF SEPTEMBER 11<sup>TH</sup> TERRORIST ATTACKS***

WASHINGTON – Prompted by the widespread economic impact of the terrorist attacks on New York City and the Pentagon, the U.S. Small Business Administration has widened access to Economic Injury Disaster Loans (EIDLs) to small businesses across the country.

This action represents a major, unprecedented change in the disaster loan program. Currently, only businesses located in the communities declared disaster areas by the President (New York City and adjacent counties in New Jersey, Connecticut, Pennsylvania and Massachusetts; Arlington County in Virginia and adjacent counties in Virginia, Maryland and the District of Columbia) are eligible to apply for disaster loan assistance from the SBA.

On October 22 the SBA will publish regulations to authorize EIDL assistance across the country to eligible small businesses that have suffered substantial economic injury as a direct result of these attacks or a Federal action taken directly after the attacks. EIDLs will provide eligible small businesses with the working capital needed to pay ordinary and necessary operating expenses that they would have been able to pay had the disaster not occurred.

The application deadline is January 21, 2002.

“As a result of the events of September 11<sup>th</sup>, President Bush recognized the need to help businesses beyond the immediate disaster area,” said SBA Administrator Hector V. Barreto.

“I’ve heard from small business owners all over the country who have suffered losses. The President believes that the wider availability of these loans will provide the necessary capital small businesses need in a quick and efficient manner,” said Barreto. “With the expansion of SBA’s economic injury disaster loan program, small businesses across the country can receive help.”

-more-



Small businesses may apply for a loan of up to \$1.5 million if they have suffered substantial economic injury in the aftermath of last month's terrorist attacks. These working capital loans may be used to pay fixed debts, payroll, accounts payable, and other bills that could have been paid had the disaster not occurred. The interest rate on these loans is 4 percent, with a maximum term of 30 years. The SBA determines the amount of economic injury, the term of each loan and the payment amount, based on the financial circumstances of each borrower.

Businesses interested in applying for an economic injury disaster loan can contact one of the four SBA disaster area offices to obtain an application. Below are the phone numbers for the offices, and the states each office serves:

Niagara Falls, NY 14303  
1-800-659-2955

Serves: Connecticut, District of Columbia, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands, Virginia and West Virginia

Atlanta, GA 30308  
1-800-359-2227

Serves: Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Michigan, Minnesota, Mississippi, North Carolina, Ohio, South Carolina, Tennessee and Wisconsin

Ft. Worth, TX 76155  
1-800-366-6303

Serves: Arkansas, Colorado, Iowa, Kansas, Louisiana, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah and Wyoming

Sacramento, CA 95853-4795  
1-800-488-5323

Serves: Alaska, American Samoa, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon and Washington

In the aftermath of last month's attacks, the SBA has made 430 disaster loans for \$45.7 million in the areas surrounding the World Trade Center and the Pentagon.

To find out more about the SBA's disaster assistance program visit the web site at [www.sba.gov/disaster](http://www.sba.gov/disaster).

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*For more information about all of the SBA's programs for small businesses, call the SBA Answer Desk at 1-800-U-ASK-SBA, or visit the SBA's extensive Web site at [www.sba.gov](http://www.sba.gov).*

###





Council  
11-13-01  
neg

225 Douglass St. • P.O. Box 3553 • Portland, ME 04104-3553

(207) 774-5961

FAX (207) 761-8329

www.pwd.org

October 26, 2001

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

Dear Mr. Benson:

The Portland Water District's (PWD) Board of Trustees will hold a public hearing on Tuesday, November 13<sup>th</sup> at 6:30 p.m. on a proposal to reapportion the Board's eleven trustee positions to better reflect current Census data. The hearing will be held at PWD's general offices at 225 Douglass Street in Portland. The Board hopes a representative from each member community will attend the hearing to provide comment.

Currently, trustee representation is as follows:

<b>Portland</b>	<b>4 trustees</b>
<b>South Portland</b>	<b>2 trustees</b>
<b>Westbrook</b>	<b>1 trustee</b>
<b>Gorham, Cape Elizabeth, and Scarborough (combined)</b>	<b>2 trustees</b>
<b>Cumberland, Falmouth, Raymond, and Windham (combined)</b>	<b>2 trustees</b>

The Board's Planning Committee recommends the following realignment, to be phased in over several years:

<b>Portland</b>	<b>4 trustees</b>
<b>South Portland and Cape Elizabeth (combined)</b>	<b>2 trustees</b>
<b>Westbrook</b>	<b>1 trustee</b>
<b>Gorham</b>	<b>1 trustee</b>
<b>Raymond and Windham (combined)</b>	<b>1 trustee</b>
<b>Scarborough</b>	<b>1 trustee</b>
<b>Falmouth and Cumberland (combined)</b>	<b>1 trustee</b>

The Board will not vote on this matter until the November 26<sup>th</sup> meeting. If approved, a PWD Charter amendment would be introduced for the Maine Legislature's consideration. Any changes would likely be phased in with municipal elections beginning in November 2002.

I hope you or a municipal officer can attend the November 13<sup>th</sup> meeting to make the views of your community known to the Board.

Sincerely,

Ronald Miller  
General Manager

Enclosure: Minutes of PWD Planning Committee – 10/09/01  
Population spreadsheet dated - 4/30/01

c. PWD Trustees

*2001 Governor's Award for Environmental Excellence*



**Portland Water District**

**Board of Trustees  
Ad-hoc Planning Committee  
Minutes  
October 9, 2001**

The Planning Committee met on October 9, 2001 at 5:30 PM at the general offices of the Portland Water District. Present were member Trustees Libby, Littlefield, Willey, President Lunt, and the General Manager. Trustee Willett joined the meeting late as hereinafter noted.

Redistricting Trustee Representation. The Committee continued its deliberations on the matter of realigning trustee representation areas to reflect 2000 Census data released earlier this year. By consensus, the Committee agreed to forward to the Board of Trustees a proposal to have the following trustee districts:

South Portland and Cape Elizabeth	2 Trustees
Cumberland and Falmouth	1 Trustee
Gorham	1 Trustee
Windham and Raymond	1 Trustee
Scarborough	1 Trustee
Westbrook	1 Trustee
Portland	4 Trustees

The Committee recommends a transition schedule as follows:

- In 2002 the seat currently filled by Trustee Willett would represent Gorham only.
- In 2003 the seat currently filled by Trustee Littlefield would represent Scarborough only.
- In 2004 the seat currently filled by Trustee Larsen would represent South Portland and Cape Elizabeth.
- In 2005 the seat currently filled by Trustee Auger would represent South Portland and Cape Elizabeth.
- In 2006 the seat currently filled by Trustee Lunt would represent Falmouth and Cumberland.
- In 2007 the seat currently filled by Trustee Wyatt would represent Windham and Raymond.

The Committee directed the Manager to schedule this topic for the November Board workshop, to advertise a Public Hearing on the matter that same evening, and to invite officials from each member municipality to attend the meeting.

The meeting adjourned at 6:35 PM.

Respectfully submitted,

Christopher Crovo  
Recorder



# PORTLAND WATER DISTRICT - 2000 CENSUS

City/Town	2000 Population	Percent of Total Pop.	Percent of 11 Trustees	No. Customers (Services)	Percent of Customers	Percent of 11 Trustees
Cape Elizabeth	9,068	0.05	0.55	3,482	0.07	0.76
Cumberland	7,159	0.04	0.44	1,399	0.03	0.30
Falmouth	10,310	0.06	0.63	2,957	0.06	0.64
Gorham	14,141	0.08	0.86	2,084	0.04	0.45
Portland	64,249	0.36	3.91	19,708	0.39	4.28
Scarborough	16,970	0.09	1.03	4,790	0.09	1.04
South Portland	23,324	0.13	1.42	7,987	0.16	1.73
Westbrook	16,142	0.09	0.98	4,998	0.10	1.09
Windham	14,904	0.08	0.91	3,247	0.06	0.71
Raymond	4,299	0.02	0.26	0		
Total	180,566	1.00	11.00	50,652	1.00	11.00
Standish	9,285			632		
Total Served	189,851			51,284		

Prepared 4/30/01



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

### SPECIAL MEETING

MINUTES

October 10, 2001

The Board of Cumberland County Commissioners, Richard J. Feeney, and Esther B. Clenott, convened a special meeting in Conference Room B on the above date.

Chairperson Clenott called the meeting to order at 5:07 PM.


Motion to go into executive session at 5:08 PM to discuss a pending grievance decision.

Motion to come out of executive session at 6:50 PM. No action was taken in executive session.

Motion by Commissioner Plummer that to authorize legal counsel for Cumberland County Government, in a response to the City of Portland Corporation Counsel's letter of October 4, 2001, to engage in non-binding mediation with the City on the issue of the FY00 unreserved fund balance. The Commissioners do not agree that the City can withhold any portion of its Fy2001 assessment payable to the County on or before November 1, 2001. The Commissioners would like to see this mediation commence in a timely fashion. Second by Commissioner Feeney, so voted.

No further business conducted, motion to adjourn at 6:59 PM.

Attest:



Timothy J. Jarvis  
Deputy Clerk





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

## COMMISSIONERS' MEETING

### MINUTES

October 9, 2001

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

Chairperson Clenott called the meeting to order at 7:03 PM and the following business was conducted.

Minutes of the regular meeting of September 24, 2001 were approved as written. Commissioner Plummer abstained, as he was not in attendance at that meeting. Minutes of the special meeting of September 27, 2001 unanimously approved as written.

Peter Crichton, County Manager, reported that Vic Labrecque, Director of Budget and Planning, has prepared a budget forecast for the end of the fiscal year that indicates a small deficit if the County does not keep spending down. He noted that he has made the department heads aware of this situation and is taking steps to control costs and defer spending whenever possible. Beginning two months ago, positions have been filled on a case by case basis. Mr. Crichton reported that County officials are continuing to prepare a formal response to the City of Portland's resolution, noting that City officials are expecting a response by their October 15<sup>th</sup> Council meeting.

Robert Devlin, Deputy County Manager, updated the Board on the Criminal Justice subcommittee hearings he had attended earlier in the day in Augusta regarding mental health issues and corrections. He also updated the Board on LD 1218 which deals with the cost of patrols to communities that have their own police departments.

Commissioner Plummer thanked Mr. Devlin for the information he collected regarding municipal officials, noting that Harpswell was the only one that still had an elected Treasurer.

Commissioner Feeney reported that the Commissioners, County Manager, Sheriff and other County officials had recently met with Peter O'Donnell of the Maine Department of Mental Health regarding inmate mental health issues, but were no closer to an answer or a meeting with the Commissioner of Mental Health.

Chairperson Clenott reported that the Criminal Justice Committee would be holding a workshop on November 6 to discuss several issues of concern to Cumberland County, and that it was important for County officials to attend.



Informational Report: George Flaherty, EMA Director

Mr. Flaherty, along with Gorham Fire Chief Robert Lefevbre and Westbrook Fire Chief Gary Littlefield, presented a status report on Cumberland County's Hazardous Materials Response Collaborative with Certain Municipal Fire Departments. They reviewed the history of the collaboration, and the difficulty in getting reimbursement for spills from the offending parties. They reviewed options for establishing a special revenue account, and working with the U.S. Environmental Protection Agency to get reimbursement for expenses of cleaning up spills. They also reviewed expenses incurred by the departments, such as the OSHA requirements of yearly physicals for all Haz-Mat response staff, and the needed replacement of older equipment. Revenue placed in the special account could be used for these expenditures.

Mr. Flaherty requested that the Commissioners accept the report, and approve the establishment of a special revenue account. He noted that they would be back at a later date to request the establishment of the proposed Haz Mat Response Committee, and nominations for appointment.

Motion by Commissioner Plummer to add Action Item #01-94 and approve the establishment of a special revenue account for the payments from haz-mat responses. Second by Commissioner Feeney, so voted.

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

Chairperson Clenott noted that this had been postponed at the last meeting.

Mr. Crichton reported that the Legislature passed LD#1287, which increased the bid requirements from \$2,500 to \$10,000. He recommended raising the amount up to \$5,000.

Motion by Commissioner Plummer to approve the revised Administrative Regulation to reflect an increase from \$2,500 to \$5,000 as recommended by the County Manager. Second by Commissioner Feeney, so voted. Commissioner Plummer suggested that 3 quotes be used as a common practice for items between \$1,000-2,500 as well as for all purchases between \$2,500-5,000.

01-87 Bid Report, Paving, Emergency Management Agency

Bruce Tarbox, Facilities Manager, reviewed the bid received for paving at the EMA/PSAP facility:

David Billings Paving	\$6,500
Glidden Excavating	\$6,625
Blue Rock Paving	\$9,889

He reported that there is approximately 6,720 square feet of pavement that needs to be resurfaced to prevent further deterioration and for ease of plowing. He noted that there had



been \$8,000 included in the CIP for this project for the past two years, and if the work is not done now, actual excavation will be needed to repair the pavement. He recommended the low bid.

Mr. Crichton reported that he did not recommend the expenditure of these funds at this time, noting the current situation with the City of Portland and Mr. Labrecque's budget forecast. He believed the paving should be deferred.

Chairperson Clenott stated that she would not let Portland's possible lawsuit effect issues that need to be dealt with now, and felt the paving needed to be done. Commissioner Plummer agreed, although he understood the Manager's reasons for caution.

Motion by Commissioner Plummer to award the paving bid to David Billings Paving in the amount of \$6,500. Second by Commissioner Feeney, so voted.

#### 01-88 Approval, WPXT/UPN Advertising for Correction Officers

Chairperson Clenott reported that a workshop had been held earlier on this issue. Judy Klein-Golden, Human Resources Director, noted that at the September 10 meeting, the Commissioners had approved the Maine Sunday Telegram and Employment Times ads, but had requested information on the change from Fox51 to UPN programming at WPXT. She reported that there were no major changes that would affect Cumberland County's ads. Programming was very similar, and the same core audience was being targeted.

Mr. Crichton withheld his recommendations until after the workshop, and recommended pulling back on the Maine Telegram advertising to reduce the overall cost of the advertising.

Sheriff Mark Dion noted that although advertising was basically an HR function, he inquired what the return was for the investment. He stated that this was a critical issue regarding both correction officer recruitment and budget impact. Discussion ensued on the number of inquiries and actual applications from the different sources used, and the bid process requirements.

Motion by Commissioner Plummer to approve the extension of the contract with WPXT to provide services for an additional 12 weeks for the amount of \$11,500. Second by Commissioner Feeney, so voted with two ayes, one nay from Commissioner Feeney. Commissioner Plummer noted his preference that they try not to eliminate the Sunday Telegram ads, and commended Ms. Klein-Golden on her ingenuity in trying to get more applicants in the tight job market.

#### 01-89 Amended Contract, Police Services, MSAD #6

Rich Gagliano, Chief Deputy, reported that MSAD #6 has requested that the vacation days and insurance for the deputies assigned be amended to reflect the actual 10 months of service, and not the 12-month amount it now contains. The adjustment would



total \$1,377.20 if approved by the Commissioners. Discussion ensued regarding the 2 six-month payment period of the contract, refunding the amount at the end of the contract as opposed to amending it, and the assigning of summer and school district deputies. Mr. Crichton noted that the policy for contract deputies will be reviewed during the budget process. Sheriff Dion recommended that the Board amend the contract as requested.

Motion by Commissioner Plummer to amend the contract as presented, in the amount of \$1,377.20 with the amount to be deducted from the second six-month payment. Second by Commissioner Feeney, so voted.

#### 01-90 Approval, Criminal Forfeiture, CCSO

Chief Deputy Gagliano reported that as required by M.R.S.A. Title 15, Section 5826(8), the Sheriff's Office is entitled to \$2,000 for their participation in an investigation involving a drug trafficking seizure in June 2000. He requested the Board approve the acceptance of the funds, and sign the form of approval required by the Courts. The County Manager concurred with the recommendation of the Sheriff's Office.

Motion by Commissioner Plummer to authorize the Chairperson to sign the form enabling the Sheriff's Office to accept \$2,000 in forfeiture funds. Second by Commissioner Feeney, so voted.

#### 01-91 Contract, Dispatch Services, Town of Long Island

Chief Deputy Gagliano reported that Cumberland County has been dispatching for Long Island for several years. In lieu of an annual payment, the Town has been providing certain services such as transporting CCSO employees by boat during emergencies, and checking on non-threatening situations when there is no deputy on the island. If the County were to formalize a contract for dispatching services, it would charge the Town \$400, but the Sheriff's Office felt that the services provided in exchange for dispatch services were worth more than \$400. Discussion ensued regarding the services provided and the long standing arrangement. The Commissioners decided to leave things as they now stand, and no action is taken.

#### 01-92 Request for deputy sheriff commission

The following request for a deputy sheriff commission was received from Sheriff Dion: Martin Conley, Gorham PD. So approved on the motion of Commissioner Feeney and the second of Commissioner Plummer.

#### 01-93 Approval, Laptop Computer Grant, CCSO

Chief Deputy Gagliano reported that the Maine Bureau of Highway Safety has contracted with a computer company to purchase




350 laptop computers which will be distributed to law enforcement agencies throughout the state based on the needs of each organization. The Bureau is requesting grant applications for laptop computers and the deadline is October 10. The Sheriff's Office would like to apply to obtain seven, and the County would have to contribute a cash match of \$950 per computer, for a total of \$6,500. The Sheriff's Office felt that this purchase meets the goals of the technology subcommittee of the Strategic Planning Committee.

Mr. Crichton stated that he did not recommend the expenditure at this time, noting that the budget forecast for future finances of the County is not very promising at this point, and that the Strategic Plan was a five year plan to begin in FY2002. Discussion ensued regarding the goals of the Strategic Planning Committee, and the possible opportunity to purchase the laptops in the future.

Motion by Chairperson Clenott to approve \$6,500 in matching funds to enable the Sheriff's Office to apply for the grant. Motion dies for lack of a second. No further action taken.

No further business conducted; motion to adjourn at 8:26 PM.

ATTEST:



Timothy J. Jarvis  
Deputy Clerk

Next regular meeting: Monday, October 22, 2001 at 7:00 PM.



CNixon

Bob - FYI Cane

Council  
NY  
11-13-01

**From:** Kenneysf@cs.com  
**Sent:** Thursday, October 18, 2001 7:03 AM  
**To:** Crichton@cumberlandcounty.org; CRBARSTOW@aol.com; Mainetea@cs.com  
**Cc:** ABSMARLEY@aol.com; Dtobin4062@aol.com; GEPlummer@aol.com; JanetCE25@aol.com; JoeBrannigan@aol.com; LRDCmail@aol.com; Mdaveyc@aol.com; MWQuint@aol.com; Stan1340@aol.com; Dranaghan@banknorth.com; richrdsn@blazenetme.net; dgerrish@brunswickme.org; billb@ci.augusta.me.us; jeg@ci.portland.me.us; ROwens@ci.scarborough.me.us; Adams@cumberlandcounty.org; Anderson@cumberlandcounty.org; Beaulieu@cumberlandcounty.org; Devlin@cumberlandcounty.org; Dion@cumberlandcounty.org; Flaherty@cumberlandcounty.org; Gurney@cumberlandcounty.org; Joy@cumberlandcounty.org; Klein-Golden@cumberlandcounty.org; Labrecque@cumberlandcounty.org; Luppi@cumberlandcounty.org; Najarian@cumberlandcounty.org; pwaterhouse@cybertours.com; rsilkman@cybertours.com; dolmstead@freeportmaine.com; vrichards@fryeisland.com; jduncan@edd.uct.usm.maine.edu; glenys@gplovett.com; davidetnier@gwi.net; edmonds@gwi.net; harpswell@gwi.net; benfdudley@hotmail.com; billnorbert@hotmail.com; putt10@hotmail.com; ctmuse@ime.net; tbull@javanet.com; hacrough@juno.com; Je11942@juno.com; howe@maine.com; cdavid1@maine.rr.com; ekk44@maine.rr.com; glynn@maine.rr.com; gmdavis@maine.rr.com; grayme@maine.rr.com; Grnshoe@maine.rr.com; jbruno1@maine.rr.com; mmcgove1@maine.rr.com; rfeeney@maine.rr.com; seaver@maine.rr.com; terrymck@maine.rr.com; wcooper1@maine.rr.com; dconnors@mainechamber.org; HenryB@mdf.org; rbennett@megalink.net; casco@pivot.net; Naples@pivot.net; gwood@portlandregion.com; JPorter@pressherald.com; MHarmon@pressherald.com; Tbartell@propeople.org; pcressey@psouth.net; rmiller@pwd.org; Don.willard@raymondmaine.org; jjordan@spsd.org; jerre.bryant@srweiner.com; manager@standish.org; Anne.Rand@state.me.us; Governor.A.King@state.me.us; RepMichael.Saxl@state.me.us; RepRon.Usher@state.me.us; RepSue.Hawes@state.me.us; SenJoel.Abromson@state.me.us; SenLynn.Bromley@state.me.us; cnixon@town.cumberland.me.us; DHarris@town.falmouth.me.us; atplante@town.windam.me.us; bliss@usm.maine.edu; JBenne@westbrook.me.us; KwTurner@yahoo.com; Leg@yahoo.com; ntupper@yarmouth.me.us  
**Subject:** Re: Press Herald Article

I was pleased to read the excellent dialogue on the roles of county and municipal government. Before serving as a subcommittee member of the recent Cumberland County Strategic Planning initiative, I confess that I was quite unaware of how constrained our county commissioners and managers are with respect to taking steps to ensure that sufficient resources exist to fulfill state mandated responsibilities. In particular, the current reliance on local property taxes to fund county budgets is inefficient and creates needless tension between county and municipal leaders.

The recommendation to expand the number of elected commissioners is good. We need more local representation in county government. However, more reform is needed. If county government is to serve as an effective regional intermediary between the state and municipalities, then Augusta should authorize the counties to implement a sales tax to fund its mission. Doing so would reap several benefits:

1. It would eliminate the current tension and budgetary confusion related to property taxes. Local municipal leaders are under growing pressure to limit property tax increases. Some municipal leaders cannot resist the temptation to blame county government for local property tax increases.
2. County commissioners would have the flexibility to set their own local sales tax rates and applicable base. York county commissioners may elect to set a low overall rate on an expanded base of goods in order to compete against New Hampshire. Hancock county commissioners may decide that a



higher rate on lodging would enable them to capitalize on the heavy summer tourist industry. Some of the excess revenues from the tourist-oriented taxes could be used to provide property tax relief to needy local residents.

3. County government could take on a more proactive role in providing regional services to the various municipalities as a means of eliminating the need for duplicating efforts in local government. This should result in lower property taxes.

It is important to note that implementing a county sales tax does not need to result in higher taxes overall. The state should be prepared to drop the state sales tax rates accordingly with a goal to phase out state sales taxes completely over a reasonable timeframe.

Regards, Steve Kenney

Steve Kenney, President  
Maine Taxpayers Equity Alliance (MTEA)  
16 Wedgewood Street  
Scarborough, Maine 04074  
(207) 883 1937  
email: mainetea@cs.com

Taxes Too High? Pockets Empty?  
Don't Just Sigh. Contact MTEA.





**SOUTHERN MAINE  
AGENCY ON AGING**



307 CUMBERLAND AVENUE  
P.O. BOX 10480  
PORTLAND, MAINE 04104  
TELEPHONE 775-6503  
FAX 775-7319  
E-MAIL [smaaa@smaaa.org](mailto:smaaa@smaaa.org)

October 23, 2001

Dear Friend of Volunteers and Volunteerism,

On Thursday, November 15<sup>th</sup> **Albert Baldi, Savanna Gilman, Bertha Gray, Joseph Tanguay** and Mrs. Kingsley's **5<sup>th</sup> grade class from North Yarmouth Memorial School** will be honored as Living Legacies by the Southern Maine Agency on Aging (SMAA). They and 46 others were nominated for a Living Legacy Award because of volunteer work that they have done, either as senior citizens within the general community or as young people - those under 26 - specifically to benefit the elderly. All fifty-one volunteers will be **recognized at a luncheon for their special gifts** to society and five will be inducted into the Living Legacy Award Hall of Fame.

This year's event takes place at 11:30 A.M. in the grand ballroom of the **Sheraton South Portland**. The luncheon will be followed by presentation of Living Legacy Award lapel pins to selectees by Kim Block, news anchor for Channel 13. Other nominees will receive certificates and have a group photo taken with Kim.

You are invited to share in this special moment with these wonderful volunteers whose names and hometowns are listed on the back. **The cost is \$15.00** per person, the parking is plentiful and the Sheraton is easy to find. For reservations, please call me, Fred Plimpton, at 775-6503 (extension 222) in the Portland area, or at 800-427-7411 (x222) from elsewhere in Maine. You may write to me at SMAA, P.O. Box 10480, Portland, ME 04104 or send me an e-mail at [fplimpton@SMAAA.org](mailto:fplimpton@SMAAA.org). Thank you.

Sincerely,

Fred J. Plimpton  
Director of Development



Nominees for 2001 Living Legacy Award and Towns of Residence

H. & B. Adams – Cape Elizabeth  
Geri Anderson – So. Portland  
Rodrick Bo – Sanford  
Ben Chandler – Portland  
Philip A. Cook Sr. – Portland  
Verlon Curtis – Cumberland  
Irene Dempsey – Portland  
Agnes Dugas – Cape Elizabeth  
Savanna Gilman – Lyman  
Ed Green – Portland  
Phyllis Hill – Kennebunk  
Betty Kehoe – York  
Noella L'Heureux – Biddeford  
Cheryl Libby – Falmouth  
Andrea Melness – Portland  
Doris Mershimer – Portland  
Lillian Mofenson – Portland  
Mary Nobert – Sanford  
Almira Oliver – Bridgton  
Helen Paige – Gray  
Stephen Shapiro – Portland  
Lucille Sheppard – So. Portland  
Mildred Stevens – Scarborough  
Robert Traill – Cape Elizabeth  
Charles Weber – Gray

Lois Alder – Saco  
Albert Baldi – Peaks Island  
Elaine Cantin – Sanford  
Helen Clark – Kennebunk  
Arlene Cooper – East Sebago  
Bill Dawkins – So. Portland  
Marie Deschenes – E. Waterboro  
Jeffrey Ferguson – Biddeford  
Bertha Gray – Chebeague Island  
Howard Hill – So. Portland  
Eddie Hurd – Westbrook  
Royal Kennard – So. Portland  
Dorothy Lemlin – So. Portland  
Gina Lovejoy – Portland  
Fred Merrill – Old Orchard  
Patricia Miller – Portland  
Lorraine Moulton – York  
Marjorie O'Conner – Kennebunk  
Elise Olsen – Westbrook  
Carol Reid – Scarborough  
Fran Shaw – Kennebunkport  
Bert Silverman – Portland  
Joseph Tanguay – Lyman  
Jennifer Warde – So. Portland  
Nancy Whittier – Falmouth

Mrs. Kingsley's North Yarmouth Memorial School 5<sup>th</sup> Grade Class 2000/01

Eric Russell Sarah Patriquan Breanna Copp  
Kaye Shavel Lindsey Miller Andrew Graham  
Oliver Blum Alex Silverman Becky O'Brien  
Christine Landis Mille Thomas Marika Cowan  
Christina Lindsey Shawn Sanville Melissa Henes  
Carrie Joy Meghan Ewen Nathan Mecray  
Matt Reade Taylor Munson Hanna Parker



Number	Date	Name	Location	Map	Lot	Area	Rec	Open	Total
01-001	08/31/01	Terry Bragg Inc	4 Amy Lane	U04	8A #4	2345	2040.15	1149.05	3,189.20
01-002	08/31/01	Terry Bragg Inc	6 Amy Lane	U04	8A #3	2345	2040.15	1149.05	3,189.20
01-003	09/19/01	Chase Custom Homes	54 Stonewall Drive	R07D	6	1805	1570.35	884.45	2,454.80
01-004	09/27/01	Terry Bragg Inc	11 Amy Lane	U04	8A #1	2345	2040.15	1149.05	3,189.20
01-005	09/27/01	Terry Bragg Inc	10 Amy Lane	U04	8A #2	2345	2040.15	1149.05	3,189.20
01-006	10/04/01	Chase Custom Homes	Blanchard Road	R07D	93D	1340	1165.80	656.60	1,822.40
01-007	10/26/01	Nancy Machesney	56 Greely Rd/Edes Rd	R04A	10	3996	3476.52	1958.04	5,434.56
01-008	10/29/01	John C. Thaxter	2 Walker Road	I03	33	108	93.96	52.92	146.88
							0.00	0.00	0.00
							0.00	0.00	0.00
							0.00	0.00	0.00
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							0.00	0.00	0.00
							0.00	0.00	0.00
							0.00	0.00	0.00
							0.00	0.00	0.00
							14467.23	8148.21	22,615.44



[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	11/16/00	5:02 PM	12/16/00	02/16/01	00-313	12/12/00
13	11/16/00	2:25 AM	Non-subdiv		Peterson	Richard	R07	92 D	108 Mill Road	11/21/00	11:39 AM	12/21/00	02/21/01	01-005	01/10/01
14	11/16/00	5:11 PM	Non-subdiv		Peterson	Richard	R08	12	Pleasant Valley	11/21/00	12:01 PM	12/21/00	02/21/01	01-020	02/20/01
15	11/21/00	8:35 AM	Non-subdiv		Jordan	Joanne	U14	8 B	23 Sawyer Ln	11/21/00	1:13 PM	12/21/00	02/21/01	01-004	01/10/01
16	11/29/00	3:18 PM	Non-subdiv		Price	James H.	R03	23 A	Andrea Way	12/11/00	11:24 AM	01/11/01	03/11/01	01-022	03/09/01
17	12/04/00	8:11 AM	Non-subdiv		Lalumiere	Scott	U12	11 A	Treleaven Way	12/12/00	1:18 PM	01/12/01	03/12/01	01-001	01/03/01
18	12/26/00	9:30 AM	Non-subdiv		Stiles	W & Bickford, J	R05	35	Alder Way	12/27/00	4:00 PM	01/27/01	03/27/01	01-028	03/26/01
19	01/02/01	10:58 AM	Non-subdiv		Carley	Kevin	U12	11 B	16 Treleaven	01/04/01	9:03 AM	02/04/01	04/04/01	01-014	01/30/01
20	03/16/01	10:28 AM	Non-subdiv		Stratton	Gene	R07	57	Tinker Lane	03/28/01	4:15 PM	04/28/01	06/28/01	01-030	04/12/01
21	04/17/01	3:13 PM	Non-subdiv		Nevens	Gregory & Devin	U19B	22A	Mill Road	06/01/01	11:27 AM	07/01/01	09/01/01	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 Fa	Sawchuck	Peter & Ann	U12 A	6	Sunnyfield La	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 Cou	Raczkowski	David T.	R05 B	8	27 Hazeltine	08/09/00	10:05 AM	09/09/00	11/09/00	00-257	09/27/00
3	11/01/00	12:17 PM	Subdivision	Valley Road C	Hildreth & White		R08 A	15 C	42 Valley Road	11/08/00	11:46 AM	12/08/00	02/08/01	00-299	11/14/00
4	11/30/00	2:46 PM	Subdivision	Idlewood	Gallati	W. David	R05 C	20	418 Range Rd	12/13/00	10:19 AM	01/13/01	03/13/01	01-012	01/18/01
5	01/10/01	2:53 PM	Subdivision	Schooner Ridge	Carriere	Noreita	R02 A	34	282 Foreside	01/16/01	12:59 PM	02/16/01	04/16/01	01-024	03/26/01
6	03/15/01	9:42 AM	Subdivision	Falmouth Cou	Bauer and Gilman		R03 A	24	22 Muirfield Rd	03/15/01	2:45 AM	04/15/01	06/14/01	01-082	05/29/01
7	03/19/01	8:41 AM	Subdivision	Greely Pines	Ingraham	Curtis & Elaine	R02 A	35	55 Greely Road	03/26/01	1:48 PM	04/26/01	06/25/01	01-075	05/23/01
8	06/27/01	1:34 PM	Subdivision	Idlewood	Sledjeski	Lee & Elizabeth	R05 C	6	58 Idlewood Rd	06/28/01	11:30 AM	07/28/01	09/28/01	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			
	05/22/01	11:53 AM	Non-subdiv		Minott	Marshall	R06	18	Greely Rd Ext	07/02/01	12:54 PM	Growth permit expired			
	07/13/01	11:36 AM	Non-subdiv		Terison	Scott	R08	63	Intimidator Lane	07/17/01	8:06 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
25				Stonegate	Chase Custom Homes		R07D	6		54 Stonewall Drive				01-203	09/19/01



Council  
11-12-01  
RJ

## Memo

**To:** Bob Benson, Town Manager

**From:** Bill Healey, Assessor

**Re:** Cumberland Mainland Population

Bob,

Per your request, I broke-down the improved residential properties on the Mainland by voting district (see attached map) to estimate the population in each district. The results are as follows:

1. Cumberland Foreside – 495 Residential Properties – Estimated Population 1,370
2. Cumberland Center – 1,382 Residential Properties – Estimated Population 3,830
3. West Cumberland – 577 Residential Properties – Estimated Population 1,600

Let me know if you have any questions.

Bill

BH.



## ARTICLE II

### Town Council

#### **SECTION 1. Number, election term.**

The administration of all the fiscal, prudential and municipal affairs of the town, with the government thereof, except the general management, care, conduct, and control of the schools of the town, and also except as otherwise provide by this charter, shall be vested in one body of seven members, which shall constitute and be called the Town Council. All members of the Council shall be inhabitants of the town, and shall be sworn in the manner hereinafter prescribed. Each member of the Council shall be elected by the registered voters of the entire town. Three members shall be considered "at large" Councilors and shall be residents of any area of the town. Four members shall be considered "area" Councilors, and one "area" Councilor shall be a resident of each of the following areas of the town:

- (a) **Chebeague and other Casco Bay islands;**
- (b) **Cumberland Foreside,** which shall consist of the area bounded on the south by the Atlantic Ocean, on the west by Falmouth, on the east by Yarmouth and on the north by the railroad now or formerly known as the Grand Trunk Railroad (railroad located between Middle Road and Route One);
- (c) **Cumberland Center,** which shall consist of the area bounded on the south by the railroad now or formerly known as the Grand Trunk Railroad, on the west by Falmouth, on the east by Yarmouth and North Yarmouth, and on the north by a line bisecting the Bruce Hill Road and extended west to the Falmouth town line and east to the North Yarmouth town line;
- (d) **West Cumberland,** which shall consist of the area bounded on the south by a line bisecting the Bruce Hill Road and extended west to the Falmouth town line and east to the North Yarmouth town line, on the west by Falmouth, on the north by Windham and Gray, and on the east by North Yarmouth.

Each member shall be elected for a term of three (3) years and until a successor is elected and qualified.

#### **SECTION 2. Qualifications, vacancies.**

- (a) **Councilors** shall be qualified voters of the town and must have been residents of the town for one year immediately prior to the time of election, and shall reside in the town during their term of office.
- (b) **Holding other office:** Except where clearly authorized by law, or pursuant to an agreement under the Interlocal Cooperation Act, no Councilor shall hold other town elected office or employment, and no Councilor shall serve on a Council-appointed committee, except as an ex-officio member, during the term for which he or she was elected to the Council. No former Councilor shall hold any compensated appointed town office or employment until one year after the expiration of the term for which he or she was elected to the Council. With the exception of the Fire Chief and Rescue Chief, membership in the Cumberland Fire and Rescue Department, alone, shall not be grounds for disqualification from holding office as a Councilor.



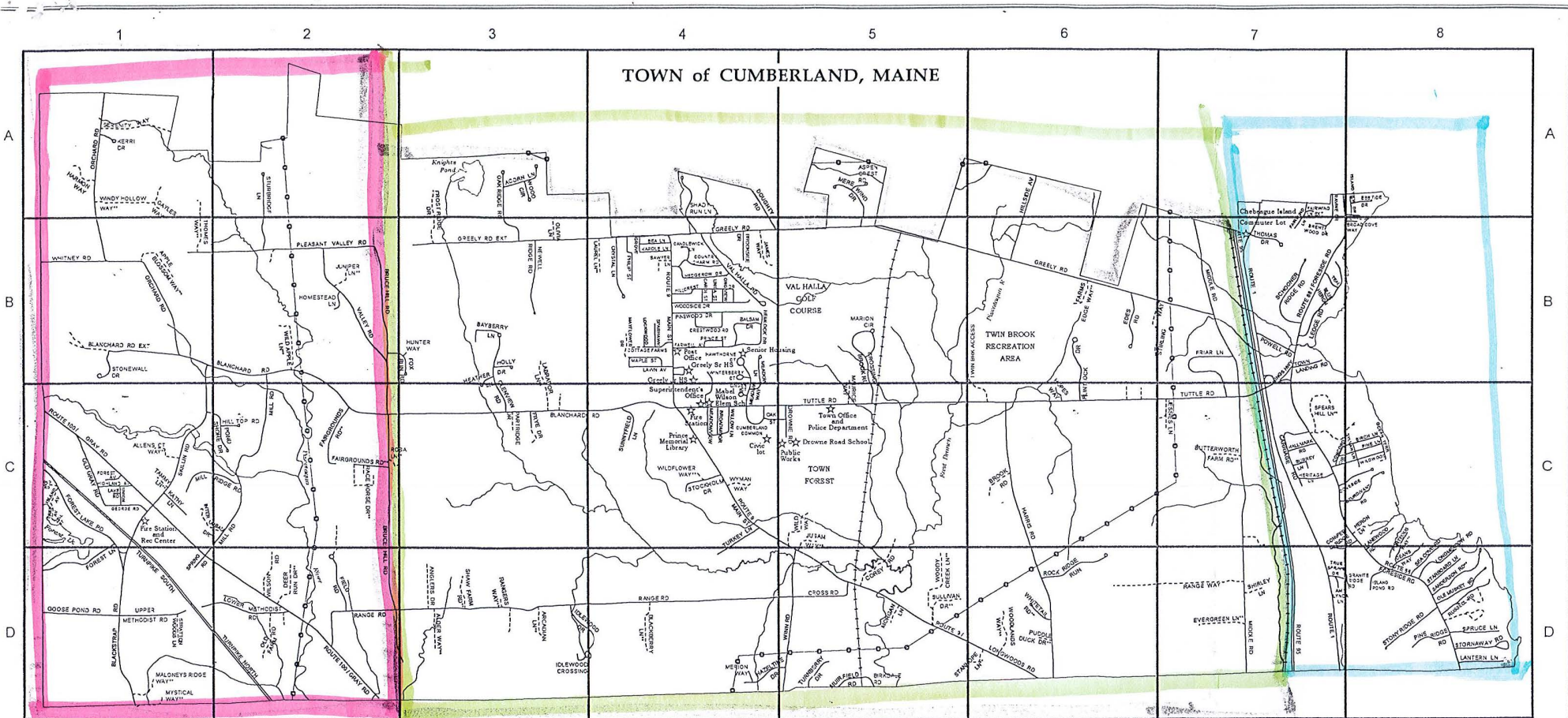
MEMORANDUM

TO: Bob Benson  
FROM: Steve  
DATE: November 15, 2001  
RE: Town Council District

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Following up on our meeting of November 13, 2001, I understand that you will ask town attorney, Ken Cole, for his thoughts as to whether re-drawing the boundaries for the Town Council districts could be accomplished through a council-initiated amendment to the charter, or whether an elected charter commission would be required. In addition, if we were to re-draw the council districts for the mainland to arrive districts with an approximate equal population, would there be any legal or constitutional problems for the relatively under populated Chebeague and other Casco Bay Islands district? Any thoughts that you may have concerning possible re-alignment of the district boundaries would be appreciated.





prepared by Cumberland Planning Department  
March 2000

INDEX of ROAD NAMES with proposed 911 name changes indicated by **											
ACORN LN A3	BRENTWOOD DR B7	CROSSING BROOK RD B5	FORESIDE RD B7, D8	HARRIS RD C6	INTERURBAN DR** C1	LANTERN LN D8	OAK RIDGE RD A3	PUDDLE DUCK DR** D6	SERENITY WAY A1	STURDIVANT RD C8	UPPER METHODIST RD D1
ALDER WAY** D3	BROAD COVE WAY B8	CRYSTAL LN B4	FOREST AV C1	HAITHORNE CT B4	ISLAND AV C1	LAUREL LN** B4	OCEAN TERR C2	RACE HORSE DR** C2	SHADY RUN LN A4	SULLIVAN DR** D5	VAL HALLA RD B4
ALLENS CT WAY** C1	BROADMOOR DR C4	CUMBERLAND COMMON C4	FOREST LN D1	HAZELTINE DR B4	ISLAND POND RD D8	LAWN AV B4	OLD RD (RD 38) C1	RANGE RD D2, D4	SHAW FARM RD** D3	SUNNYFIELD LN C4	VALLEY RD B2
AMY LYNDIA LN D7	BROOK RD C6	DEANS WAY D8	FOREST LAKE RD C1	HEATHER LN B3	ISLAND VIEW DR A8	LEDGE RD B7	OLD FARM RD D2	RANGE WAY D7	SHIRLEY LN D7	SURREY LN C7	WHITTAIL RD** D6
ANGLES DR D3	BROOKSIDE DR B4	DEER RUN DR** D2	FOX RUN RD B3	HEDGEROW DR B4	JAMES WAY** B4	LINDA ST B4	OLD GRAY RD C1	RANGERS WAY** D3	SKILLIN RD C1	SYLVAN LN C8	WHITNEY RD B1
APPLE BLOSSOM WAY** B1	BRUCE HILL RD B2, C2	DOUGHTY RD A4	FRIAR LN B7	HEMLOCK DR B4	JUNIPER LN** B2	LUNDIN CT B4	OLE MUSKET RD D8	RAVINE DR A7	SPARHAWK LN B4	TAMMY LN** C1	WILD APPLE LN** B2
ARCADIAN LN** D3	BUTTERWORTH FARM RD** C7	DROWNED RD C5	FROST RIDGE DR A3	HERON LN C8	JESSIES LN** C7	LOCKWOOD LN B4	OLIVIA LN B3	ROCK RIDGE RUN D6	SPARKS HILL LN** C7	TEAL DR B7	WILD CREEK LN** C4
ASPEN CREST RD A5	CANDLEWICK LN B4	EBB TIDE DR A8	FRYER DR C3	HIGHLAND AV C1	KAROLE LN B4	LONGMEADOW RD D8	ORCHARD RD A1, B1	ROSA LN** C2	SPEARS HILL LN** C7	THOMAS DR B7	WILLOW LN C4
BALSMAN DR B4	CAROL ST B4	EDGES RD B6	GAYLES WAY A1	HILL ST C1	KATHY LN C1	LONGVIEW ST B4	PARTRIDGE DR C3	ROUTE 1 B7, D7	SPRING RD D1	THOMAS WAY** B1	WILSON RD D2
BAYBERRY LN B3	CARRIAGE RD C7	EVERGREEN LN** D7	GEORGE RD C1	HILLTOP RD C2	KERRI DR A1	LONGWOODS RD D6	PHILIP ST B4	ROUTE 9 B4, C4, D5	SPRUE LN D8	TOWN LANDING RD B7	WINDY HOLLOW WAY** A1
BEAL LN B4	CONCORO CIR C7	FAIRWIND LN** D7	GLENVIEW RD B3	HILLSIDE AV A6	KINGS HWY B7	LOWER METHODIST RD D2	PINE LN C8	ROUTE 88 B7, D8	STARBOARD LN D8	TURNPIKE RD D5	WYMAN WAY C4
BIRCH LN C8	COREY RD D5	FAIRWIND LN EXT A7	GOOSE POND RD D1	HOLLY DR B3	LABRADOR LN** B3	MILL RIDGE RD C1	PINE RIDGE RD D8	ROUTE 95 B7, D7	STONEMILL LN B1	TURNPIKE SOUTH D1	
BIRKDALE RD D5	COTTAGE FARMS RD B4	FARMS EDGE WAY** B6	GRANITE RIDGE RD D8	HOMESTEAD LN B2	LAKE AV C1	MILL RD C2	PINEWOOD DR B4	ROUTE 100 C1, D2	STONY RIDGE RD D8	TURNPIKE RD D5	
BLACKBERRY LN** D4	COUNTRY CHARM RD B4	FERNE LN B8	GRAY RD C1, D2	HOPES WAY B6	LAKEWOOD RD D3	MILLVIEW RD C1	PLEASANT VALLEY RD B2	RUSSELL RD D8	STORMWAY RD D8	TURNPIKE RD D5	
BLACKSTRAP RD D1	COVESIDE DR B4	FLINTLOCK DR C6	GREELY RD B4, B6	HUNTER WAY B3	LANEWOOD RD C4	MORGAN LN D5	POND SHORE DR C2	SANDERSON RD** D8	STRATTON WOODS LN D1	TURNPIKE RD D5	
BLANCHARD RD B2, C3	CRESTWOOD RD B4		GREELY RD EXT B3	IDLEWOOD CROSSING D3		MURFIEL RD D5	PORTCIOUS WAY** C8	SAWYER LN B4	STURBRIDGE LN A2	TURNPIKE RD D5	
BLANCHARD RD EXT B1			GROVE ST B4			NEWELL RIDGE RD B3	POWELL RD B7	SCHOONER RIDGE RD B7		TURNPIKE RD D5	
BLUE HERON LN B7			HARMON WAY A1			OAK ST C4	PRINCE ST B4	SEA COVER DR D8		TURNPIKE RD D5	



**Lisa Brown**

---

**From:** Lisa Brown [lbrown@town.cumberland.me.us]  
**Sent:** Thursday, November 01, 2001 11:02 AM  
**To:** Harland Storey; Donna Damon; Jeff Porter; Mark Kuntz; Peter Bingham; Steve Moriarty  
**Subject:** FW: Minutes from 10/24/01 meeting

-----Original Message-----

From: Susan Conley [mailto:Susan.Conley@msad51.org]  
Sent: Thursday, November 01, 2001 10:49 AM  
To: lbrown@cumberlandmaine.com  
Subject: Minutes from 10/24/01 meeting

Hi,

The 10/24/01 meeting minutes follow.

\*\*\*\*\*

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  
Wednesday  
October 24, 2001  
Junior High School

7:00 PM

Greely

*Emailed*

*11-1-01*

*TO*

*Town Councilors*

*Nov 19  
Mabel I Wilson  
7pm*

1. Call To Order - by MSAD #51 Board of Directors Chairperson, Kim True  
7:00 PM.

**Attendance:**

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

Administrators: Robert Hasson, Pat Palmer

**1. Presentations**

a) Presentation of proposed middle school and the renovation of Greely  
Junior High School  
by Tom Hyndman

**2. Adjourn Meeting 8:30PM**

**Upcoming Meetings/Events**

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  
 11/14/01 - Design Team, GHS, 3:15 PM  
 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](http://www.msad51.org) - Phone: 829-4800**

**Board of Directors**

**Minutes**

**Wednesday**

**October 24, 2001**

**7:00 PM**

**Greely Junior High School**

---

**1. Call To Order - by MSAD #51 Board of Directors Chairperson, Kim True 7:00 PM.**

**Attendance:**

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

**Administrators:** Robert Hasson, Pat Palmer

**1. Presentations**

- a) Presentation of proposed middle school and the renovation of Greely Junior High School by Tom Hyndman

**2. Adjourn Meeting 8:30PM**

**Upcoming Meetings/Events**

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  
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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 1<sup>st</sup> Quarter  
11/14/01 – Design Team, GHS, 3:15 PM  
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  
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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  
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11/19/01 – First Practice High School Winter Athletics (tentative)  
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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



**Lisa Brown**

---

**From:** Lisa Brown [lbrown@town.cumberland.me.us]  
**Sent:** Thursday, November 01, 2001 11:02 AM  
**To:** Harland Storey; Donna Damon; Jeff Porter; Mark Kuntz; Peter Bingham; Steve Moriarty  
**Subject:** FW: Minutes from 10/15/01 meeting

-----Original Message-----

From: Susan Conley [mailto:Susan\_Conley@msad51.org]  
Sent: Thursday, November 01, 2001 10:47 AM  
To: lbrown@cumberlandmaine.com  
Subject: Minutes from 10/15/01 meeting

Hi Lisa,

The minutes of the 10/15/01 meeting follow.

\*\*\*\*\*

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

---

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 6:30 PM boat, the bus leaves the MSAD #51 Garage, Drowne Rd., at 6:00 PM and the Methodist Church on Tuttle Rd. at 6:08 PM for those who would like to leave from that location.
- The boat departs the island at 9:00 PM for the return trip.

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Monday

October 15, 2001  
Chebeague Island

7:00 PM Chebeague Island School,

- 
1. Call To Order - by MSAD #51 Board of Directors Chairperson, Kim True 7:00 PM.

Attendance:

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

Administrators: Brenda Breton, Becky Foley, Wayne Fordham, Don Foster, Suzanne Godin, Jack Hardy, 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 October 1, 2001.

Emailed

11-1-01

TO  
Town Councilors



Motioned 2nd ed

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

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 Reports

- 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

Motioned 2nd ed

Voted: To approve Gifted and Talented Phase-In Plan Annual Update for 2001-2002. (Voted: 7-0)

- b) Vote to approve coaching positions

Motioned 2nd ed

Voted: To approve coaching positions. (Voted: 7-0)

Jennifer Hutchins - District Special Olympics

- c) 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: 7-0)

MIW

Kellie Volta - Accreditation

Ruth White - ETEP

Lisa Demick - Assessment

7. Adjourn Meeting \_\_\_\_\_ PM

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 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  
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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  
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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](http://www.msad51.org) - Phone: 829-4800

Board of Directors

Minutes



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.
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- 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 7:00 PM.

**Attendance:**

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

**Administrators:** Brenda Breton, Becky Foley, Wayne Fordham, Don Foster, Suzanne Godin, Jack Hardy, 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 October 1, 2001.

Motioned 2<sup>nd</sup> ed

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

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 Reports

- 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

Motioned 2<sup>nd</sup> ed

Voted: To approve Gifted and Talented Phase-In Plan Annual Update for 2001-2002. (Voted: 7-0)

- b) Vote to approve coaching positions

Motioned 2<sup>nd</sup> ed

Voted: To approve coaching positions. (Voted: 7-0)

Jennifer Hutchins – District Special Olympics

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

Motioned 2<sup>nd</sup> ed

Voted: to appoint co-curricular stipend positions for the 2001/2002 school year. (Voted: 7-0)

### MIW

Kellie Volta – Accreditation

Ruth White – ETEP

Lisa Demick – Assessment

## 7. Adjourn Meeting \_\_\_\_\_PM

### 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

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10/19/01 – GJHS School photos

10/15/01 BOD Minutes - CIS



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**Next Meeting:**

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



**Lisa Brown**

---

**From:** Lisa Brown [lbrown@town.cumberland.me.us]  
**Sent:** Thursday, November 01, 2001 11:02 AM  
**To:** Harland Storey; Donna Damon; Jeff Porter; Mark Kuntz; Peter Bingham; Steve Moriarty  
**Subject:** FW: 11/5/01 MSAD #51 Board Agenda and 10/15/01 and 10/24/01 Minutes



01 BOD Agenda.doc



101501 BOD Minutes - CIS.dat



102401 BOD & Steeri Minu.doc ....

Forwarded from MSAD 51 :)  
Lisa

*Emailed*  
*11-1-01*

-----Original Message-----

From: Susan Conley [mailto:Susan\_Conley@msad51.org]  
Sent: Thursday, November 01, 2001 10:42 AM  
To: Dick\_Hopkinson@msad51.org; blandis@cumberlandmaine.com;  
lbrown@cumberlandmaine.com  
Subject: 11/5/01 MSAD #51 Board Agenda and 10/15/01 and 10/24/01 Minutes

Hi,

The agenda and minutes are attached for the web sites. Thanks, Susan  
\*\*\*\*\*

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

November 5, 2001  
Multipurpose Room

7:00 PM Mabel I. Wilson School

- 
1. Call To Order - by MSAD #51 Board of Directors Chairperson, Kim True.
  2. Approval of Minutes
  3. Superintendent's Report
    - a) Chebeague Island School Update
  4. Presentations
    - a) Guidance - Doug Drew
    - b) MSMA Conference - BOD
  5. Committee Report
    - a) Finance Committee
    - b) Negotiation Committee
      - c) Design Team
    - d) Steering Committee
    - e) Policy Committee
    - f) Performance Indicators
    - g) Time Task Force
  6. Items for Action
    - a) Authorize superintendent to execute an extension of employment contracts for administrators
    - b) Appointment of individuals to teaching positions for the 2001/2002 school year



- c) Approve MSAD #51 Mission and 2001-2002 Goals Statement
- d) Vote to approve coaching position recommendations
- e) Executive Session - Labor Negotiations

7. Adjourn Meeting \_\_\_\_\_ PM

#### Upcoming Meetings/Events

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

11/1/01 and 11/2/01 - Maine Fest at MIW

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

11/13/01 - PTO Math Forum K-12

11/13/01 - Finance Committee Meeting, Central Office Conference Room,

7:00

AM

11/14/01 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM

11/14/01 - Design Team, GHS, 3:15 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 - MIW School Based Planning Team Parent Meeting, Prince

Memorial

Library, 5:30 - 6:30 PM

11/28/01 - GHS ASVAB Test

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

The following activities were not published on the District Calendar,  
but

please note now that the dates are set:



1/10/02 - Grade 4 Family Math Night (snow date January 17)  
3/21/02 - Grade 4 Pioneer Night - 3/21/02

Next Meeting:

Monday, November 19, 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](http://www.msad51.org) - Phone: 829-4800

Board of Directors

Agenda



Monday

November 5, 2001

7:00 PM

Mabel I. Wilson School Multipurpose Room

1. Call To Order - by MSAD #51 Board of Directors Chairperson, Kim True.
2. Approval of Minutes
3. Superintendent's Report
  - a) Chebeague Island School Update
4. Presentations
  - a) Guidance – Doug Drew
  - b) MSMA Conference - BOD
5. Committee Report
  - a) Finance Committee
  - b) Negotiation Committee
  - c) Design Team
  - d) Steering Committee
  - e) Policy Committee
  - f) Performance Indicators
  - g) Time Task Force
6. Items for Action
  - a) Authorize superintendent to execute an extension of employment contracts for administrators
  - b) Appointment of individuals to teaching positions for the 2001/2002 school year
  - c) Approve MSAD #51 Mission and 2001-2002 Goals Statement
  - d) Vote to approve coaching position recommendations
  - e) Executive Session – Labor Negotiations

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	



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  
 11/1/01 and 11/2/01 – Maine Fest at MIW  
 11/2/01 – End of 1<sup>st</sup> 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  
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**Next Meeting:**

Monday, November 19, 2001 – Mabel I. Wilson School Multipurpose Room





THE GREATER PORTLAND COUNCIL OF GOVERNMENTS

Emailed to Town Councilors  
11-2-01

October 31, 2001

TO: Town & City Managers, Town & City Councilors, Other Interested Parties

FROM: Neal W. Allen, Executive Director

RE: **Falmouth Property Tax Relief Forum**

Please try to attend or have a representative from your community or organization attend a **Property Tax Relief Forum** that is being sponsored by the Town of Falmouth on **Monday, November 5, 2001 at 7:00 p.m. at the Falmouth High School Theater.**

The Property Tax Relief Forum is supported by the Greater Portland Council of Governments and will feature the following guest speakers:

*Philip Hunt, Tax Attorney*

*Geoffrey Herman, Maine Municipal Association*

*Professor Charles Colgan, The Muskie School of Public Policy, USM*

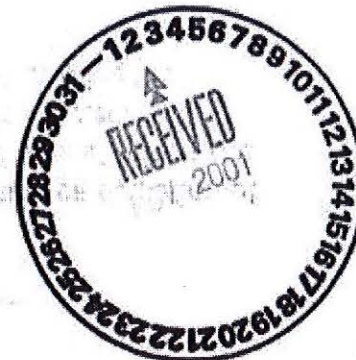
*Anne Gregory, Falmouth Town Assessor*

This initiative by the Town of Falmouth deserves the support and active participation of all those who believe that the future economic health and viability of Maine's cities and towns will continue to be at risk until meaningful tax policy reform is enacted. We simply cannot continue forever the practice (borne from necessity) of meeting the demands for municipal services through the local property tax.

To bring about change, a unified and dedicated effort will be needed from municipal and community leaders throughout the State. We can do our part by building a strong regional response.

I hope to see you on November 5 and at the reception immediately following, at which time we plan to briefly explore the possible next steps and strategies for advancing this critical public policy issue:

Thank you.





**Lisa Brown**

---

**From:** Lisa Brown [lbrown@town.cumberland.me.us]  
**Sent:** Friday, November 02, 2001 10:01 AM  
**To:** Harland Storey; Donna Damon; Jeff Porter; Mark Kuntz; Peter Bingham; Steve Moriarty  
**Subject:** Tax Relief Forum - GPCOG



TaxForum.jpg

Bob asked me to forward this to you.

Lisa :)



## Lisa Brown

---

**From:** Steve Moriarty [smoriarty@nhdlaw.com]  
**Sent:** Monday, November 05, 2001 7:53 AM  
**To:** lbrown@cumberlandmaine.com  
**Subject:** Re: Tax Relief Forum - GPCOG

I'll be getting back late from Ellsworth and won't be able to go.

>>> "Lisa Brown" <lbrown@cumberlandmaine.com> 11/02/01 10:01AM >>>  
Bob asked me to forward this to you.  
Lisa :)



Emailed  
11-1-01

**Lisa Brown**

**From:** Lisa Brown [lbrown@town.cumberland.me.us]  
**Sent:** Thursday, November 01, 2001 11:00 AM  
**To:** Harland Storey; Donna Damon; Jeff Porter; Mark Kuntz; Peter Bingham; Steve Moriarty  
**Subject:** FW: TOWN OF CUMBERLAND Appeals Board Agenda 11/8/01

Councilors,

From now on, I will be emailing you these agendas as soon as I get them. Oftentimes, by the time we get them in your council packets, the meetings are past. They will also be posted on the website. Please bear with me as I'm making a few changes with the website.

Please call me if you have any questions.

Thanks

Lisa ☺

-----Original Message-----

**From:** Barbara McPheters [mailto:bmcpheters@cumberlandmaine.com]  
**Sent:** Wednesday, October 31, 2001 4:01 PM  
**To:** Lisa Brown (E-mail)  
**Subject:** TOWN OF CUMBERLAND



11-08-2001 Agenda.doc



## **AGENDA**

### **BOARD OF ADJUSTMENT AND APPEALS**

Municipal Center Council Chambers

**290 Tuttle Road**

**Cumberland Maine 04021**

(207) 829-2207

Public Hearing

Thursday, November 8, 2001

7:30 PM

1. Bruce and Deborah Bowman request a special exception for a land surveying home occupation at 199 John Small Road on Map I2 Lot 38 in the Island Residential (IR) District. Tabled from ~~September~~ October meeting.
2. Peter and Alice Ames request variances of seven (7) feet from the thirty (30) foot side and fifteen (15) feet from the fifteen (15) foot driveway setback for an existing single family dwelling at 69 Rock Ridge Run on Map R3B Lot 12 in the Rural Residential 2 (RR2) District.
3. Patricia Marston-Snow requests a variance of fifteen (15) feet from the thirty (30) foot side setback requirement for a single family dwelling at 1 Rock Ridge Run on Map R7 Lot 73 in the Medium Density Residential (MDR) District.
4. Minutes of October 11, 2001 meeting





## Full Highlighted Search Result

### **Query 2075 on document *Public Laws of 2001 as Passed at 1st Regular Sess. of 120th Legislature***

*You can navigate between the hits using the "<<" and ">>" tags around a hit. Clicking "<<" takes you to the previous hit, clicking ">>" takes you to the next hit.*

**Go to the first 2075**

**New Query**

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Public Laws of 2001 as Passed at 1st Regular Sess. of 120th Legislature  
PUBLIC LAWS OF MAINE  
First Regular Session of the 120th

CHAPTER 313  
H.P. 503 - L.D. 643

An Act to Allow Municipalities to Lower Certain Speed Limits

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 29-A MRSA §<< 2075>>, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

3. Municipal authority. A Except as provided in this subsection, a municipality may not alter a speed limit or enact or enforce a regulation contrary to this Title. A municipality may:

- A. Regulate traffic by means of signal devices or other appropriate methods on a way on which traffic is heavy or continuous;
- B. Limit traffic to one-way traffic on a way, subject to Title 23, section 1351;
- C. Regulate speed of vehicles in public parks by erecting at all entrances to the park adequate signs giving notice of the special speed regulations; and
- D. With the approval of the Department of Transportation and the Chief of the Maine State Police, increase or decrease the speed limit on through ways by erecting adequate standard signs giving notice of the speed limit. in accordance with the latest edition of the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration; and
- E. Subject to the provisions of this paragraph, if it is a qualifying municipality, set speed limits on qualifying roads. As used in this paragraph, "qualifying municipality" means a municipality that has a population of 2,500 or more as measured by the latest decennial United States census or that employs a professional engineer licensed in this State. As used in this paragraph, "qualifying road" means a



town way that is classified as local by the Department of Transportation in accordance with the federal functional classification system.

If a qualifying municipality decides to set speed limits in accordance with this paragraph, the municipality shall provide written notice of that determination to the Commissioner of Transportation and shall set speed limits for all qualifying roads in that municipality.

Unless otherwise approved as provided in paragraph D, speed limits set by a municipality must be in 5-mile-per-hour increments within the following ranges:

- (1) From 20 to 25 miles per hour, inclusive, regarding roads in a business or residential district or a compact area, except that the lower limit may be set at 15 miles per hour on roads on islands not accessible by road or dead end roads less than 1/4 mile in length; and
- (2) From 30 to 50 miles per hour, inclusive, regarding roads in all other areas.

Prior to establishing a speed limit, the municipality must perform a traffic investigation that reviews the factors identified in the applicable sections of the Manual on Uniform Traffic Control Devices. The municipal officers shall validate that speed limit in accordance with the procedure for establishing municipal traffic ordinances set forth in Title 30-A, section 3009, post standard speed limit signs in accordance with the Manual on Uniform Traffic Control Devices and provide written notice of that speed limit zone to the Commissioner of Transportation on forms approved by the Department of Transportation.

The Department of Transportation may require a municipality with a population of 5,000 or more as measured by the latest decennial United States census that has not provided written notice to the department that the municipality will set speed limits in accordance with this paragraph to provide the department with all data necessary to set such speed limits. The nature, extent and form of that data must be acceptable to the department and may include, without limitation, the reason for the request, length and location of the proposed speed zone, road width, number of driveways in that zone, traffic volume, posted speed, prevailing speed as measured by radar, accident history and speed enforcement efforts.

Effective September 21, 2001, unless otherwise indicated.

Revisor of Statutes Homepage Subject Index Search Laws of Maine Maine Legislature  
About the 2001 Laws Of Maine  
Office of the Revisor of Statutes  
State House, Room 108  
Augusta, Maine 04333

Contact the Office of the Revisor of Statutes



# How to set a Local Speed Limit Using Maine DOT Criteria

As of September 21, 2001, certain municipalities now have the option on whether they would like to set their own speed limits on townways federally classified as "local". If a municipality elects to accept this responsibility, it would need to inform the Department, through a letter to the Commissioner, that it intends to take on the responsibility. It would also need to agree to follow the Department's longstanding criteria in setting a posted speed.

Included with these instructions, you will find the Department's speed zone chart showing the nine criteria used to make speed limit determinations. *It should be noted that not all criteria will apply in every speed zone.* Below, you will find a description of each of the nine criteria.

It should be noted that the Department's method of speed zoning using all nine criteria is more comprehensive than the MUTCD methods. The MUTCD states that the 85<sup>th</sup> percentile speed SHOULD be the governing factor and that the other eight factors MAY be considered in the analysis.

## General Speed Zone Information

The minimum length of a speed zone is 0.2 miles (approx. 1000 feet), unless the entire roadway is less than 0.2 miles. The maximum difference between speed zones cannot exceed 20 mph. When the difference in adjoining speed zones is greater than 10 mph, the "Reduced Speed Zone Ahead" sign shall be used in advance of the regulatory speed sign.

## Design Speed (Geometrics)

This criterion deals with the existing geometric design of a roadway. The American Association of State Highway Transportation Officials (AASHTO) has criteria which lists the limits of horizontal and vertical curves for any given design speed. Many town roads may never have been fully designed and therefore the design speed is not known. This criterion is one that is most often not applicable, especially in an urban setting. There are many roadways, that because they are straight and flat, have a high design speed. In an urban setting, using the design speed will artificially cause the posted speed to be higher than necessary.

If the design speed is unknown, then you may omit this item from the chart when the design speed is not known.

## Public and private access points per mile

The second criterion deals with the total number of access points per mile. You will need to find a starting point and drive the road counting the number of access points on both sides. As you drive down the road, you will need to write down the tenths of a mile and the number of driveways counted from the given starting point. The best way to do this is by creating a "straight line drawing" and putting tick marks along the line showing the driveways, usually single family residences (marked with a D), business entrances (marked with a B) and roadway intersections (marked with an I). As you hit a tenth of a mile, place a tick mark on the drawing showing a tenth of a mile then as you go to the next driveway start with the tick marks again. This way you will know how many driveways actually are in each tenth of a mile. Usually horseshoe-shaped driveways for single family homes are counted as one access point.



### **Intersections per mile**

The third criterion deals with the number of public roadways intersecting the roadway under review. From the straight line drawing you created when counting the total number of access points, count the number of intersections per mile. You have some discretion on what comprises a public/private roadway. However, with the new Enhanced 911 system, you may have signed roadways that serve only one house. Is this a roadway or a driveway? That call is yours, common sense should be used, but it most likely is a driveway.

### **Business Access points per mile**

A business access point is one with a high volume of traffic using the entrance/exit. Go back to the straight line drawing and count the number of business entrances per mile. Businesses with a horseshoe shaped driveway can be counted as one or two business access points depending on their proximity to one another. The farther they are apart, the more likely they would be considered two separate access points.

### **Test Run Speed**

*A very important and unscientific tool is the test run speed.* Basically you will take your vehicle and drive down the road at different speeds and pick the speed that you feel most comfortable driving. This speed is relative to what kind of car you are driving and what kind of driver you are. If you are a person that normally drives fast or one that is overly cautious, then you should make an adjustment to the test run speed. Also there is a huge difference between driving a sports car and a top heavy sport utility vehicle. An adjustment would need to be made for the test vehicle. Common sense plays a huge role in making the adjustment. *This criterion is quite subjective, but for a lot of short town roads, it may be the only criteria worth using.*

You will often find short sections of roadway, such as a hill or a curve that may cause you to slow down. These are found on many roadways, but are not reasons to create a separate speed zone or lower the posted speed. Usually the Department posts advisory speed plates on these short sections of roadway. What is an advisory speed plate? An advisory speed plate is a black on yellow warning sign alerting the driver that there is something ahead that may require them to reduce their speed in order to travel the road. The advisory speed plates are not enforceable speed limits, but are meant solely to advise the driver.

### **85<sup>th</sup> percentile speed**

*The 85<sup>th</sup> percentile speed is the key factor in establishing a speed limit.* In order to determine it, you need a radar gun and an unmarked vehicle to determine the speed of at least one hundred (100) free flowing vehicles. *What is a free flowing vehicle?* A free flowing vehicle is one in which the speed is not impeded by a vehicle traveling in front of it. If there is a long line of cars traveling down the road, the first vehicle in line is a free flowing vehicle. The vehicles in back of the free flowing vehicle may want to travel at a faster speed but are not allowed to do so because of the lead vehicle. Once you get the one hundred car sample, you would take the speeds recorded and set them up in ascending order. The speed of the 85<sup>th</sup> fastest vehicle is considered the 85<sup>th</sup> percentile speed.

It is important that the vehicle being used for radar, is an inconspicuous vehicle and that it doesn't cause the oncoming traffic to slow down because of its location. This should **not** be done in a police or other marked car. The 85<sup>th</sup> percentile speed can sometimes be overinflated due to lack of police presence in the area, but it is important to use the data in determining the correct posted speed, because



it is a proven fact that artificially reducing the posted speed can cause an inordinate amount of accidents due to vehicles traveling at many different rates of speed. In other words, some law abiding citizens may be driving the posted speed, while others are going at or close to the 85<sup>th</sup> percentile speed, and that difference in speed can often cause rear end type accidents.

### **Upper limit of Pace speed**

Another valuable piece of information that can be gathered from the radar study is the pace speed. The pace speed is the ten mile per hour band in which a majority of the one hundred vehicles sampled travel at. This information is important especially when you get some really low and really high travel speeds. In terms of the speed zone chart, you would use the speed at the high end of the chart.

### **Total accidents per mile (Current 3 years)**

When the Department performs speed zone studies, accident data is provided by the Accident Records section at the Department. A municipality can check with the same Section to see if there is any accident data for a particular road or stretch of road. The accident record section can be reached at 287-3775. The Department would use the most recent 3 year accident record information that shows the number of accidents per mile on that stretch. This number can be deceiving. One accident on a one tenth mile segment would give a value of ten accidents per mile, while one accident on a one mile section would give a value of one.

### **Total Access Point accidents per mile**

If data is available for the total accidents per mile, then data should be available for the number of accidents at driveway/business access points per mile.

## **Interpreting the chart**

The data collected from any of the applicable nine criteria will be listed under the "Data" column on the speed zone chart. After the data column is filled, you will read across to the right to find the number in the ranges. Once the correct range is found, you will look to the top of that column and find the "factor value" and then place that number under the "factor" column to the right. Each of the nine criteria can have a "factor value" ranging from 40 to 100.

The next column is the "weight" value. Normally, everything should be weighted as one. There may be times where you feel that one criteria is worth more than the others. You may think it is twice or three times as valuable than the others. You would then weight it with a two or a three.

To get the "result" value for each criterion, you will multiply the "factor" by the "weight", then add up the "result" column and the "weight" column and divide the total "result" by the total "weight". This number represents the "average factor".

To get the correct posted speed, you will take the "average factor" and look where that would fall in the "factor value" row. From there you will look below to the "design speed" row. That will be the correct posted speed. For example, if the average factor is 57, then the correct posted speed would fall between 30 mph and 35 mph. and should be rounded up to 35 mph.

However, this calculated speed should be reviewed to see if it makes sense and is close to the two more important factors of 85<sup>th</sup> percentile speed and the pace speed. Some adjustments may have to be made in the end. And, it is interesting to note that when "weights" of 2 or 3 are used, because "there are lots of accidents" or "people are driving too fast", the calculated speed changes very little. The same is true when one or two of the criteria is weighted at 0.



# Maine Department of Transportation

Bureau of Maintenance and Operations

Traffic Engineering Section

## SPEED ZONE REVIEW

Date: May 11, 2001

Municipality: Woodland  
Road/Road: Thomas Road

Location: between Rte 161 & East Road  
Length (miles): 2.83

### Street Description:

1 = residential street  
2 = residential collector  
3 = urban arterial  
4 = business district  
5 = rural collector

Shoulder Design  
width > Speed,  
6 ft on leave  
blank if  
unknown

Lane  
Width

5	9	2	
---	---	---	--

ROAD CONDITIONS	Valu												
	Data	Units	Data	40	50	60	70	80	90	100	Factor	Weight	Result
1. Design speed (Geometrics)	40	MPH	40	25	30	35	40	45	50	55	70	1.0	70
2. Public & private access points	44	#/Mi	16	>50	41-50	31-40	21-30	16-20	11-15	0-10	80	1.0	80
3. Intersections	3	#/Mi	1	7	6	5	4	3	2	0-1	100	1.0	100
4. Roadside businesses	1	#/Mi	0	>12	9-12	8	7	6	4-5	0-3	100	1.0	100

### TRAFFIC EXPERIENCE

5. Test Run (Comfort)	40	MPH	40	25	30	35	40	45	50	55	70	1.0	70
6. Upper limit of pace (10 MPH range)	29	MPH	29	13-27	18-32	23-37	28-42	33-47	38-52	43-57	50	1.0	50
7. 85th percentile	42	MPH	42	23-27	28-32	33-37	38-42	43-47	48-52	53-57	70	2.0	140
8. Total accidents (3 year)	2	#/Mi	1	>12	11-12	9-10	7-8	5-6	3-4	0-2	100	1.0	100
9. Access point accidents (3 year)	0	#/Mi	0	>6	6	5	4	3	2	0-1	100	1.0	100

Total 81 10.0 810

Calculated Speed 46 MPH



# Maine Department of Transportation

Bureau of Maintenance and Operations

Traffic Engineering Section

## SPEED ZONE REVIEW

Date: May 11, 2001

Municipality: Woodland  
Road/Road: Thomas Road  
Location: In Woodland  
Length (miles): 0.1407

1 = residential street		Shoulder	Design
2 = residential collector		width >	Speed,
3 = urban arterial		6 ft on	leave
4 = business district		street	blank if
5 = rural collector	Lane Width	parking	unknown
5	9	2	

Entrances:		#/mile	Weighted Entrances Speed	46	
Low volume:	4	28.43	85th Speed or test speed	40	U shaped di
Med. volume:	0	0.00	Design Speed (geometrics)	40	
High volume:	0	0.00			
		28.43			
			Proposed Speed	42	



**Maine Department of Transportation**  
 Bureau of Maintenance and Operations  
 Traffic Engineering Section

**SPEED ZONE REVIEW**

**Date:** May 11, 2001

**Municipality:** Woodland      **Location:** Highest density section  
**Road/Road:** Thomas Road      **Length (miles):** 0.21

- 1 = residential street
- 2 = residential collector
- 3 = urban arterial
- 4 = business district
- 5 = rural collector

**5**

	Shoulder	Design
	width >	Speed,
	6 ft on	leave
	street	blank if
Lane Width	parking	unknown
<b>9</b>	<b>2</b>	

Entrances:

Low volume:

**7**

#/mile	Weighted Entrances	Speed	36
33.45	85th Speed or	test speed	<b>40</b>

Med. volume:

**0**

0.00	Design Speed	(geometrics)	40
------	--------------	--------------	----

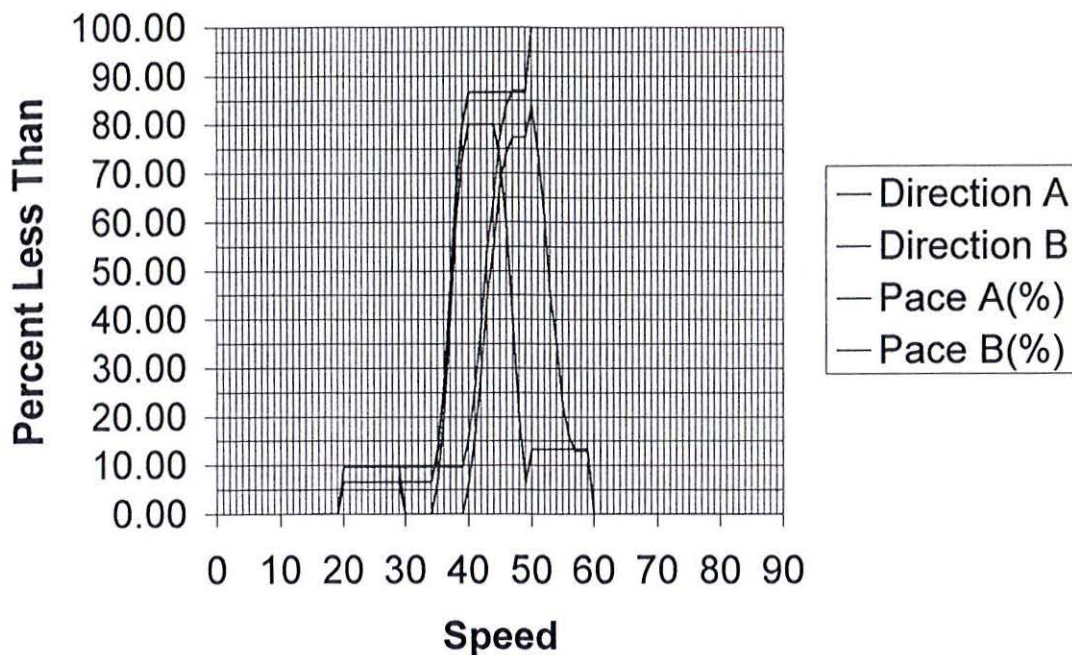
High volume:

**1**

4.78			
33.45			
	<b>Proposed</b>	<b>Speed</b>	<b>39</b>



## Spot Speed Study



## RADAR WORKSHEETS

Speed (v)	Location A Number of Vehicles (f)	Cumulative Number of Vehicles	Cumulative Percent Direction A	% of veh in prior 10 mph PACE	Location B Number of Vehicles	Cumulative Number of Vehicles	Cumulative Percent Direction B	% of veh in prior 10 mph PACE	Speed (v)
15		0	0.00	0.00		0	0.00	0.00	15
16		0	0.00	0.00		0	0.00	0.00	16
17		0	0.00	0.00		0	0.00	0.00	17
18		0	0.00	0.00		0	0.00	0.00	18
19		0	0.00	0.00		0	0.00	0.00	19
20	1	1	6.67	6.67	3	3	9.68	9.68	20
21		1	6.67	6.67		3	9.68	9.68	21
22		1	6.67	6.67		3	9.68	9.68	22
23		1	6.67	6.67		3	9.68	9.68	23
24		1	6.67	6.67		3	9.68	9.68	24
25		1	6.67	6.67		3	9.68	9.68	25
26		1	6.67	6.67		3	9.68	9.68	26
27		1	6.67	6.67		3	9.68	9.68	27
28		1	6.67	6.67		3	9.68	9.68	28
29		1	6.67	6.67		3	9.68	9.68	29
30		1	6.67	0.00		3	9.68	0.00	30
31		1	6.67	0.00		3	9.68	0.00	31
32		1	6.67	0.00		3	9.68	0.00	32
33		1	6.67	0.00		3	9.68	0.00	33
34		1	6.67	0.00		3	9.68	0.00	34
35	1	2	13.33	6.67		3	9.68	0.00	35
36	2	4	26.67	20.00		3	9.68	0.00	36
37	3	7	46.67	40.00		3	9.68	0.00	37
38	3	10	66.67	60.00		3	9.68	0.00	38
39	2	12	80.00	73.33		3	9.68	0.00	39
40	1	13	86.67	80.00	2	5	16.13	6.45	40
41		13	86.67	80.00	3	8	25.81	16.13	41
42		13	86.67	80.00	4	12	38.71	29.03	42
43		13	86.67	80.00	5	17	54.84	45.16	43
44		13	86.67	80.00	3	20	64.52	54.84	44
45		13	86.67	73.33	4	24	77.42	67.74	45
46		13	86.67	60.00	2	26	83.87	74.19	46
47		13	86.67	40.00	1	27	87.10	77.42	47
48		13	86.67	20.00		27	87.10	77.42	48
49		13	86.67	6.67		27	87.10	77.42	49
50	2	15	100.00	13.33	4	31	100.00	83.87	50



51		15	100.00	13.33		31	100.00	74.19	51
52		15	100.00	13.33		31	100.00	61.29	52
53		15	100.00	13.33		31	100.00	45.16	53
54		15	100.00	13.33		31	100.00	35.48	54
55		15	100.00	13.33		31	100.00	22.58	55
56		15	100.00	13.33		31	100.00	16.13	56
57		15	100.00	13.33		31	100.00	12.90	57
58		15	100.00	13.33		31	100.00	12.90	58
59		15	100.00	13.33		31	100.00	0.00	59
60		15	100.00	0.00		31	100.00	0.00	60
61		15	100.00	0.00		31	100.00	0.00	61
62		15	100.00	0.00		31	100.00	0.00	62
63		15	100.00	0.00		31	100.00	0.00	63
64		15	100.00	0.00		31	100.00	0.00	64
65		15	100.00	0.00		31	100.00	0.00	65
66		15	100.00	0.00		31	100.00	0.00	66
67		15	100.00	0.00		31	100.00	0.00	67
68		15	100.00	0.00		31	100.00	0.00	68
69		15	100.00	0.00		31	100.00	0.00	69
70		15	100.00	0.00		31	100.00	0.00	70
71		15	100.00	0.00		31	100.00	0.00	71
72		15	100.00	0.00		31	100.00	0.00	72
73		15	100.00	0.00		31	100.00	0.00	73
74		15	100.00	0.00		31	100.00	0.00	74
75		15	100.00	0.00		31	100.00	0.00	75
76		15	100.00	0.00		31	100.00	0.00	76
77		15	100.00	0.00		31	100.00	0.00	77
78		15	100.00	0.00		31	100.00	0.00	78
79		15	100.00	0.00		31	100.00	0.00	79
80		15	100.00	0.00		31	100.00	0.00	80
81		15	100.00	0.00		31	100.00	0.00	81
82		15	100.00	0.00		31	100.00	0.00	82
83		15	100.00	0.00		31	100.00	0.00	83
84		15	100.00	0.00		31	100.00	0.00	84
85		15	100.00	0.00		31	100.00	0.00	85
86		15	100.00	0.00		31	100.00	0.00	86
87		15	100.00	0.00		31	100.00	0.00	87
88		15	100.00	0.00		31	100.00	0.00	88
89		15	100.00	0.00		31	100.00	0.00	89
90		15	100.00	0.00		31	100.00	0.00	90
91		15	100.00	0.00		31	100.00	0.00	91
92		15	100.00	0.00		31	100.00	0.00	92
93		15	100.00	0.00		31	100.00	0.00	93
94		15	100.00	0.00		31	100.00	0.00	94
95		15	100.00	0.00		31	100.00	0.00	95
96		15	100.00	0.00		31	100.00	0.00	96
97		15	100.00	0.00		31	100.00	0.00	97
98		15	100.00	0.00		31	100.00	0.00	98
99		15	100.00	0.00		31	100.00	0.00	99
100		15	100.00	0.00		31	100.00	0.00	100
101		15	100.00	0.00		31	100.00	0.00	101
102		15	100.00	0.00		31	100.00	0.00	102
103		15	100.00	0.00		31	100.00	0.00	103
104		15	100.00	0.00		31	100.00	0.00	104
105		15	100.00	0.00		31	100.00	0.00	105
106		15	100.00	0.00		31	100.00	0.00	106
107		15	100.00	0.00		31	100.00	0.00	107
108		15	100.00	0.00		31	100.00	0.00	108
109		15	100.00	0.00		31	100.00	0.00	109
110		15	100.00	0.00		31	100.00	0.00	110

29  
39

29  
46

Max Pace 29  
85th %ile 42





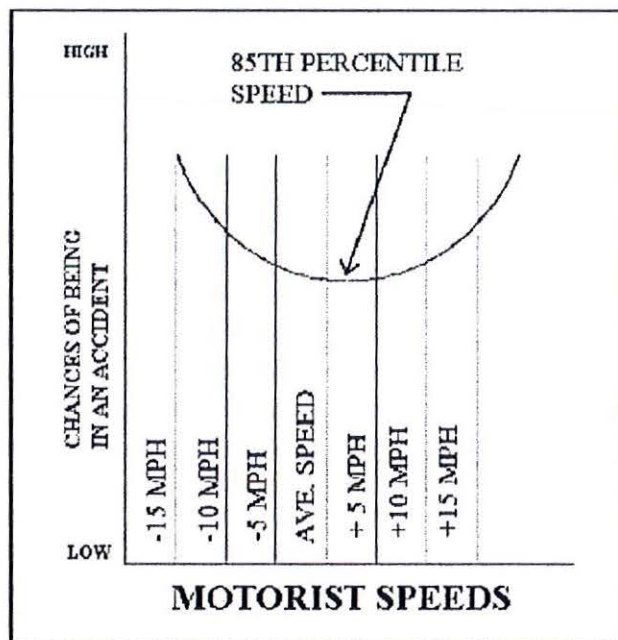
# COMMUNITY SERVICES



## DIVISION

### HOW ARE SPEED LIMITS SET?

When establishing a speed limit, the main premise is that most drivers are prudent and will voluntarily comply with a reasonable speed limit. To determine what is reasonable, engineers measure drivers' speed on a section of roadway, the speed at which 85% of drivers are at or below is the standard for determining a speed limit. A properly set speed limit will be within 3 miles per hour ( $\pm$ ) of this observed speed. The posted speed limit will then be rounded to the nearest 5 miles per hour.



Research has shown that the 85th percentile speed is the speed where accident involvement is the lowest. Reducing the speed limit below what is warranted can actually be detrimental to safety.

Measurements to determine the 85th percentile value are made under free flowing and ideal traffic conditions. This means that if speeds are measured on any section of road, 85% of the motorists will be driving at or below the 85th percentile speed.

Speed zoning is based upon several fundamental concepts deeply rooted in our American system of government and law:

- Driving behavior is an extension of social attitude, and the majority of drivers respond in a safe and reasonable manner as demonstrated by their consistently favorable driving records.
- The normally careful and competent actions of a reasonable person should be considered legal.
- Laws are established for the protection of the public and the regulation of unreasonable behavior on the part of individuals.



- Laws cannot be effectively enforced without the consent and voluntary compliance of the public majority.

In Maine, State law (29-A § 2075, §-3) authorizes the MDOT, with the approval of the Chief of the State Police, as the **only legal entity** to create or change a speed limit **on State and State Aid Highways and certain townways**. On September 21, 2001, the law changed to allow certain "qualifying municipalities" to have the full responsibility and authority for setting speed limits on local roads..... if they choose that option. A "qualifying municipality" is one that (1) has a population over 2,500 as measured by the last US Census, or (2) employs a Professional Engineer (PE) licensed in Maine. Qualifying roads are ONLY townways which are federally classified as "local" roads.

If a town creates or changes a speed limit or simply erects speed limit signs without going through the proper process, there is no legal authority to the change and it is unenforceable.

Except when conditions or other regulations require a lower speed, the following are maximum rates of speed, especially if signs are not posted:

- **15 m.p.h. in a school zone at specific times of the day,**
- **25 m.p.h. in a business or residential area or built up portion,**
- **45 m.p.h. on all other public ways.**

A "school zone" was also redefined in 2001 through LD 843 which became Public Law 2001, Chapter 145 and became effective on May 14, 2001. A "School zone" *"means the portion of the public highway abutting improved school property or 300 feet on either side of a school entrance, whichever is greater."*

*"Improved school property" now is defined as "the developed portion of school property including driveways, parking lots, playgrounds, athletic fields or school buildings."*

If there are roads in your town under Maine DOT jurisdiction and you feel the need to create or change a speed limit, a municipal official must request the change in writing to the DOT Traffic Engineer or your local DOT Division Traffic Engineer. A field study will be made and then a recommended speed will be forwarded to the DOT Commissioner and the State Police. Then the town will be notified of the speed limit and be responsible for erecting the standard black-on-white signs in the proper locations if the change is on a town way. If the change is on a State road, then the MDOT will make the signing changes.

**List of Division Traffic Engineers:**



MDOT Division	Location	Traffic Engineer	Telephone #
Div. 1	Presque Isle	Brent Bubar	207-764-2060
Div. 2	Ellsworth	Victor Smith	207-667-5556
Div. 3	Bangor	Red Robbins	207-941-4500
Div. 4	Fairfield	Dana Hanks	207-453-7377
Div. 5	Rockland	Dave Allen (Acting)	207-596-2230
Div. 6	Scarborough	Randy Dutton	207-883-5546
Div. 7	Dixfield	Gene Uhaud	207-562-4228

During the field study, there are several factors that engineers use to determine an acceptable speed limit. In fact, if your town is a "qualifying town" and chooses to set local speed limits, local officials should be studying the same factors.

- geometric design of the road,
- public and private access points,
- the number of intersections,
- the number of roadside businesses,
- observed travel speeds of traffic,
- the 85th percentile of the observed speed ranges,
- total accidents in a 3 year time frame,
- accidents just from driveways and intersections within a 3 year period,
- a series of test runs on that section of road driving a certain speed evaluating safety and drivability.

There are two types of speed limits: one is "**regulatory**" and the other is "**advisory**". A **regulatory** speed limit is set by MDOT and printed black on a white background. The minimum size of **regulatory** speed limit signs is 24 X 30 inches. Also, **regulatory** speed limit signs shall be in increments of 5 M.P.H. A special **regulatory** speed sign that drivers need to be aware of is the school speed limit in school zones. The posted speed is in effect when school is in session before school begins, after school, and at recess.

The other type of speed limit is an **advisory** limit. This black on yellow speed limit sign is used to advise motorists of a comfortable speed at which to travel when different situations lie ahead. It is used with a warning sign like a right or left curve sign. The standard size for these signs is 18 X 18 inches, except in cases where it is 24 X 24 inches because it supplements a 36 inch and larger warning sign. Another type of **advisory** speed limit sign



can be found in work zones. These signs are black on orange. These are used to advise drivers of construction ahead and provide work crews safety.

---

*Maine Local Roads Center, Traffic Issues*





ANGUS S. KING, JR.  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
16 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0016

Adam  
Council done



October 24, 2001

## New Law on Speed Limits

Dear Municipal Official:

As you may be aware, recent changes in legislation which affect who sets certain speed limits for Maine's public roads became law on September 21. The purpose of this letter is to outline the law and provide you with the information which you will need to determine whether your municipality wants to "get into the business" of setting speed limits on local roads. We are also sending you a list of those roads in your municipality which you do NOT have the authority to set speed limits on, since it is a shorter list than the one with roads that you may set speed limits on.


Because your town has a 2000 US Census population over 2500, your town has the option of choosing to control local speed limits. If your town decides that the MDOT should remain in control of these speed limits because it has the expertise, equipment, and experience in this area, **nothing changes for your town**. Any speed limit changes on any state or local road would still be done by the MDOT after a written request from the municipality.

If your town decides to "opt in", then you must refer to the enclosed materials and provide written documentation to the MDOT on the enclosed BLUE form letter. Please read the material beforehand because "speed zoning" can be difficult, time-consuming, and create many local headaches if not done correctly. For example, lowering speed limits to "*get people to slow down*" is a major misconception and should **NOT** be done. It is important to remember that once your town decides to take on this responsibility, you are now responsible for all speed limits on all local roads in the future. Speed limits must be set properly using the proper traffic engineering standards and the law is very specific about the process and the standards.

If your municipality has a 2000 census population over 5000, the Department may require you to provide the Department with technical data when requesting a speed zone review. Technical data could include a radar speed study, the length of section being reviewed, the total number of access points along the section of roadway, the total number of businesses and the number of roadway intersections. This requirement is completely independent of whether or not your town wants to "opt in" to setting speed limits. This requirement is based totally on population.

Feel free to call Peter Coughlan in the Community Services Division at 287-2152 if you have any questions.

Sincerely,

  
Bruce Ibarguen  
MDOT Traffic Engineer



PRINTED ON RECYCLED PAPER



*STREET NAME**ROUTE**JURISDICTION**FEDERAL FUNCTIONAL CLASS**LENGTH\_(MI)***Cumberland**

FORESIDE RD	State Route 0088	State hwy	Major/urb collecto	2.31
LONGWOODS RD	State Route 0009	State aid	Major/urb collecto	2.69
TUTTLE RD	Road 00392	State aid	Minor collector	3.55
SKILLINGS RD	Road 00443	State aid	Minor collector	0.91
RTE 88	State Route 0088	State hwy	Major/urb collecto	0.84
RTE 1	US Route 1	State hwy	Major/urb collecto	2.77
MAIN ST	State Route 0009	State aid	Major/urb collecto	1.01
KINGS HWY	Road 04004	State aid	Minor collector	0.11
I-95 NB	Interstate 95	State hwy	Princ art intersta	2.76
GRAY RD	State Route 0026	State hwy	Minor arterial	5.04
WINN RD	Road 00447	State aid	Major/urb collecto	0.81
BLANCHARD RD	Road 00392	State aid	Minor collector	2.8
BLACKSTRAP RD	Road 00443	State aid	Major/urb collecto	1.22
I-495 NB	Interstate495	Toll hwy	Princ art intersta	1.88



September, 2001

MAINE

Maine Department of Transportation  
Community Services Division  
16 State House Station  
Augusta, Maine 04333-0016  
287-2152

LOCAL ROADS

CENTER

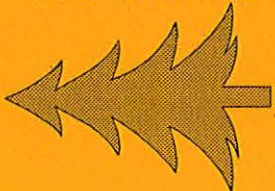
## Setting Speed Limits on Local Roads

### THE LAW NOW ALLOWS CERTAIN MUNICIPALITIES TO SET CERTAIN LIMITS ON CERTAIN ROADS

As a result of LD 643 in the 120<sup>th</sup> Maine Legislature, the law has changed relative to WHO has authority to set speed limits on Maine's local roads. The new law was signed by the governor on May 29, 2001 as Public Law 2001, Chapter 313. It amends Title 29-A § 2075, §-3 and became effective on September 21, 2001.

Here are the highlights:

- ☑ The MDOT no longer has sole authority or responsibility for speed limits in Maine. Certain municipalities will now have the full responsibility and authority for setting speed limits on local roads after providing written notice to MDOT ..... if they choose that option.
- ☑ Only "qualifying municipalities" will have this authority. A "qualifying municipality" is one that (1) has a population over 2,500 as measured by the last US Census, or (2) employs a Professional Engineer (PE) licensed in Maine.
- ☑ Qualifying roads are ONLY townways which are federally classified as "local" roads. Typically, these are local neighborhood streets and not the busier main roads through town.
- ☑ In order to accept this responsibility, the municipality MUST provide written notice to the Commissioner (on the proper MDOT form letter) and understand that it shall accept the full responsibility to set speed limits on ALL qualifying roads in that town — not just a few roads for a short amount of time. The municipality will now be "in the speed zoning business" and will accept all the pros and cons related to this work.
- ☑ Regardless of whether your town is an "urban compact" town or not, local control will ONLY apply to local roads or "townways". Speed limits on State or State Aid highways will remain the full responsibility of the MDOT.



[www.state.me.us/mdot/planning/csd/mlrc.htm](http://www.state.me.us/mdot/planning/csd/mlrc.htm)



- ☑ Speed zoning is a technical subject and requires proper review and analysis of many factors. Therefore, all speed limits must be set in conformance with procedures set forth in the Manual on Uniform Traffic Control Devices (MUTCD). Traffic engineers also agree that an unreasonably low speed limit WILL NOT "get people to slow down". Speed limits which are set too low do a disservice to everyone and breed greater disrespect for the law.
- ☑ Speed limits must be in 5 mph increments and be within the following ranges:
  - 1) From 20 to 25 mph, inclusive, for roads in a business or residential district or a compact area, except that 15 mph can be used on roads on islands not accessible by road, or dead end roads less than  $\frac{1}{4}$  mile in length, and
  - 2) From 30 to 50 mph, inclusive, on roads in all other areas.
- ☑ Any municipally-set speed limits are legal if the following 3 steps are followed:
  - 1) The limits must be validated as a municipal traffic ordinance as set forth in Title 30-A, § 3009.
  - 2) Standard speed limit signs must be posted per the MUTCD (min 24 by 30 inches), and
  - 3) Written notice of the speed limit zones must be sent to the MDOT (on MDOT form letter)
- ☑ For those towns which have a population of 5,000 or more, the MDOT may require the town to gather all the proper technical information, send it to MDOT, and the MDOT will determine the actual speed limit. The technical data will include number of driveways, traffic volume, prevailing speed, accident history, and speed enforcement efforts, etc.





DATE: \_\_\_\_\_

To: Commissioner of Department of Transportation

From: Municipality of \_\_\_\_\_

### **SPEED LIMITS**

Pursuant to 29-A MRSA § 2075, §-3, as amended by PL 2001, Chapter 313, the municipal officers of this municipality are hereby notifying the MDOT that we have decided to accept responsibility for establishing speed limits on all of our federally classified local townways. This is effective immediately and it is understood that this responsibility will include the following requirements:

- 1) that this municipality understands that we will now have full responsibility and authority to determine speed limits on only the aforementioned public roads and that the authority to regulate State and State Aid highways remains with the MDOT,
- 2) that all speed zoning will be done following the procedures and standards as stated in the Manual on Uniform Traffic Control Devices (MUTCD), including the determination of the 85<sup>th</sup> percentile speed, where practical,
- 3) that the actual speed limits must adhere to the limits as stated in the statute,
- 4) that roadside notification of all speed zones will be done with standard signs as shown in the MUTCD,
- 5) that all speed zones will be validated through a municipal traffic ordinance pursuant to 30-A MRSA § 3009,
- 6) that this municipality will officially notify the Commissioner of the MDOT of all speed zones on a form approved by the MDOT,
- 7) that if these steps are not followed, then it is possible that the speed limits are unenforceable.

Sincerely,

\_\_\_\_\_  
(authorized municipal official)

\_\_\_\_\_  
(printed)

Title: \_\_\_\_\_

Phone: \_\_\_\_\_



# **MUTCD Standards on Speed Limits**

**(from Millenium Edition, 2001)**

**<http://mutcd.fhwa.dot.gov/>**

## **Section 2B.11 Speed Limit Sign (R2-1)**

### **Standard (mandatory):**

**After an engineering study has been made in accordance with established traffic engineering practices, the Speed Limit (R2-1) sign shall display the limit established by law, ordinance, regulation, or as adopted by the authorized agency. The speed limits shown shall be in multiples of 10 km/h (5 mph).**

**If a metric speed limit is displayed, the METRIC supplemental plaque shall be placed above the sign and the km/h supplemental plaque shall be placed below.**

### **Support:**

The METRIC supplemental plaque, which has a yellow background with a black legend and border, indicates to road users that the metric system is being used.

### **Guidance (recommended):**

No more than three speed limits should be displayed on any one Speed Limit sign or assembly.

When a speed limit is to be posted, it should be the 85th-percentile speed of free-flowing traffic, rounded up to the nearest 10 km/h (5 mph) increment.

### **Option (permissible):**

Other factors that may be considered when establishing speed limits are the following:

- A. Road characteristics, shoulder condition, grade, alignment, and sight distance;
- B. The pace speed;
- C. Roadside development and environment;
- D. Parking practices and pedestrian activity; and
- E. Reported crash experience for at least a 12-month period.

Two types of Speed Limit signs may be used: one to designate passenger car speeds, including any nighttime information or minimum speed limit that might apply; and the other to show any special speed limits for trucks and other vehicles.

A changeable message sign that changes for traffic and ambient conditions may be installed provided that the appropriate speed limit is shown at the proper times.



**Support:**

Advisory Speed signs are discussed in Sections 2C.33 and 2C.42 and Temporary Traffic Control Zone Speed signs are discussed in Part 6.

**Section 2B.15 Location of Speed Limit Signs****Standard (mandatory):**

**Speed Limit (R2-1) signs, indicating speed limits for which posting is required by law, shall be located at the points of change from one speed limit to another.**

**At the end of the section to which a speed limit applies, a Speed Limit sign showing the next speed limit shall be installed. Additional Speed Limit signs shall be installed beyond major intersections and at other locations where it is necessary to remind road users of the speed limit that is applicable.**

**Speed Limit signs indicating the statutory speed limits shall be installed at entrances to the State and at jurisdictional boundaries of metropolitan areas.**

**Section 2B.16 Reduced Speed Ahead Signs (R2-5 Series)****Guidance (recommended):**

The Reduced Speed Ahead (R2-5 series) signs should be used to inform road users of a reduced speed zone when engineering judgment indicates the need for advance notice to comply with the speed limit posted ahead.

This sign should not be used in urban areas where speeds are relatively low.

**Standard (mandatory):**

**The Reduced Speed Ahead (R2-5 series) signs shall be followed by a Speed Limit (R2-1) sign installed at the beginning of the zone where the speed limit applies**

**Option (permissible):**

The following methods may be used to provide road users with advance notice of a change in the speed limit:

- A. Any of the R2-5 series of signs may be displayed.
- B. An assembly consisting of the Speed Limit (R2-1) sign with a supplemental legend plaque BEGIN mounted above the R2-1 sign and a supplemental distance plaque, such as 1/6 km or 1/4 mi, mounted below the R2-1 sign may be displayed.

**Guidance (recommended):**

When used with Speed Limit assemblies, the supplemental plaques should have a white background with a black legend and border, except for the METRIC plaque (see Section 2B.11).



# Why the “85<sup>th</sup> percentile” Speed??

A study conducted by the American Association of State Highway and Transportation Officials (AASHTO) Subcommittee on Traffic Engineering and based on a survey of traffic officials from all states and 44 city and county agencies, reviewed the principles and practices used to set speed limits.

The study indicated that based on the best available evidence, the speed limit should be set at the speed driven by 85 to 90 % of the free-moving vehicles rounded up to the next 5 mph increment. The method results in speed limits that are not only acceptable to a large majority of the motorists, but also fall within the speed range where the accident risk is the lowest. Allowing a 5 mph tolerance, enforcement would be targeted at drivers who are clearly at risk.

Traffic officials generally agree speed limits should reflect the speed of most drivers. All states and most local agencies use the 85<sup>th</sup> percentile speed of free-flowing traffic as the basic factor used to set speed limits. However, it is fairly common to reduce the speed limit based on a subjective consideration of other factors. If there are unusual hazards not readily apparent to drivers, then a warning sign could be installed giving the nature of the hazard, and if necessary, supplemented with a realistic advisory speed.

*Excerpted from “Synthesis of Speed Zoning Practice”, Technical Summary, FHWA/RD- 85/096*



*This sample traffic ordinance is intended to be a suggested model for those "qualifying" Maine towns which decide to regulate speed limits on townways. It is highly recommended that the municipality's Legal Counsel review this ordinance before it becomes legal because this wording is geared toward the "technical" perspective and not the "legal" perspective.*

## **"Traffic Ordinance Regulating Speed Limits on Certain Townways"**

Authority: This regulatory ordinance is adopted pursuant to 29-A MRSA § 2075, §-3 as amended by the 120<sup>th</sup> Legislature as PL 2001, Chapter 313.

Purpose: This ordinance is designed to allow the municipal officers to regulate the speed limit of vehicles on the public ways cited below, in accordance with the standards of the Manual on Uniform Traffic Control Devices (MUTCD) and the standards of the MDOT.

Regulation: when the proper notifications and procedures have been completed and the proper signs have been erected after enactment of this ordinance, an operator shall not operate a motor vehicle faster than the noted speed limits on the following townways, or portions thereof:

Parker Lane: 35 mph *starting at the junction of WillyNilly Rd and extending northerly to the junction of HackySack Lane, a total distance of 0.84 miles.*

Kinderhooky St: 25 mph *starting at the Mudville/So. Poohbah townline and extending southwesterly to the urban compact line at Pothole Lane, a distance of 1.4 miles.*

Enforcement: This ordinance shall be enforced by the Municipal Officers or their duly appointed designee, or other State and/or County enforcement personnel. Violations of this ordinance shall be traffic infractions and shall be prosecuted, if necessary, in the appropriate District Court.

Severability: In the event that any portion of this ordinance is found by the Court to be invalid, the remaining provisions shall continue in full force and effect.

Effective Date: this ordinance was adopted by the majority of the Municipal Officers and is effective on August 31, 2001.

Certified by the Selectmen  
of the Town of So. Poohbah

Attested by:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_



**NOTICE OF**  
**SPEED ZONES ON LOCAL ROADS**  
**SET BY THE**  
**MUNICIPALITY OF :** \_\_\_\_\_

DATE: \_\_\_\_\_

To: Commissioner of Department of Transportation

From: \_\_\_\_\_

**SPEED ZONES**

Pursuant to 29-A MRSA § 2075, §-3, as amended by PL 2001, Chapter 313, the municipal officers of this municipality are hereby notifying the MDOT that we have adopted speed zone(s) on the following local road(s):

- 1)
- 2)
- 3)

*Example:*

**PARKER LANE:** 35 MPH starting at the junction of the Timber Park Rd and extending westerly to the junction of Pothole Lane, a total distance of 0.84 miles.

In setting these speed zones, this municipality has:

- 1) followed the procedures and standards as stated in the Manual on Uniform Traffic Control Devices (MUTCD),
- 2) validated these speed zones through a municipal traffic ordinance pursuant to 30-A MRSA § 3009,
- 3) posted the standard signs as shown in the MUTCD (minimum 24 by 30 inch signs) where necessary to notify motorists.

Sincerely,

\_\_\_\_\_  
(authorized municipal official)

\_\_\_\_\_  
(printed)

Title: \_\_\_\_\_

Phone: \_\_\_\_\_



# MEMO

**Date:** 11/6/01

**To:** Town Council Members

**From:** Robert Benson

**RE:** Town Council Workshop/Meeting of 11/13/01

## **WORKSHOP at 6:30 pm**

As you will recall, during the last budget process fire equipment needs were discussed and to date, the Town Council has approved the purchase of a squad truck costing approximately \$300,000 with the money to be borrowed and made part of the 2002 budget. The Fire Chief and I have met on a number of occasions to review equipment needs and we will be discussing with you the purchase of a fire truck to be placed at Central Station. We can purchase the fire truck at a \$30,000 discounted price if we order before December 1<sup>st</sup>. The Fire Chief has made a convincing case to me that this equipment is needed to replace equipment scheduled for Chebeague Island. Part of our discussion has been an analysis of Falmouth, Yarmouth and Cumberland equipment numbers as they relate to our state valuation and both Yarmouth and Falmouth have substantially higher state valuations than Cumberland, which to a great extent dictates the level of effort that Cumberland can make to public safety. This will be a consideration in future planning. However, as part of the purchase I am recommending to Town Council approve a bond of \$1,000,000. This will be a 20-year bond and will cover the purchase of two fire trucks (\$650,000), leaving \$350,000 to be used in budgeting for the future.

As you know, the town is obligated for at least \$120,000 for the state purchase of Blanchard Lot. It is my judgement that this may be higher depending on the final outcome on the Blanchard Lot taking.

We also are responsible for 20% of the improvements made to the Wharf Road and pier area, which could be substantial. I would estimate that amount to be \$200,000 as our share. In addition, there will be a 20% match for improvements for Blanchard Lot when they occur. I do not have an estimate, but on Chebeague related items, there will be an amount needed for the paper street issue and in the future, funding for improvements to the Stone Wharf as a result of the Stone Wharf Committee's work. This probably will occur within a year or two; I do not have an estimate for that amount. As you can see from the figures, it would leave approximately \$350,000 available to meet our commitments regarding transportation improvements to the Chebeague system. Therefore, it is my recommendation that the December agenda include an item to authorize me to issue a bond anticipation note of \$1,000,000. By borrowing this money early, we will have the ability to pay off the fire trucks when they arrive and create a reserve fund for the Chebeague transportation funding requirements. This money will be budgeted in the 2002 budget at a cost of approximately \$75,000 a year for 20 years in the capital town budget. I have analyzed the current debt situation and the Sunset Landing purchase of approximately \$30,000 in the budget will be paid off in 2002, and the library construction (\$40,000) will be paid off in 2006.

I will discuss this with the Council at the workshop. If you have any questions, please don't hesitate to call me.

At the request of the Town Council, I have submitted, for your review, information and rules regarding local speed limits and criteria from Maine D.O.T. that must be used by municipalities as they choose to determine speed limits. There is a lot of material to be reviewed and I ask you to read it over and suggest this be discussed at a workshop at a later date with Adam Ogden to review these issues before making a decision to exercise the option now allowed by recent changes in state law.

Also in your packet is information that was requested by the Council developed by Assessor Bill Healy regarding the Voting Districts and the populations therein.

Thanks

Bob