

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, MARCH 11, 2002**

- I. Call to order in the Council Chambers at Cumberland Town Hall at 7:00 p.m.
- II. Approval of Minutes
 - a) January 28, 2002
 - b) February 25, 2002
- III. Manager's Report
- IV. Public Discussion
- V. Legislation and Policy

02-14 To hear presentation – Regional Waste Systems

02-15 To hear Auditor's Presentation on GASB 34

02-16 To consider and act on Brown Tail Moth spraying proposal

02-17 To vote on Hope Island secession request

02-18 To consider and act on revisions to tax acquired property policy.

02-19 To hold a Public Hearing to consider and act upon the adoption of a Contract Zone to allow the following uses in the southern Office Commercial district: Single-family, duplex and multiplex dwellings for persons 55 years of age and older on 10,000 square foot lots, with 75 feet of frontage, with front setbacks of 25 feet, side setbacks of 15 feet, and rear setbacks of 20 feet, and; Communication towers in accordance with Section 433.

Applicant has requested this agenda item be tabled

VI. Correspondence

VII. New Business

VIII. Adjourn to Workshop

- 1) Blanchard Road Reconstruction Project
- 2) Budget Workshop

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 of Cumberland web site: www.cumberlandmaine.com

Town Council
1/28/02

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, JANUARY 28, 2002**

Present: Councilors: Stephen Moriarty, Jeff Porter, Mark Kuntz, Harland Storey, Peter Bingham, Donna Damon, Michael Savasuk.

I. Meeting was called to order in the Council Chambers at Cumberland Town Hall at 7:00 p.m.

II. Approval of Minutes

a) December 17, 2001

Councilor Porter moved to adopt December 17, 2001 minutes as written.

Second by Councilor Kuntz

Vote: Unanimous (7)

b) January 14, 2002

Councilor Porter moved to adopt January 14, 2002 minutes as written.

Second by Councilor Bingham

Vote: Unanimous

III. Manager's Report

Browntail Moth - Carla Nixon, Assistant Town Manager, provided a report on the browntail moth situation. She reported that Dick Bradbury of the Maine Forest Service has surveyed the mainland and feels that an aerial spraying program would be advisable this year. He will be providing information on Chebeague soon. Ms. Nixon reported that she has received several calls from residents concerned about this year's infestation and requesting that the town spray. It was calculated that the last spraying in 2000 resulted in 803 acres sprayed on the Mainland and 200 acres on Chebeague Island. The estimate cost is approximately \$25/acre - includes the chemical and aerial spraying.

Town Forest Grant - Students from the Drowne Road School are requesting a grant of \$1000 to study and identify trees, plants and animals in the Town Forest. Chairman Moriarty requested that item be put on the next meeting agenda to consider and act.

Regional Cooperation - Ms. Nixon reported town department heads have been meeting as directed with colleagues in Yarmouth, Freeport, and Falmouth to discuss regional sharing options. Written reports from the department heads were given to the Council.

IV. Public Discussion

None

V. Legislation and Policy

02-03 To discuss appointment of Property Revaluation Advisory Committee

Council members discussed the recommended size and composition of the committee and the time frame for the work to be done. The Nominations Committee will be reviewing and interviewing applicants after which appointments to the committee will be made at the February 25th Council meeting.

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VI. Correspondence

- Ltr fm North Yarmouth Selectmen dtd 1/17/02 RE: Joint Meeting – MSAD 51, Cumberland Town Council and North Yarmouth Board of Selectmen.
- Ltr fm Attorney Chris Neagle dtd 1/15/02 RE: 2001 Hope Island Real Estate Taxes
- Town of Cumberland Islands East of Chebeague Island 2001 Land Assessments
- December 2001 Building Permit Reports
- Ltr fm Cumberland County Commissioners dtd 1/16/02 RE: Patrol Services by the Cumberland County Sheriff's Office.
- Cumberland County Commissioners Meeting Minutes of 12/27/01
- Cumberland County Commissioners Meeting Minutes of 12/17/01
- Notice of Intent to File – DST Corporation
- Archangel Committee Newsletter of Winter 2002
- Shoreland Zoning News – Summer/Fall 2001
- Service Connection Newsletter – Winter 2001
- Cumberland County Commissioners Meeting change notice (emailed to Council 1/22/02)
- Breakfast Presentation: Local Option Sales Tax invitation (emailed to Council 1/16/02)
- Ltr fm Sally Stockwell (no date) RE: Grant Proposal Request for Drowne Road School students for tree & shrub identification.
- Grant Proposal breakdown of requests fm Drowne Road School teacher, Trina Beaulier.
- Updated list of Revaluation Committee Applicants
- Coastal Corridor Coalition Revised Work Plan dtd 1/16/02
- Presentation fm William O'Brien & Associates "Exceeding Customer Expectations in a Municipal Environment" (Seminar Jan 15 & 22, 2002)

Councilor Damon inquired about internet vehicle registration and why it is not available for the Island residents. She reminded the Council of the Stone Wharf Committee meeting January 29th - Prock Marine will be on hand to discuss concerns. Long Range Planning process is coming along. A draft will soon be submitted.

Councilor Kuntz inquired about the Maine DOT and Rt 26/100 traffic light issue. Follow-up to letter sent out was requested.

VII. New Business

Chairman Moriarty received inquiry regarding the Crestwood Road drainage issue. Issue will be taken to Public Works Director.

Councilor Kuntz inquired about the Morrison's Hill portion of Rt. 26/100 sanding and plowing. Issue will be taken to Public Works Director.

Councilor Storey requested invitation of Town Planner and Phil Hunt of the Planning Board to speak at the next Council Meeting and review Comprehensive Plan regarding 'Cluster Housing' on Tuttle Road.

VII. Executive Session

Councilor Bingham moved to enter into Executive Session to discuss Hardship Abatement and Personnel at 9:09pm.

Second by Councilor Porter

Vote: Unanimous (7)

Councilor Bingham moved to come out of Executive Session at 9:20pm.

Second by Councilor Porter

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Vote: Unanimous (7)

Councilor Damon moved to reconsider the previous action taken on October 22, 2001.

Second by Councilor Bingham

Vote: In Favor (1)

Opposed (6)

Councilor Bingham moved to enter back into Executive Session to discuss Personnel at 9:23pm

Second by Councilor Storey

Vote: Unanimous (7)

Councilor Bingham moved to come out of Executive Session and to adjourn meeting at 9:38 pm.

Second by Councilor Storey.

Vote: Unanimous (7)

IX. Adjourn

Respectfully Submitted,

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

Lisa Brown

Administrative Assistant

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, FEBRUARY 25, 2002**

Present: Stephen Moriarty, Jeff Porter, Peter Bingham, Mark Kuntz, Harland Storey, Donna Damon, & Michael Savasuk.

I. Call to order in the Council Chambers at Cumberland Town Hall at 7:04 p.m.

The Town Council made a presentation to previous Town Councilors John Lambert and Jim Phipps and thanked them for their efforts while serving on the Town Council.

II. Approval of Minutes

Councilor Porter moved to adopt February 11, 2002 minutes as written.

Second by Councilor Damon

Vote: Unanimous (7)

III. Manager's Report

None

IV. Public Discussion

None

V. Legislation and Policy

02-09 To Receive Report of the Chebeague Groundwater Study from Sevee and Maher Engineers.

Carol White from Sevee & Maher presented the Chebeague Groundwater Study. She answered questions from the Council.

Councilor Damon moved to hold a special meeting to discuss the Chebeague Island Groundwater Study on Chebeague Island on April 29, 2002.

Second by Councilor Storey

Vote: Unanimous (7)

02-10 To Hold a Public Information Meeting re: Brown Tail Moth with Dick Bradbury of the Maine Forest Service.

Dick Bradbury, Maine Forest Service, presented information and discussion regarding the Brown Tail Moth infestation and aerial spraying recommendation. Mr. Bradbury said Yarmouth, Falmouth and Freeport have agreed to conduct the spraying. The chemical to be used will be Dimilin, the only known effective pesticide to subside the toxins of the Brown Tail Moth prior to caterpillars entering the pupal stage. Area proposed to be sprayed is approximately 635 acres at a cost of \$25 per acre equaling \$16,000, but recommended the Council fund \$20,000 to cover any additional acreage that may be added. He stated a 250-foot buffer will be made should a resident in the spraying area not want their property included in the spraying. Mr. Bradbury cited, according to State Law, the Town must first declare a 'Public Health Nuisance'. Target timing of most effective aerial spraying is May 7, 8 or 9th. Mr. Bradbury recommended the Town notify residents by mail the last week of March to give residents 30 days to opt out of the program. Councilor Bingham moved to declare a Public Nuisance and to set date for March 11th, to consider and act on Brown Tail Moth aerial spraying proposal.

Second by Councilor Storey

Vote: In Favor (6)

Opposed (1) Porter

02-11 Public Hearing - To consider and act on the proposed Cumberland Fairground Overlay District, Tax Assessor Map R07, Lots 8 and 8-1.

This item was taken out of order to precede item 02-10.

Chairman Moriarty opened Public Hearing at 8:32 PM.
Town Planner, Andy Fillmore briefed the Council of the proposed policy.
No public comment.
Chairman Moriarty closed Public Hearing at 8:42pm.

Councilor Porter moved to adopt the proposed Cumberland Fairground Overlay District Policy to go into effect immediately.
Second by Councilor Bingham
Vote: Unanimous (7)

Councilor Damon was excused to leave the table.

02-12 Public Hearing - To consider and act on proposed amendments to the Site Plan Ordinance and the Subdivision Ordinance that would change the application deadline from fourteen days prior to a Planning Board meeting to twenty-one days prior, and to change the required number of application packages from ten to fifteen.

Chairman Moriarty opened Public Hearing at 8:45 pm. No public comments.
Chairman Moriarty closed Public Hearing at 8:49 pm.

Councilor Porter moved to adopt the proposed amendments to the Site Plan Ordinance and the Subdivision Ordinance that would change the application deadline from fourteen days prior to a Planning Board meeting to twenty-one days prior, and to change the required number of application packages from ten to fifteen.
Second by Councilor Savasuk
Vote: Unanimous (6)
Absent (1) Damon

02-13 To Appoint Members to the Revaluation Ad Hoc Committee

Councilor Porter moved to appoint the following members to the Revaluation Committee: Dick Bowen, Howard Foley, Scott Ross, Mike LePage, Stephen Hessert, Greg Poitras, Rodd Collins, William Ward, Jill Malony, J. Clarence Madore, Jane Frizzell, Patrick Skahan, Jeff Daigle, & Cheryl Stevens.
The committee will form two subcommittees, Mainland and Chebeague Island, to allow considerations that pertain to either location.

Second by Councilor Bingham.
Vote: Unanimous (6)
Absent (1) Damon

Councilor Damon returned to the table.

Councilor Porter moved to appoint Randy Harriman to the Val Halla Board of Directors with term expiration of 2004; and Greg Poitras to the Recycling Committee with term expiration of 2004.
Second by Councilor Bingham
Vote: Unanimous (7)

Town Council

2/25/02

VI. Correspondence

- Summary of Chebeague Island 2001 Groundwater Study
- Memo fm Assistant Town Manager dtd 2/11/02 RE: Brown Tail Moth Update (with attached maps of proposed areas of infestation spraying)
- Email fm Theresa Kudlak dtd 2/25/02 RE: Brown Tail Moth
- Email fm Bart Osgood dtd 2/25/02 RE: Brown Tail Moth
- Forecaster News article dtd 2/14/02 "Freeport OK's browntail moth spraying program"
- Email fm Dee Williamson dtd 2/19/02 RE: Browntail Moth
- Memo fm Town Planner dtd 2/20/02 RE: Proposed Fairground Overlay Zone
- Ltr fm Stephen Moriarty to Phil Hunt dtd 2/7/02 RE: Fairgrounds Overlay District
- Fairgrounds Overlay District proposal dtd 2/19/02
- Memo fm Town Planner dtd 2/21/02 RE: Proposed Amendments to the Subdivision and Site Plan Ordinances
- Maine Dept of Conservation Notification of Intent to Harvest (Dale Rines)
- TOC Official Return of Votes 2/19/02 (Hope Island)
- TOC Public Works Dept Public Notice – Road Closure due to frost heaves
- Ltr fm Chebeague Transportation Company dtd 2/15/02 RE: Request for Bids for Solid Waste Transportation
- Ltr fm Town Attorney dtd 2/11/02 RE: ASCAP Licensing Agreement
- Memo fm GPCOG dtd 2/13/02 RE: GPCOG Member Dues
- Cumberland County Commissioners Meeting Minutes of 1/28/02
- 120th Maine Legislature Legislative Document #2099 "An Act to Provide for Livable, Affordable Neighborhoods"
- Maine Traveler Newsletter – January 2002
- TOC Planning Board Agenda of 2/19/02 (emailed to Council 2/13/02)
- Brown Tail Moth Ad (emailed to Town Council 2/14/02)

VII. New Business

Chairman Moriarty announced the results of the Hope Island Secession Referendum vote; 1 In Favor of secession.

Councilor Bingham moved to set date, March 11th, to hold Council Vote of Hope Island Secession.
Second by Councilor Kuntz

Vote: Unanimous (7)

Councilor Bingham moved to enter into Executive Session to discuss Pending Litigation at 8:55pm
Second by Councilor Porter

Vote: Unanimous (7)

Councilor Bingham moved to come out of Executive Session to adjourn meeting at 9:15 pm
Second by Councilor Porter

Vote: Unanimous (7)

VIII. Adjourn

Respectfully Submitted,



Lisa Brown
Administrative Assistant

Comm

Regional Waste Systems, Inc.

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

February 22, 2002

Norman E. Justice, Jr.
Chairman

Charles E. Foshay
General Manager

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

Robert,

Recently, Regional Waste System's Chairman of the Board, Norman Justice, Jr., wrote to request an opportunity to meet with the Town of Cumberland to present information about RWS. Thank you for your response in which you told us Cumberland preferred a 10-minute presentation followed by a 20-minute discussion.

Associate Members

Baldwin
Hiram
Naples
Parsonsfield
Porter
Standish

This letter is sent to confirm the date and time of Cumberland's Community Outreach Presentation. Members of the RWS's Board of Directors and Staff will arrive on March 11th for a 7:00 PM presentation meeting. In addition to members of the Cumberland community, Regional Waste Systems would also suggest inviting your State Representatives to attend.

If, for some reason, this date is no longer acceptable, please contact Missi at 773-1738 to reschedule.

Respectfully,
Regional Waste Systems



64 Blueberry Road
Portland, Maine 04102
Tel: 207-773-6465
Fax: 207-773-8296
www.regionalwaste.org



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Council

PERKINS, THOMPSON, HINCKLEY & KEDDY

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ATTORNEYS AND COUNSELORS AT LAW

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February 28, 2002

Mr. Robert Benson
Town Manager
Town of Cumberland
290 Tuttle Rd.
Cumberland ME 04021-9321

Dear Robert:

I received your letters yesterday notifying me of my appointment to the Town's *ad hoc* Revaluation Committee and Recycling Committee. By this letter I accept these appointments.

I look forward to working with the Committees, the Town Council, and my fellow residents.

Very truly yours,



Gregory B. Poitras

c: Stephen W. Moriarty, Esq.

[illegible]

[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 Roa	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 Roa	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 Rid	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 Roa	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 R	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 R	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 F	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 Rid	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 & Elizabet	R06	18 D	Greely Road I	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		Thompsonson	Peter & Kathy	U17	4 F	23 Old Farm I	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 Valle	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 La	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 Wa	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	Rackowski	David T.	R05 B	8	27 Hazeltine I	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 Roa	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 Rid	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 F	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 Ro	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 I	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			
	09/08/00	11:32 AM	Island		Marshall	Barbara	I03	105	South Road	04/12/01	11:45 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			
	11/09/00	12:51 PM	Island		Haberthur	Robert &	I03	107 B	South Road	05/03/01	10:40 AM	Declined growth permit			
	01/09/01	4:49 PM	Island		Butters	Charles	I01	11A	Cottage Road	06/04/01	9:01 AM	Declined growth permit			
	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			
	01/19/01	9:21 AM	Island		West	Susan	I04	29 A	Buxhill Blvd	06/04/01	9:11 AM	Declined growth permit			
	08/10/01	10:05 AM	Island	Merriam Poi	Biber	Cynthia	I04	142	East Shore Dr	08/15/01	8:20 AM	Reapplied for 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			
	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			
	03/16/01	9:16 AM	Non-subdiv		Meoli	Richard	R03	15	45 Longwoods Road	03/19/01	9:15 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			
	05/22/01	11:53 AM	Non-subdiv		Minott	Marshall	R06	18	Greely Rd Ext	07/02/01	12:54 PM	Growth permit expired			
	07/10/01	11:19 AM	Non-subdiv		Chase	Susan	U12	11D	31 Wasabi Way	07/10/01	3:19 PM	Growth permit not accepted			
	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			
	07/27/01	8:35 AM	Non-subdiv		Verrill	Scott R.	U16	7A	Rt 100/Range Rd	08/06/01	8:34 AM	Growth permit expired			
	08/10/01	11:05 AM	Non-subdiv		J. S. Wyse	Builders Ir	U10	7C	Wyman Way	08/15/01	8:29 AM	Growth permit expired			
	08/24/01	9:47 AM	Non-subdiv		Gove	David & L	U12	2B	Porcupine Ridge	08/27/01	9:12 AM	Decided not to apply for building permit			
	11/15/01	3:49 PM	Non-subdiv		Pulkinen	Norma C.	U11A	21	Tuttle Road	11/19/01	11:22 AM	Growth permit not accepted			
	11/16/01	9:43 AM	Non-subdiv		J. S. Wyse	Builders Ir	U10	7F	Wyman Way	11/19/01	11:31 AM	Growth permit not accepted			

	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

Number	Date	Name	Location	Map	Lot	Area	Rec	Open	Total
01-001	08/31/01	Terry Bragg Inc	4 Amy Lane	U04	8A #4	2,345	2,040.15	1,149.05	3,189.20
01-002	08/31/01	Terry Bragg Inc	6 Amy Lane	U04	8A #3	2,345	2,040.15	1,149.05	3,189.20
01-003	09/19/01	Chase Custom Homes	54 Stonewall Drive	R07D	6	1,805	1,570.35	884.45	2,454.80
01-004	09/27/01	Terry Bragg Inc	11 Amy Lane	U04	8A #1	2,345	2,040.15	1,149.05	3,189.20
01-005	09/27/01	Terry Bragg Inc	10 Amy Lane	U04	8A #2	2,345	2,040.15	1,149.05	3,189.20
01-006	10/04/01	Chase Custom Homes	Blanchard Road	R07D	93D	1,340	1,165.80	656.60	1,822.40
01-007	10/26/01	Nancy Machesney	56 Greely Rd/Edes Rd	R04A	10	3,996	3,476.52	1,958.04	5,434.56
01-008	10/29/01	John C. Thaxter	2 Walker Road	I03	33	108	93.96	52.92	146.88
01-009	11/19/01	John Moody	Blanchard Road	R07	10	2,060	1,792.20	1,009.40	2,801.60
01-010	11/19/01	Scott Terison	Intimidator Lane	R08	63	844	734.28	413.56	1,147.84
01-011	12/04/01	Hildreth & White	24 Homestead Lane	R08A	15F	1,516	1,318.92	742.84	2,061.76
01-012	11/14/01	Kimberly & John Martin	South Road	I04	9	1,620	1,409.40	793.80	2,203.20
01-013	12/04/01	Richard L. McCauley	Amanda's Way	U10	1A	3,058	2,660.46	1,498.42	4,158.88
01-014	12/12/01	Jerald Copp	36 Blackstrap Road	R7	64D	1,124	977.88	550.76	1,528.64
02-001	01/07/02	Norma Pulkinen	325 Tuttle Road	U11A	21	1,542	1,341.54	755.58	2,097.12
02-002	02/28/02	Allen & Sharon Brauns	School House Road	I06	32A	569	495.03	278.81	773.84
							0.00	0.00	0.00
							0.00	0.00	0.00
							0.00	0.00	0.00
							0.00	0.00	0.00
							0.00	0.00	0.00
							0.00	0.00	0.00
							0.00	0.00	0.00
							25,196.94	14,191.38	39,388.32

Master Summary Report

<i>Monthly Building Permits</i>		<i>January 2002</i>	
<i>Addition</i>	3	\$77,705.00	\$224.00
<i>Commercial</i>	1	\$98,000.00	\$334.00
<i>Garage</i>	1	\$70,000.00	\$192.75
<i>House</i>	1	\$900,000.00	\$551.65
<i>Miscellaneous</i>	1	\$0.00	\$75.00
<i>Renovation</i>	3	\$36,500.00	\$110.00
<i>Shed</i>	1	\$4,600.00	\$20.00
<i>Totals</i>	11	\$1,186,805.00	\$1,507.40

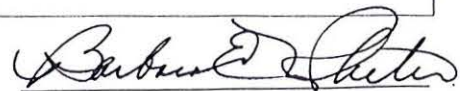
<i>YTD Building Permits</i>			
<i>Addition</i>	3	\$77,705.00	\$224.00
<i>Commercial</i>	1	\$98,000.00	\$334.00
<i>Garage</i>	1	\$70,000.00	\$192.75
<i>House</i>	1	\$900,000.00	\$551.65
<i>Miscellaneous</i>	1	\$0.00	\$75.00
<i>Renovation</i>	3	\$36,500.00	\$110.00
<i>Shed</i>	1	\$4,600.00	\$20.00
	11	\$1,186,805.00	\$1,507.40

<i>Electrical Permits for January 2002</i>	
<i>Count</i>	<i>Fee</i>
13	\$174.00

<i>YTD Electrical Permits</i>	
<i>Count</i>	<i>Fee</i>
13	\$174.00

<i>Plumbing Permits for January 20</i>	
<i>Count</i>	<i>Fee</i>
12	\$1,085.00

<i>Count</i>	<i>Fee</i>
12	\$1,085.00



Barbara McPheters
Building Inspector

Building Permits

January, 2002

<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>
01/07/2002	02-001	R04 / 41E	Plummer, Stephen	17 Kerri Dive	Garage	\$70,000.00	\$192.75
01/08/2002	02-002	R03 / 23D	Gall, John	150 Harris Road	Renovation	\$20,000.00	\$70.00
01/08/2002	02-003SZ	U03 / 5	McCormack, Chris	26 Dean's Way	House	\$900,000.00	\$551.65
01/08/2002	02-004SZ	U05 / 13C	Fuller, Robert	115 Foreside Ro	Miscellaneous	\$0.00	\$75.00
01/09/2002	02-005	R03 / 23C	Plummer, Randall	148 Harris Road	Renovation	\$1,500.00	\$20.00
01/15/2002	02-006	R08 / 41F	Cloutier, Todd	15 Kerri Drive	Addition	\$57,205.00	\$144.00
01/16/2002	02-007	U20 / 1B	McKnight, John	194 Gray Road	Commercial	\$98,000.00	\$334.00
01/17/2002	02-008	R08 / 41F	Cloutier, Todd	15 Kerri Drive	Shed	\$4,600.00	\$20.00
01/17/2002	02-009	U06 / 34	Riley, Stephen	11 Birch Lane	Renovation	\$15,000.00	\$20.00
01/23/2002	02-010	U06 / 50	Dougherty, Carl	22 Wildwood Blv	Addition	\$500.00	\$10.00
01/31/2002	02-011	R07 / 33B	Viekam, Tim	24 Mill Road	Addition	\$20,000.00	\$70.00
						\$1,186,805.00	\$1,507.40

Master Summary Report

Monthly Building Permits

February 2002

Garage	1	\$102,000.00	\$157.50
House	2	\$315,000.00	\$500.31
Renovation	2	\$900.00	\$30.00
Totals	5	\$417,900.00	\$687.81

YTD Building Permits

Addition	3	\$77,705.00	\$224.00
Commercial	1	\$98,000.00	\$334.00
Garage	2	\$172,000.00	\$350.25
House	3	\$1,215,000.00	\$1,051.96
Miscellaneous	1	\$0.00	\$75.00
Renovation	5	\$37,400.00	\$140.00
Shed	1	\$4,600.00	\$20.00
	16	\$1,604,705.00	\$2,195.21

Electrical Permits for February 2002

Count	Fee
11	\$125.00

YTD Electrical Permits

Count	Fee
24	\$299.00

Plumbing Permits for February 2

Count	Fee
13	\$1,114.00

Count	Fee
25	\$2,199.00



Barbara McPheters
Building Inspector

Building Permits

February 2002

<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>
02/07/2002	02-012	U11A / 21A	Dimauro, Donald	317 Tuttle Road	House	\$240,000.00	\$339.11
02/12/2002	02-013	U05 / 7D	Pope, Katherine &	19 Sturdivant Rd	Garage	\$102,000.00	\$157.50
02/15/2002	02-015	R03A / 4	Cook, Daniel	8 Turnberry Driv	Renovation	\$500.00	\$20.00
02/16/2002	02-016	I06 / 32A	Brauns, Allan	School House R	House	\$75,000.00	\$161.20
02/24/2002	02-014	U05 / 6A	Schlegel, John	141 Foreside Ro	Renovation	\$400.00	\$10.00
						\$417,900.00	\$687.81

Council



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

16 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0016

ANGUS S. KING, JR.
GOVERNOR



JOHN G. MELROSE
COMMISSIONER

Date: Feb 13, 2002
Robert B Benson, Town Manager
Town of Cumberland
290 Tuttle Rd
Cumberland, ME 04021

Subject: Hot Mix Asphalt Overlay
Project #: STP-A066(000) X
Town of : Cumberland

Dear Mr Benson:

The Maine Department of Transportation is planning to design and advertise the subject project in the winter - spring of 2003 for construction during the summer of 2003.

This is a Level I Highway Resurfacing Project.

Level resurfacing treatment is concentrated on the surface of the roadway, with minimal work such as ditching, culverts beyond the shoulders. Non-functional guardrail as well as required safety problems will be addressed under this level of resurfacing.

If you have, or plan to have, underground utility facilities within the limits of this project, please inform this office of their location in order that they may be properly considered during the design of the proposed project. Properly located facilities are a considerable protection against damage from construction operations. No permit to open the highway will be granted for a period of five (5) years after the new pavement is placed, except as provided in Title 23, M.R.S.A. §3352.

Should you have any questions, concerns or other area's of interest, we would appreciate your comments and input.

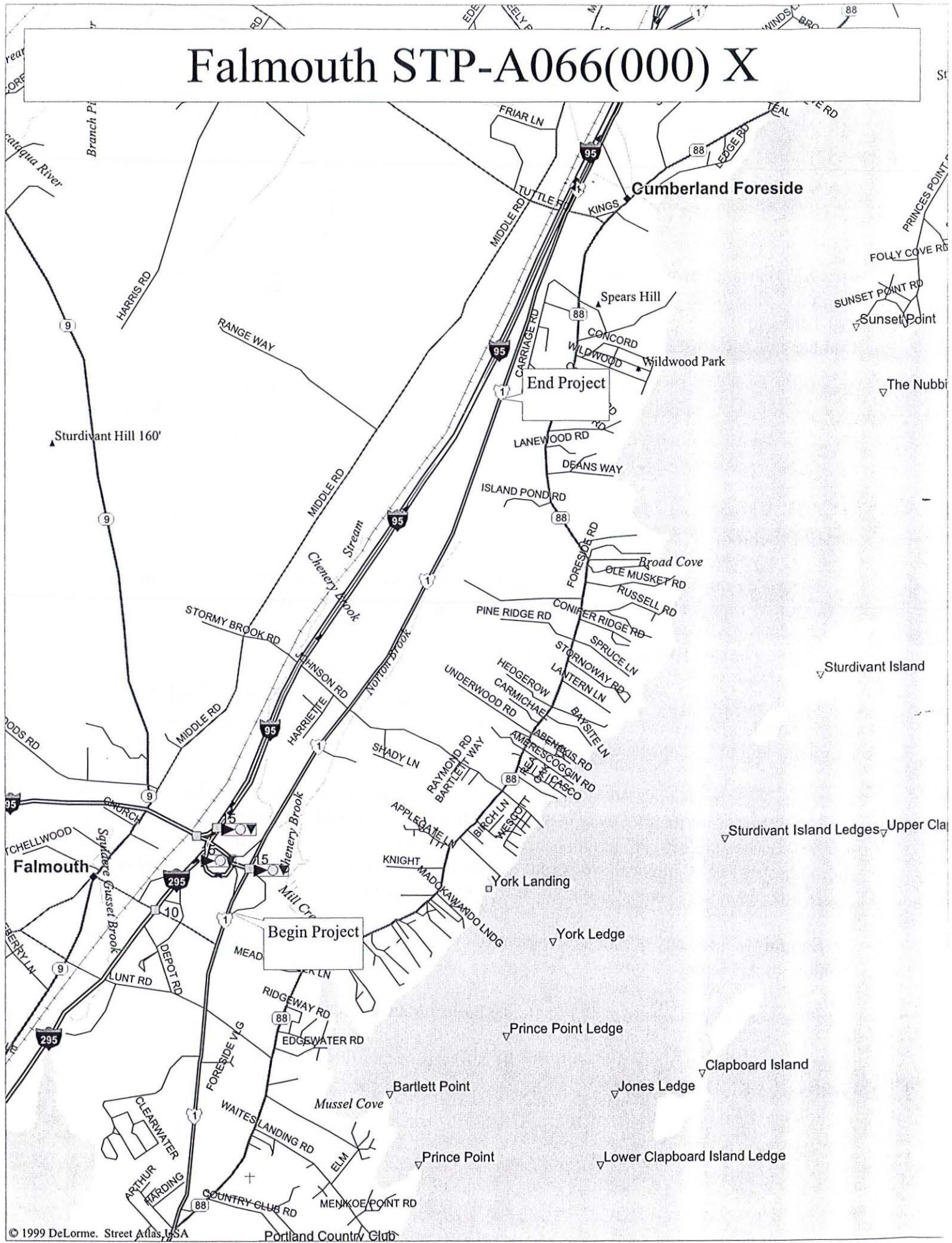
Please call Dean Lessard at 883-5546, the Project Manager for this project.

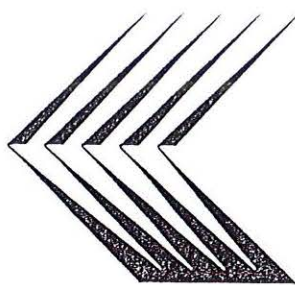
Description: Beginning 0.21 KM (0.13 MI) northerly of the Bucknam Road and extending northerly 3.83 KM (2.38 MI).



PRINTED ON RECYCLED PAPER

Falmouth STP-A066(000) X





FALMOUTH/CUMBERLAND
CHAMBER OF COMMERCE

60 Pearl Street, Portland, ME 04101-4163
Phone: (207) 772-2811 Fax: (207) 772-1179
E-mail: chamber@portlandregion.com

You are cordially invited to
Falmouth/Cumberland Chamber's
"Business After 5"

Join us at the Falmouth Country Club

Visit Falmouth Country Club and tour our wonderful facilities. From our beautifully groomed golf course, to our five star dining room, Falmouth Country Club is one of the finest private clubs in Northern New England. With no more than 335 golfers, membership at Falmouth Country Club is on an intimate scale, allowing members to get the tee time *they* want. For a very limited time, we are offering individual and family memberships at an attractive rate.

By joining Falmouth Country Club prior to April 1, you will benefit from avoiding the fee increase.
For more information about membership and an invitation to apply, call Debra Golliday today at 878-2864 or talk with her at our Business After Five on

March 14, from 5-7 p.m.

If golf is your passion, Falmouth Country Club is right on course.

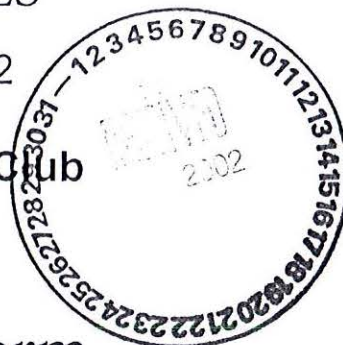
REFRESHMENTS • BEVERAGES •
50/50 • GREAT DOOR PRIZES

Date: Thursday, March 14, 2002

Time: 5:00 p.m. to 7:00 p.m.

Location: **Falmouth Country Club**

One Congressional Drive
Falmouth, Maine 04105



Business After 5 Registration Form
Admission is Free

Name(s) _____

Company _____

Phone _____ Email _____

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

To register by fax: 772-1179

ONLINE REGISTRATION: VISIT WWW.PORTLANDREGION.COM AND CLICK ON EVENTS & PROGRAMS.

DeLuca-Hoffman Associates, Inc.

Consulting Engineers
778 Main Street, Suite 8
South Portland, Maine 04106

(207) 775-1121
Fax (207) 879-0896

TO: Town of Cumberland
290 Tuttle Road
Cumberland Center, ME 04021

LETTER OF TRANSMITTAL

DATE March 5, 2002	JOB NO. 2085.04
ATTENTION Town Clerk	
RE: Expansion of Greely Campus	

We are sending you ☒ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop Drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of Letter ☐ Change Order

COPIES	DATE	NO.	DESCRIPTION

THESE ARE TRANSMITTED as checked below:

- | | | |
|--------------------------------------------------|-----------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> For Approval | <input type="checkbox"/> Approved as Submitted | <input type="checkbox"/> Resubmit _____ Copies for Approval |
| <input checked="" type="checkbox"/> For Your Use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> Submit _____ copies for distribution |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return _____ corrected prints |
| <input type="checkbox"/> For review and comment | <input type="checkbox"/> _____ | |
| <input type="checkbox"/> FOR BIDS DUE _____ | <input type="checkbox"/> PRINTS RETURNED AFTER LOAN TO US | |

REMARKS: Enclosed please find a copy of each of three notices regarding the expansion of the Greely campus for a new middle school and other improvements, as well as a list of the abutters who were sent these notices on March 4, 2002. The notices are scheduled to appear in the legal ads section of the Portland Press Herald on Wednesday, March 7, 2002.

COPY TO

SIGNED: _____ William G. Hoffman, P.E.

If enclosures are not as noted, kindly notify us at once.

NOTICE OF PUBLIC INFORMATIONAL MEETING

Please take notice that MSAD 51, 357 Tuttle Road, Cumberland, Maine intends to file an application with the Maine Department of Environmental Protection for a Site Location of Development Act (38 MRSA §§ 481-490) Permit for the a proposed project in Cumberland, Maine.

Description: Expansion of the Greely Campus for a new middle school and other immediate and long-range improvements

The project is proposed for the following location:

Greely School Campus at Main Street and Tuttle Road in Cumberland, Maine.

MSAD 51 will conduct a **PUBLIC INFORMATIONAL MEETING** on Thursday, March 14, 2002 at 7:00 PM at the Greely Junior High School gym. Representatives for the School, Architect and the Site Engineers will explain the project and attempt to answer questions raised by the public. Copies of the notices of intent to file the permit applications are also being provided to abutters.

Written comments or inquiries concerning this project are encouraged and can be directed to:

DeLuca-Hoffman Associates
Attn: William G. Hoffman, P.E.
778 Main Street, Suite 8
South Portland, Maine 04106
(207) 775-1121 (phone)
(207) 879-0896 (fax)

NOTICE OF INTENT TO FILE

Please take notice that MSAD 51, 357 Tuttle Road, Cumberland, Maine 04021

phone: 207-829-4800

is intending to file a Site Location of Development permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. §§ 481-490 on or about March 15, 2002

The application is for an amendment to the District's current Site Location of Development Permit.

at the following location:

Greely School Campus at Main Street and Tuttle Road in Cumberland, Maine.

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department, in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. Public comment on the application will be accepted throughout the processing of the application.

The application will be filed for public inspection at the Department of Environmental Protection's office in Portland during normal working hours. A copy of the application may also be seen at the municipal offices in

Cumberland, Maine.

Written public comments may be sent to the Department of Environmental Protection, Bureau of Land & Water Quality, 17 State House Station, Augusta, Maine 04333.

NOTICE OF INTENT TO FILE

Please take notice that MSAD 51, 357 Tuttle Road, Cumberland, Maine 04021

(Name, Address and Phone of Applicant)

phone: 207-829-4800

is intending to file a Natural Resources Protection Act permit application for review with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. §§ 480-X on or about March 15, 2002.

The application is for minor impacts to wetlands attendant with grading and stormwater outlets associated with the District's campus expansion.

at the following location:

Greely School Campus at Main Street and Tuttle Road in Cumberland, Maine.

A request for a public hearing or a request that the Board of Environmental assume jurisdiction over this application must be received by the Department, in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application.

The application will be filed for public inspection at the Department of Environmental Protection's office in Portland, Maine during normal working hours.

A copy of the application may also be seen at the municipal offices in Cumberland, Maine.

Written public comments may be sent to the Department of Environmental Protection, Bureau of Land and Water Quality, 17 State House Station, Augusta, Maine 04333.

ABUTTERS – ADJACENT TO GREELY CAMPUS

MAP	LOT	PROPERTY OWNER'S NAME AND ADDRESS
U11	02	James and Beth Bolduc 299 Main Street Cumberland, ME 04021
U11	04A	William Wyatt 363 Tuttle Road Cumberland, ME 04021
U11	04B	William and Jeanne Wyatt 357A Tuttle Road Cumberland, ME 04021
U11	08	MSAD 51 Sweetser School Offices 357 Tuttle Road PO Box 6A Cumberland, ME 04021
U11	10	Susan and Terry Hanson 352 Tuttle Road Cumberland, ME 04021
U11	11	Jean Lambert 354 Tuttle Road Cumberland Center, ME 04021
U11	24	Avis Swift 358 Tuttle Road PO Box 361 Cumberland, ME 04021
U11	25	Robert and Cathy Watt 360 Tuttle Road Cumberland ME, 04021
U11	64	Carmen and Deborah Corcimiglia 348 Tuttle Road Cumberland, ME 04021
U11	65	Patricia Hall and Shawn McBreairty 1 Willow Lane Cumberland Center, ME 04021

ABUTTERS – ADJACENT TO GREELY CAMPUS

MAP	LOT	PROPERTY OWNER'S NAME AND ADDRESS
U11	77	Naomi Meadows 2 Willow Lane PO Box 47A Cumberland, ME 04021
U11A	01	Virginia and Charles Breen 50 Hawthorne Court Cumberland Center, ME 04021
U11A	01	Alger Burgess 23 Winterberry Court Cumberland Center, ME 04021
U11A	01	Beverly Hyland 60 Hawthorne Court Cumberland Center, ME 04021
U11A	01	Carrie Whiteside 63 Hawthorne Court Cumberland Center, ME 04021
U11A	01	Owner 62 Hawthorne Court Cumberland Center, ME 04021
U11A	01	Arlene Lambert 39 Winterberry Court Cumberland Center, ME 04021
U11A	01	Carol Hulst 9 Linden Court Cumberland Center, ME 04021
U11A	01	Carolyn Robinson 10 Linden Court Cumberland, ME 04021
U11A	01	Constance Sullivan 5 Linden Court Cumberland Center, ME 04021
U11A	01	Dallen and Elaine Welch 14 Linden Court Cumberland, ME 04021

ABUTTERS – ADJACENT TO GREELY CAMPUS

MAP	LOT	PROPERTY OWNER'S NAME AND ADDRESS
U11A	01	David Adams 4960 State Route 222 Batavia, OH 45103
U11A	01	Donna Sutton 38 Winterberry Court Cumberland, ME 04021
U11A	01	Dorothy Green 28 Winterberry Court Cumberland, ME 04021
U11A	01	Elizabeth McFadden 26 Winterberry Court Cumberland Center, ME 04021
U11A	01	Frederick Bonville 35 Winterberry Court Cumberland Center, ME 04021
U11A	01	George McNear 3 Linden Court Cumberland Center, ME 04021-9300
U11A	01	Gregory Foster, Trustee RPF Realty Trust PO Box 586 Portland, ME 04112-0586
U11A	01	Hebert and Beryl Anderson 21 Winterberry Court Cumberland Center, ME 04021
U11A	01	Janet Powers 29 Winterberry Court Cumberland, ME 04021
U11A	01	John and Constance Hay 19 Winterberry Court Cumberland Center, ME 04021-9345
U11A	01	Joseph and Elaine Smyth 18 Linden Court Cumberland, ME 04021

ABUTTERS – ADJACENT TO GREELY CAMPUS

MAP	LOT	PROPERTY OWNER'S NAME AND ADDRESS
U11A	01	Judith Morse 33 Winterberry Court Cumberland, ME 04021
U11A	01	Lois Brown 20 Winterberry Court Cumberland, ME 04021
U11A	01	Louise McMains 27 Winterberry Court Cumberland Center, ME 04021
U11A	01	Lucia and Fred Chipman, Jr. 36 Winterberry Court Cumberland Center, ME 04021
U11A	01	Lucien and Virginia Garneau 1 Linden Court Cumberland Center, ME 04021
U11A	01	Lucrezia and Thorton Candage 34 Winterberry Court Cumberland Center, ME 04021
U11A	01	Margaret Kuss 25 Winterberry Court Cumberland, ME 04021
U11A	01	Marguerite Ryan 32 Winterberry Court Cumberland Center, ME 04021
U11A	01	Martha Dumont 19 Stornoway Drive Cumberland Foreside, ME 04110
U11A	01	Michael and Judith Greene 9 Linden Court Cumberland Center, ME 04021
U11A	01	Nancy Merrill 100 Woodville Road Falmouth, ME 04105

ABUTTERS – ADJACENT TO GREELY CAMPUS

MAP	LOT	PROPERTY OWNER'S NAME AND ADDRESS
U11A	01	Paula and Colin Kaveney 2 Linden Court Cumberland Center, ME 04021
U11A	01	Ramon Crouch 24 Winterberry Court Cumberland, ME 04021
U11A	01	Richard and Diane Allen 4 Linden Court PO Box 516 Cumberland Center, ME 04021-0516
U11A	01	Richard and Virginia Woodbury 31 Winterberry Court Cumberland, ME 04021
U11A	01	Robert and Margaret Darling 7 Linden Court Cumberland Center, ME 04021-9300
U11A	01	Robert and Sandra Bellanger 16 Linden Court Cumberland, ME 04021
U11A	01	Sally Pierce 40 Winterberry Court Cumberland Center, ME 04021
U11A	01	Sandra Horler 11 Linden Court Cumberland, ME 04021
U11A	01	Sharon Halligan 15 Linden Court Cumberland, ME 04021
U11A	01	Thelma Howe 17 Linden Court Cumberland, ME 04021
U11A	01	Valerie Wyman 8 Linden Court Cumberland, ME 04021

ABUTTERS – ADJACENT TO GREELY CAMPUS

MAP	LOT	PROPERTY OWNER'S NAME AND ADDRESS
U11A	01	Walter Dougherty and Sandra Dennett 13 Linden Court Cumberland, ME 04021
U11A	01A	Barbara Cary 46 Hawthorne Court Cumberland, ME 04021
U11A	01A	Beverly Waite 55 Hawthorne Court Cumberland, ME 04021
U11A	01A	Angela Fox 61 Hawthorne Court Cumberland, ME 04021
- U11A	01A	Hope Moody 69 Hawthorne Court Cumberland, ME 04021
U11A	01A	Jane Callaghan 59 Hawthorne Court Cumberland, ME 04021
U11A	01A	Jean Olsen 69 Hawthorne Court Cumberland, ME 04021
U11A	01A	Joan Banks 65 Hawthorne Court Cumberland, ME 04021
U11A	01A	John and Frances Curry 47 Hawthorne Court Cumberland, ME 04021
U11A	01A	Mafalda Maloney 51 Hawthorne Court Cumberland, ME 04021
U11A	01A	Marilyn Brown 67 Hawthorne Court Cumberland, ME 04021

ABUTTERS – ADJACENT TO GREELY CAMPUS

MAP	LOT	PROPERTY OWNER'S NAME AND ADDRESS
U11A	01A	Laura Phelps 66 Hawthorne Court Cumberland, ME 04021
U11A	01A	Win Rice 64 Hawthorne Court Cumberland, ME 04021
U11A	01A	Mary Curran 49 Hawthorne Court Cumberland, ME 04021
U11A	01A	Glenna Eliason 42 Hawthorne Court Cumberland, ME 04021
U11A	01A	Albert and Phyllis Maxner 41 Hawthorne Court Cumberland, ME 04021
U11A	01A	Ronald and Edythe Stevens 48 Hawthorne Court Cumberland, ME 04021
U11A	01A	Richard Dunn 53 Hawthorne Court Cumberland, ME 04021
U11A	01A	Richard and Mary Davis 43 Hawthorne Court Cumberland, ME 04021
U11A	01A	Ralph and Rosemary Malcom 54 Hawthorne Court Cumberland, ME 04021
U11A	01A	Mildred McGoldrick 52 Hawthorne Court Cumberland, ME 04021
U11A	01A	Nancy Bernard 68 Hawthorned Court Cumberland, ME 04021

ABUTTERS – ADJACENT TO GREELY CAMPUS

MAP	LOT	PROPERTY OWNER'S NAME AND ADDRESS
U11A	01A	Catherine Earney 70 Hawthorne Court Cumberland, ME 04021
U11A	01A	Constance Mulherin 58 Hawthorne Court Cumberland, ME 04021
U11A	01A	Dorothy Hill 45 Hawthorne Court Cumberland, ME 04021
U11A	01A	Elizabeth Melcher 56 Hawthorne Court Cumberland, ME 04021
U11A	01A	Elizabeth Surgi 44 Hawthorne Court Cumberland, ME 04021
U11A	01A	Frederick and Margaret Mcleod 57 Hawthorne Court Cumberland, ME 04021
U12	21	Richard and Sharon Grass 302 Main Street Cumberland, ME 04021
U12	22	Patricia Powers 306 Main Street Cumberland, ME 04021
U12	23	Moms Main Street, LLC 48 Val Halla Road Cumberland Center, ME 04021
U12	24	Elizabeth Knight 23 Farwell Avenue Cumberland, ME 04021
U13	92	Nancy and Joseph Foran 31 Farwell Avenue Cumberland, ME 04021

ABUTTERS – ADJACENT TO GREELY CAMPUS

MAP	LOT	PROPERTY OWNER'S NAME AND ADDRESS
U13	93	Madeline Bailey 29 Farwell Avenue Cumberland Center, ME 04021
U13	94	Peter and Kara Morrison 27 Farwell Avenue Cumberland Center, ME 04021
U13	95	Albert and Kathleen Taylor 25 Farwell Avenue PO Box 322 Cumberland, ME 04021
U13	96	Oland Knight, Jr. 23 Farwell Avenue Cumberland, ME 04021
U13	97	Patrick Malloy 21 Farwell Avenue Cumberland, ME 04021
U13	98	Lewis Hutchinson 19 Farwell Avenue Cumberland, ME 04021
U13	99	Linda Snow and Terry Cronin 17 Farwell Avenue Cumberland Center, ME 04021
U13	100	Peter Hayes 15 Farwell Avenue Cumberland Center, ME 04021
U13	101	Mark and Maura Nolin 13 Farwell Avenue Cumberland Center, ME 04021
U13	102	Barbara Jacobs 11 Farwell Avenue Cumberland, ME 04021
U13	103	Betsy Kidwell 9 Farwell Avenue Cumberland, ME 04021

ABUTTERS – ADJACENT TO GREELY CAMPUS

MAP	LOT	PROPERTY OWNER'S NAME AND ADDRESS
U13	104	Katherine and Michael Mulllin 7 Farwell Avenue Cumberland Center, ME 04021
U13	108	Michael and Barbara Frost 50 Frost Ridge Drive PO Box 207 Cumberland Center, ME 04021
U13	109	Frederick and Linda Hicks 321 Main Street Cumberland, ME 04021
U13	110	Irene Turner 319 Main Street Cumberland, ME 04021
U13	111	Owen and Susan Odonnell 317 Main Street PO Box 62A Cumberland, ME 04021
U13	112	MSAD 51 311 Main Street PO Box 6A Cumberland, ME 04021
U13A	01	Babette Ladd 314 Main Street PO Box 84A Cumberland, ME 04021
U13A	09	Lisa Poisson 108 Madeline Street Portland, ME 04103
U13B	11	Craig and Vicki Banton 22 Hemlock Drive Cumberland Center, ME 04021

**GREG & CAROLINE SAMPLE**

(207) 829-4364

365 RANGE ROAD
CUMBERLAND, MAINE 04021

March 4, 2002

Steve Moriarty Chair
Cumberland Town Council
Town Office,
Tuttle Rd.,
Cumberland
ME 04021*Dear Steve:*

To All the Members of the Town Council,

On behalf of the Greely Junior High School Namioka Exchange Program I would like to invite all the members of the Cumberland Town Council to join us on Japan Culture Day, Thursday March 21st, 2002. The Opening ceremony will begin at 7:45 am in the GJHS gymnasium. In addition you are welcome to attend the workshops which will begin at 8:15 am and will run throughout the school day.

Culture Day is a whole day in which the entire school studies Japanese language and culture. It is one of the many activities undertaken during the March Homestay week when the students and chaperones from our sister school in Namioka are here in Cumberland and North Yarmouth.

This exchange program has been in existence since 1992 and is part of the broader cultural exchange that exists between the State of Maine and the Prefecture of Aomori. The goals of the exchange are to "promote mutual understanding, friendship and goodwill."

I am enclosing a brochure about the exchange program. If you would like more information please either contact me by phone or e-mail at: gsample1@maine.rr.com; or contact Penny Wheeler -Abbott, the Assistant Principal at GJHS, 829-4815, penny_wheeler-abbott@msad51.org.

Culture Day is always an interesting and exciting day at the Junior High School. We do hope that you will be able to join us for all, or part of the day.

Sincerely,

Caroline

TOWN OF CUMBERLAND

Publication dates: _____
Publication names: _____
Date filed: _____
Fee rec'd: _____
Date Ordinance received: _____
Issued: _____
Denied: _____

Mass Gathering Application – Major Outdoor Event (5,000 or more persons)

This application must be filed with the Town Clerk not less than 60 days before the date of the event.
Application must be accompanied by a non-refundable fee of \$500.

Name of applicant: _____

Address of applicant: _____ Tel. # _____

Name of event: _____

Facility where the event will be held: _____

Is the facility owned by the applicant: _____ yes; _____ no, (if no, attach a copy of the contract with the owner which allows use of the property)

Name of promoter (if different from above): _____

Telephone number: _____

Will any food vendors be serving at the event? _____ yes, _____ no (if yes, how many, and what types) _____

Will any alcohol vendors be serving at the event? _____ yes, _____ no (if yes, list name and attach a copy of the vendors license to sell alcohol, describe alcohol will be served) _____

Date of event: _____ Time (start and finish times): _____

Number of tickets available: _____

Expected attendance: _____

Description of event: _____

TOWN OF CUMBERLAND

Publication dates: _____
Publication names: _____
Date filed: _____
Fee rec'd: _____
Date Ordinance received: _____
Issued: _____
Denied: _____

Mass Gathering Application -- Minor Large Outdoor Event (1,000 - 4,999 persons)

This application **must be filed with the Town Clerk not less than 60 days** before the date of the event.
Application must be accompanied by a non-refundable fee of \$250.

Name of applicant: _____

Address of applicant: _____ Tel. # _____

Name of event: _____

Facility where the event will be held: _____

Is the facility owned by the applicant: _____ yes; _____ no, (if no, attach a copy of the
contract with the owner which allows use of the property)

Name of promoter (if different from above): _____

Telephone number: _____

Date of event: _____ Time (start and finish times): _____

Number of tickets available _____

Expected attendance _____

Description of event: _____

Will any food vendors be serving at the event? _____ yes, _____ no (if yes, how many, and
what types) _____

MEMORANDUM

TO: Town Council

FROM: Robert Benson, Town Manager

DATE: March 7, 2002

RE: March 11, 2002 Agenda Items

Item # 02-14. Please refer to the letter from RWS contained in your packet, explaining this presentation. Our representative to RWS Susan McGinty has advised me that she will make the presentation and members of the staff will be present to answer any questions the Council may have.

Item #02-15. An auditor from Runyon & Kersteen will be present to discuss the new requirements contained in GASB- 34. This presentation should take between five and ten minutes.

Item #02-16. I understand that the Council voted to act on brown tail moth. The money will come out of next year's budget, but we need a vote to set this process in motion.

Item #02-17. This item was written by the Town Attorney. The Council can act to support or not support this request, should the Council vote not to support this request, this will enable the Town Attorney to comply with State law and set up a mediation process.

Chairman Moriarty has asked that you review and comment on the proposed revisions to the tax acquired policy that is in the packet.

Item #02-19. The Town Attorney has suggested that this item be on the agenda, but since the applicant has requested that the item be tabled, it's recommended that the Council do so.

The Public Works Director will be present to discuss the Blanchard Road reconstruction project, and I would like to have a very short budget workshop in order to get some guidance from the Council regarding the '02-'03 municipal budget.

Interoffice Memo

Date: 03/07/2002

To: Robert Benson, Town Manager

Cc: Adam Ogden, Public Works Director
Andy Fillmore, Town Planner

From: Barbara McPheters, Code Officer *Bem*

RE: Legislation

The attached document was faxed to me this date. I discussed this with Bob and he would like us to meet in the near future to review this information.

Attachment – Legislative Bulletin of March 1, 2002

829-2214

Legislative **BULLETIN**

A PUBLICATION OF MAINE MUNICIPAL ASSOCIATION

Vol. XXIV No. 9

March 1, 2002

Bill Would Preempt Local Land Use Authority

A bill that would preempt locally-adopted minimum lot size and road frontage requirements has received a split report by the two legislative committees to which the legislation was submitted, with roughly half the legislators voting to override or preempt the decisions made by local town and city councils and town meetings, and the other half voting to support local decision-making with respect to neighborhood development.

After a joint public hearing (last week) and work session held this week by the Natural Resources Committee and the Business and Economic Development Committee, LD 2099, *An Act to Provide for Liveable, Affordable Neighborhoods* (Sponsor Rep. Ted

Koffman of Bar Harbor) received a vote of 8-7 "ought to pass as amended". At press time, 10 legislators had yet to cast their recommendation.

Rep. Koffman, who recently chaired a growth management study commission, praised the bill for eliminating the unnecessary costs associated with building homes in Maine. Rep. Koffman believes the unnecessary costs are the result of minimum building lot size requirements that exceed one-eighth of an acre and road frontage requirements that exceed 50 feet in those areas of a municipality that are served by water and sewer.

Specifically, LD 2099 proposes the creation of an Augusta-based planning board that would pre-approve affordable housing developments in the nine of the State's 35 labor market areas that have been identified by the Maine State Housing Authority as having an "affordable housing crisis." Within these nine labor markets, there are approximately 130 municipalities that would be impacted by the passage of LD 2099.

Developers proposing large-scale housing developments that include at least 30% affordable housing units would submit their plans to the newly-created *State Affordable Neighborhood Development Review Board*. Once this six-member board determines that the plans meet some as-of-yet undetermined guidelines for an affordable neighborhood, the developer would given the rubber stamp of approval. As soon as the development is approved in Augusta, LD 2099 would prevent

any municipality where the development is ultimately proposed (in those 130 municipalities) from requiring that a single-family house lot in that development contain more than 5,000 sq. ft. or road frontage of more than 50 feet, provided the road is served by – or could be served by – water and sewer service.

In addition to Rep. Koffman, Sen. Lynn Bromley (Cumberland Cty.), Rep. John McDonough (Portland), Rep. Christina Baker (Bangor), the Maine Association of Realtors, the Maine Real Estate and Development Association, several developers, the State Planning Office (SPO), the Maine State Housing Authority, the York County Community Action Agency, and Jackson Laboratories spoke in support of the bill. The Maine Municipal Association was

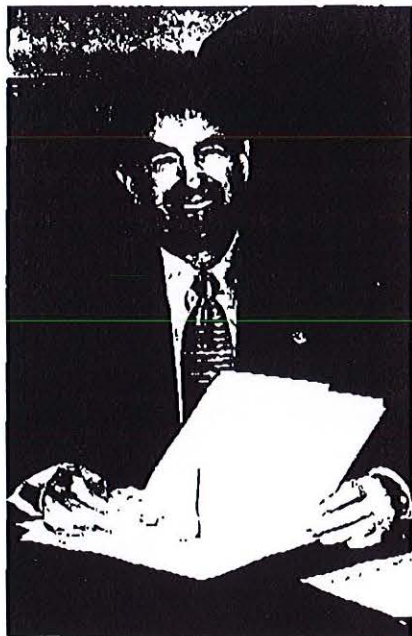
(continued on page 2)

State Budget Restorations

Governor King's proposed revisions to the supplemental state budget were presented to the Appropriations Committee this week, addressing the \$91 million in new-found state tax revenue released by the revenue forecasting group a week ago.

The release of new revenue to relieve a larger overall shortfall – a bubble of surplus within a larger deficit – can be confusing, but the Governor's original budget proposal this January already staked out the cuts he would like restored should additional revenues become available, and with a little tinkering around the edges to adjust to new information, his proposed use of the \$91 million fits into those parameters.

(continued on page 3)



Rep. Ted Koffman of Bar Harbor

PREEMPT (cont'd)

the only opponent.

On February 28, MMA's LPC cast an overwhelming vote in opposition to LD 2099.

Rep. Tom Murphy (Kennebunk) asked how this proposed Augusta template that is intended to apply throughout Maine would work within different regions of the state that may be experiencing a variety of constraints on affordable housing, such as the presence of pervasive environmental restrictions or a surge of homes being purchased as vacation properties.

The Director of SPO, Evan Richert, testified that LD 2099 is a vehicle to allow the state's nurses and police officers to live in the communities they serve, playing off a recent advertising campaign sponsored by the Maine State Housing Association with the same theme. According to SPO, affordable housing comes down to supply and demand, and supply is limited in Maine by overly restrictive local zoning and minimum lot size requirements.

Senator Tom Sawyer (Penobscot Cty.) asked whether the developments were to be taxable properties or whether they would be owned by nonprofit organizations. Richert stated that this element had not been addressed in the bill, but enforced or preemptive tax exempt subsidized housing was something the proponents were willing to discuss.

Ed Suslovic, representing the Maine Association of Realtors, testified in support of the bill by stating that municipal home rule should only be preempted in instances such as this

where local control has failed the citizens of Maine. Suslovic said that the service center communities supported the Initiative; in point of fact, the Service Center Coalition took no position on the legislation.

The representative of Jackson Laboratories in Bar Harbor testified in favor of the bill stating that, as Hancock County's top employer, recruitment is hindered due to the excessive cost of living in that area.

As the sole opponent to LD 2099, MMA testified that the proposed review board would hold municipal legislative bodies captive to the Board's approval of a precertified development. Once the Board finds that the proposed development achieves certain as-yet-undefined standards, the developer can then trump the local minimum lot size standards, minimum frontage standards, and certain standards regarding multifamily housing. It is clearly in the interests of the real estate development industry to be able to ignore the minimum lot size requirements upon which the orderly and predictable development of neighborhoods is based; the interests of the State Planning Office and the Maine State Housing Authority in stepping on the ordinances that are largely based on models created by SPO and the regional planning councils over the years is less clear and more disturbing.

MMA is aware of published reports that suggest many suburban municipalities require two acre lot sizes thereby driving up the cost of housing and contributing to the problem of sprawl and housing unaffordability. A review of the suburban ordinances paints a different picture. It is true that larger acreage requirements are typical in zones designated as "rural", thus the larger lot requirements are a disincentive to locate in the resource protection zones and the rural zones thus directing growth towards those zones with public water and sewer. These minimum lot size thresholds are actually the result of recommendations, or model ordinances, previously developed by the regional planning agencies, under the general supervision of the SPO. At the same time, the "urban zone", village or downtown minimum

lot sizes in these suburban communities are typically scaled down into sub-acre minimum lot sizes.

No one suggested that before preempting municipal home rule authority with respect to local zoning, it might be helpful and less disruptive for the State Planning Office to offer new zoning models for the municipalities to incorporate into their regulatory structure. MMA has repeatedly asked the Planning Office to develop and distribute the model regulation the Office believes should replace the previous models, but none have been provided, at least to MMA. For the Real Estate lobby, MSHA, and the SPO, command-and-control seems to be much more effective than education and technical assistance.

As Co-Chair of the Joint Study Commission to Study Growth Management, Senator Lynn Bromley (Cumberland) stated that LD 2099 was an "incremental approach" to resolving the issues surrounding growth management. Sen. Bromley said the growth management study commission put this bill forward to remedy failed local control, and she asked both Committees to support the bill.

Representative Baker (Bangor) described LD 2099 as a wonderful bill because it would create communities like those in Bangor that allow the residents of the community to know one another, the children can play together and the families can stay together longer. Rep. Baker also said that these communities do not burden a municipality's infrastructure.

During the work session, Rep. Murphy asked the representative from MSHA to explain the status of the bond money appropriated for affordable housing. Rep. Murphy expressed his frustration that there is bond money that is available and yet MSHA has no plan in place to make homes affordable other than this proposal of centralized planning and the preemption of local control.

Anyone who would like the final list of the legislators from the two committees who voted to support or oppose LD 2099 should contact MMA's Laura Veilleux at 1-800-452-8786. (KH).

Legislative Bulletin

A weekly publication of the Maine Municipal Association throughout sessions of the Maine State Legislature.

Subscriptions to the *Bulletin* are available at a rate of \$20 per calendar year. Inquiries regarding subscriptions or opinions expressed in this publication should be addressed to: *Legislative Bulletin*, Maine Municipal Association, 60 Community Drive, Augusta, ME 04330 Tel: 623-8428.

Editorial Staff: Geoffrey Herman, Kate Dufour, Kirsten Hebert, and Laura Veilleux of the State & Federal Relations staff.

FAX

Date _____

Number of pages including cover sheet _____

TO:

*Barbara
McPherson*

Phone _____

Fax Phone _____

FROM:

Office of Community
Development
Town of Windham

Phone (207)892-1901 or 1902

Fax Phone (207)892-1916

CC: _____

REMARKS: ☐ Urgent ☐ For your review ☐ Reply ASAP ☐ Please Comment*Rene*

TOWN OF CUMBERLAND
TAX ACQUIRED PROPERTY POLICY

1. Definitions

"Owner" means the owner of record as shown in the Cumberland County Registry of Deeds at the time the tax lien ripens and if the owner is deceased then that person's spouse or children.

"Person" means every natural person and also any corporation, partnership, trust or other legal entity.

"Property" means real estate and the buildings thereon, if any.

2. Owner's Options After Tax Lien Ripens

When real estate is acquired by the Town through the tax lien process, the owner shall be given a written notice that in order to recover his or her property they have three (3) months to either:

- A. Pay the taxes due for which the property was foreclosed, together with interest, administrative fees and attorney fees as explained below;
- B. Deed to the Town property or interests in property, such as development rights and easements, as explained below; or
- C. Enter into an installment agreement, as explained below.

Failure of the owner to receive notice shall not affect the validity of the procedure of this Policy so long as notice was mailed by regular mail to the owner's last known address as shown on the Town's tax records.

3. Payment of Taxes During the Three Month Period

The Town shall give the owner a release deed if during the three month period the owner pays the Town

- A. The amount due for all taxes remaining unpaid up to

- the date of the tax lien foreclosure,
- B. Interest on the unpaid taxes, prime plus 5%;
 - C. Administrative fees sufficient to cover the estimated cost of the time which Town employees spend sending out the notice, calculating amounts due, getting approval from the Council, dealing with the owner and others; and
 - D. Attorneys fees necessary to prepare and/or review the release deed and to advise the Town on any aspect of the tax lien foreclosure process regarding the property, including assistance in negotiating, drafting and reviewing an installment agreement.

The Town may require that the owner give the Town a right of first refusal for the property if it is property which the Town, with the advice of the Board of School Directors, Planning Board, or Lands and Conservation Commission, determines is or will become valuable to the Town or SAD 51 or if acquisition would further some public policy of the Town. This right of first refusal shall not apply to a sale to the owner's spouse or children, but shall otherwise run with the property even in the event of a sale to the owner's spouse or children.

4. Deeding Land to the Town as Payment of Taxes

The owner may offer his or her property (including property which is not the subject of the tax lien foreclosure) or interests in property to the Town in lieu of payment or as partial payment of the amounts otherwise due in paragraph 3. If the Town, with the advice of the Board of School Directors, Planning Board, or Lands and Conservation Commission determines that the property or interest so offered are or will become valuable to the Town or SAD 51 or that acquisition would further some public policy of the Town, the Town may accept such property or interests in it in full or partial payment of the amounts otherwise due in paragraph 3. Interests in property include, but are not limited to, easements, development rights, and other restrictions.

5. Installment Agreement Provisions

An installment agreement must include the following provisions:

- A. The term shall not exceed three (3) years;
- B. The Town shall not give a release deed until all installment payments have been made and all sums due pursuant to paragraph 3 have been paid in full;
- C. Regular or scheduled payments must be made with or without a balloon payment as determined appropriate by the Town;
- D. The payments must include interest, administrative fees and attorney fees in accordance with paragraph 3;
- E. The payments must cover all overdue taxes, including taxes for which a subsequent lien has not ripened and taxes for which a subsequent lien has not yet been filed;
- F. If an owner falls behind in two (2) consecutive payments, the installment agreement becomes null and void. The Town shall keep all payments made and the property shall be sold at auction (subject, however, to the Town's right to keep the property or impose conditions or restrictions as outlined below);
- G. In any case, the Town may retain a right of first refusal for the property if it is property which the Town, with the advice of the Board of School Directors, Planning Board, or Lands and Conservation Commission, determines is or will become valuable to the Town or SAD 51 or if acquisition would further some public policy of the Town;
- H. If the Town determines that an owner has defaulted on the installment agreement, and the owner contests that determination and brings suit but is unsuccessful and does not prevail, the owner shall be liable for the Town's attorney fees and costs.

The Town Attorney shall review and approve each such agreement to insure it meets the requirements of this policy.

Provided however, before any property becomes the subject

of an installment agreement the Board of School Directors, Planning Board, or Lands and Conservation Commission may recommend whether the Town should attempt to negotiate for all or a portion of the property, retain easements, retain development rights, or impose land use restrictions. During the negotiations for an installment agreement the Town shall consider the recommendations of the Board of School Directors, Planning Board, or Lands and Conservation Commission. If the Town desires to retain all or a portion of the property, retain easements or development rights or impose land use restrictions and the owner agrees, the Town shall pay the owner fair market value (determined as of the date of foreclosure) of what the Town retains, less all sums owed in accordance with paragraph 3. In retaining the property or an interest in the property, the Town may use a variety of payment methods including forgiving all or a portion of past or future taxes as well as any other mutually agreeable and appropriate means.

6. Failure to Pay Taxes or Make Installment Agreement or
Keep Provisions of Installment Agreement

In the event that during the three month period specified in paragraph 2 the owner fails to pay the amounts required by paragraph 3 or fails to transfer land as permitted by paragraph 4 or fails to enter into an installment payment agreement as permitted by paragraph 5, or if having entered into an installment payment agreement later breaches that agreement, the Town may, in its discretion, exercise the following options:

A. The Town may retain all or a portion of the property or interest therein:

1. If the Town, with the advice of the Board of School Directors, Planning Board or Lands and Conservation Commission, determines that all or a portion of the property or interest therein is or will become valuable to the Town or SAD 51, or if retention would further some public policy of the Town. In such circumstances, the Town shall pay the owner the fair market value as of the time of foreclosure of the retained property and interest therein subject to the following provisions:

- i. If the owner has failed to pay taxes or enter into an installment within the three month period specified in paragraph 2, the Town shall subtract from the fair market value all amounts owed pursuant to paragraph 3 and all other overdue taxes, including taxes for which subsequent lien has not ripened and taxes for which a subsequent lien has not been filed;
 - ii. If the owner has entered into an installment agreement but has breached that agreement, the Town shall subtract from the fair market value all amounts required to be paid pursuant to the agreement, and all other amounts owed pursuant to paragraph 3, including taxes for which a subsequent lien has not ripened and taxes for which a subsequent lien has not yet been filed;
 - iii. The fair market value shall be determined as of the date of fordisclosure by the Town in it's sole discretion based upon at least one appraisal of the property;
 - iv. The cost of any appraisal(s) of the property shall be ~~deducted as~~ considered an administrative expense and ~~subtracted from the fair market value of the property;~~ or fee within the meaning of paragraph 3:
 - v. In the event the Town retains less than all of the property or interest therein, the town shall give the owner a release deed for the balance thereof; provided, that the Town shall not make payment to the owner or give the owner a release deed until the owner gives the Town a release deed.
- B. The Town may auction the property or that portion not retained by the Town under paragraph 6(A) and pay any amount in excess of amounts owed to the Town pursuant to paragraph 3 in accordance with the following:
1. The auction shall be public;
 2. Notice will be published and written notice shall be provided to the owner by regular mail

to the owner's last known address as shown on the Town's tax records;

3. There shall be a minimum bid equal to all amounts calculated in accordance with paragraph 3 plus all overdue taxes, including taxes for which a subsequent lien has not ripened and taxes for which a subsequent lien has not yet been filed, plus all amounts which should have been paid pursuant to any installment agreement entered into pursuant to paragraph 5. The amount of the minimum bid shall also include costs of the auction (including but not limited to advertising, rental fees, and professional fees) and all other related costs that the town has incurred;
4. The property shall be sold to the highest bidder whose bid exceeds the minimum price set by the Town;
5. Upon completion of the auction and payment of the bid price, the Town shall:
 - i. Give the successful bidder a quit claim deed;
 - ii. Retain from the bidder's payment the minimum auction price which has been set by the Town; and
 - iii. Pay over the balance to the owner in return for a release from the "owner" and a release deed from the owner to the successful bidder.
6. If no bid equal to or greater than the minimum bid is received, the Town may thereafter dispose of the property for any price and in any way it deems appropriate.
7. The Town may, in its discretion, bid at the auction.

7. Provisions for owner-occupied property

Notwithstanding the foregoing, in the event an owner who is also an occupant of a residence on the property which has been acquired by the Town through the tax lien process has within the three (3) month period specified in paragraph 2 failed to take advantage of the provisions of paragraph 2 or has breached an installment agreement, the Town Council may nevertheless permit continued occupancy by the owner and his or her family after taking into consideration:

- A. Whether the owner has the financial ability to pay the taxes or transfer land to pay the taxes in accordance with paragraph 4;
- B. Whether the owner has a reasonable residential alternative;
- C. Whether eviction of the owner would cause the owner to be eligible for Town public assistance;
- D. Whether the owner can pay some rent (sufficient at lease to cover necessary insurance); and
- E. Whether there are any other humanitarian reasons for not evicting the owner.

The provisions of this paragraph are not to be deemed to give the owner any rights, and decisions under this paragraph are within the sole discretion of the Town. Any arrangements made Town Council under this paragraph 7 shall be reviewed by the Town Council at least annually and may be terminated unilaterally ~~by the~~ at any time.

8. Retention of Ownership by the Town

Notwithstanding the provisions of any of the preceding paragraphs, if more than one (1) year has elapsed from the date on which notice to the owner was mailed pursuant to paragraph 2 and the owner has not exercised the options available pursuant to paragraph 2 or has entered into an installment agreement but has breached that agreement, the Town shall retain ownership of the property as established by the tax lien foreclosure process and shall have no obligation

to pay to the owner any sums in excess of the amounts owed pursuant to paragraph 3.

-END-

TOWN OF CUMBERLAND
TAX ACQUIRED PROPERTY POLICY

1. Definitions

"Owner" ~~shall~~ means the owner of record as shown in the Cumberland County Registry of Deeds at the time the tax lien ripens and if the owner is deceased then that person's spouse or children.

"Person" means every natural person and also any corporation, partnership, trust or other legal entity.

"Property" means real estate and the buildings thereon, if any.

2. Owner's Options After Tax Lien Ripens

When real estate ~~becomes owned~~ is acquired by the Town through the tax lien process, the owner shall be given a written notice that in order to recover his or her property they have three (3) months to either:

- A. Pay the taxes due for which the property was foreclosed, together with interest, administrative fees and attorney fees as explained below;
- B. Deed to the Town property or interests in property, such as development rights and easements, as explained below; or
- C. Enter into an installment agreement, as explained below.

Failure of the owner to receive notice shall not affect the validity of the procedure of this Policy so long as notice was mailed by regular mail to the owner's last known address as shown on the Town's tax records.

3. Payment of Taxes During the Three Month Period

The Town shall give the owner a release deed if during the three month period the owner pays the Town

- A. The amount due for all taxes remaining unpaid up to the date of the tax lien ~~ripens together with~~

- ~~interest at a healthy rate, i.e. more than a financial institution would charge for a personal loan, e.g. foreclosure,~~
- B. Interest on the unpaid taxes, prime plus 5%; plus
 - C. Administrative fees sufficient to cover the estimated cost of the time which Town employees spend sending out the notice, calculating amounts due, getting approval from the Council, dealing with the owner and others; and ~~(perhaps a flat fee of \$100.00)~~
 - D. plus the Attorneys fees necessary to prepare and/or review the release deed and to advise the Town on any aspect of the tax lien foreclosure process regarding the property, including assistance in negotiating, drafting and reviewing an installment agreement. ~~(perhaps a flat attorney fee of \$75.00).~~

The Town may require that the owner give the Town a right of first refusal for the property if it is property which the Town, with the advice of the Conservation Commission, Board of School Directors, Planning Board, or Lands and Conservation Commission, determines is or will become valuable to the Town or SAD 51 or if acquisition would further some public policy of the Town. This right of first refusal shall not apply to a sale to the owner's spouse or children, but shall otherwise run with the property even in the event of a sale to the owner's spouse or children.

4. Deeding Land to the Town as Payment of Taxes

The owner may offer his or her property (including property which is not the subject of the tax lien foreclosure) or interests in property to the Town in lieu of payment or as partial payment of the amounts otherwise due in paragraph 3. If the Town, with the advice of the Conservation Commission, and if appropriate the Planning Board Board of School Directors, Planning Board, or Lands and Conservation Commission determines that the property or interest so offered are or will become valuable to the Town or SAD 51⁺ or that acquisition would further some public policy of the Town, the Town may accept such property or interests in it in full or partial payment of the amounts otherwise due in paragraph 3. Interests in property could include, but are not limited to, easements, development rights, ~~or~~ and other restrictions.

5. Installment Agreement Provisions

An installment agreement ~~should provide~~ must include the following provisions:

- A. The term shall not exceed three (3) years;
- B. The Town shall not give a release deed until all installment payments have been made and all sums due pursuant to paragraph 3 have been paid in full;
- C. ~~There must be~~ Regular or scheduled payments must be made with or without a balloon payment as determined appropriate by the Town;
- D. The payments must include interest, administrative fees and attorney fees in accordance with paragraph 3;
 - ~~i. the interest should be more than a financial institution would charge for a personal loan — e.g. prime plus 5%;~~
 - ~~ii. the administrative fees should be enough to cover the estimated cost of the time which Town employees spend making the agreement and monitoring it;~~
 - ~~iii. the attorney fees should cover the anticipated cost of preparing a release deed and any attorney assistance needed in negotiating, drafting and/or reviewing the agreement;~~
- E. The payments must cover all overdue taxes, even including taxes for which a subsequent lien has not ripened and taxes ~~where~~ for which a subsequent lien has not yet been filed; and
- F. If an owner falls behind in two (2) consecutive payments, the installment agreement becomes null and void. ~~—t~~ The Town shall keep all payments made and the property shall be sold at auction (subject, however, to the Town's right to keep the property or impose conditions or restrictions as outlined below); and

- G. In any case, the Town may retain a right of first refusal for the property if it is property which the Town, with the advice of the Board of School Directors, Planning Board, or Lands and Conservation Commission, Conservation Commission, and if appropriate the Planning Board, determines is or will become valuable to the Town or SAD 51 or if acquisition would further some public policy of the Town; and
- H. If the Town declares determines that an owner has defaulted on his the installment agreement, and the owner contests that declaration determination and brings suit but is unsuccessful and fails to does not prevail, the owner shall be liable for the Town's attorney fees and costs.

The Town Attorney shall review and approve each such agreement to insure it meets the requirements of this policy.

Provided however, before any property becomes the subject of an installment agreement the Conservation Commission, and if appropriate the Planning Board, should Board of School Directors, Planning Board, or Lands and Conservation Commission may recommend whether the Town should attempt to negotiate for all or a portion of the property, retain easements, retain development rights, or impose land use restrictions. During the negotiations for an installment agreement the Town shall consider the recommendations of the Conservation Commission, and if appropriate the Planning Board Board of School Directors, Planning Board, or Lands and Conservation Commission. If the Town desires to retain all or a portion of the property, retain easements or development rights or impose land use restrictions and the owner agrees, the Town shall pay the owner fair market value of what the town retains (less all overdue taxes and fees) (determined as of the date of foreclosure) of what the Town retains, (less all overdue taxes and fees) less all sums owed in accordance with paragraph 3. In retaining the property or an interest in the property, the Town may less all overdue taxes and fees) using use a variety of payment methods including forgiving

all or a portion of past or future taxes ~~or financing device which is appropriate~~ as well as any other mutually agreeable and appropriate means.

6. Failure to Pay Taxes or Make Installment Agreement or Keep Provisions of Installment Agreement

In the event that during the three month window period specified in paragraph 2 the owner fails to pay the amounts required by paragraph 3 or ~~during that time~~ fails to transfer land as permitted by paragraph 4 or ~~if during that time~~ fails to enter into an installment payment agreement as permitted by paragraph 5, or ~~if~~ having entered into an installment payment agreement later breaches that agreement, ~~the Town shall have may,~~ in its discretion, exercise the following options:

A. The Town may retain ~~Retain~~ all or a portion of the property or interest therein:

1. If the Town, with the advice of the Conservation Commission, ~~and if appropriate the Planning Board Board of School Directors, Planning Board or Lands and Conservation Commission,~~ determines that all or a portion of the property or interest therein is or will become valuable to the Town or SAD 51, or ~~if~~ retention would further some public policy of the Town. ~~and~~ In such circumstances, the Town shall pay the owner the fair market value as the time of foreclosure of the retained and interest therein subject to the following provisions:

- i. If the owner has failed to pay taxes or enter into an installment within the three month period specified in paragraph 2, the Town shall subtract from the fair market value all amounts owed pursuant to paragraph 3 and all other overdue taxes, including taxes for which subsequent lien has not ripened and taxes for which a subsequent lien has not been filed;
- ii. If the owner has entered into an installment agreement but has breached that agreement, the Town shall subtract from the fair market value all amounts required to be paid pursuant to the agreement, and all other

- amounts owed pursuant to paragraph 3,
including taxes for which a subsequent lien
has not ripened and taxes for which a
subsequent lien has not yet been filed;
- iii. The fair market value shall be determined as
of the date of disclosure by the Town in
it's sole discretion based upon at least one
appraisal of the property;
 - iv. The cost of any appraisal(s) of the property
shall be deducted as administrative expense
and subtracted from the fair market value of
the property;
 - v. In the event the Town retains less than all
of the property or interest therein, the
town shall give the owner a release deed for
the balance thereof; provided, that the Town
shall not make payment to the owner or give
the owner a release deed until the owner
gives the Town a release deed.
- ~~ii. if the Town pays the owner the fair market value~~
~~of the retained land or interest therein less~~
~~amounts due the Town as follows: (a) if the owner~~
~~has failed to pay taxes or enter into an~~
~~installment agreement within the three (3) month~~
~~period, the Town shall subtract from the fair~~
~~market value all amounts payable pursuant to~~
~~paragraph 3 and all other overdue taxes and~~
~~interest or, (b) if the owner has entered into an~~
~~installment agreement but has breached that~~
~~agreement, the Town shall subtract from the fair~~
~~market value all amounts required to be paid~~
~~pursuant to the agreement and all other overdue~~
~~taxes and interest. The "fair market value" shall~~
~~be determined by the Town in its sole discretion~~
~~provided such determination is supported by one~~
~~or more appraisals. The cost of any appraisal~~
~~shall be deducted from the fair market value. In~~
~~the event the Town retains less than all of the~~
~~property or interest therein the Town shall give~~
~~the owner a release deed for the balance thereof.~~
~~Provided, however, the Town shall not make~~
~~payment to the owner or give the owner a release~~
~~deed until the owner gives the Town a release~~
~~deed.~~

B. The Town may auction ~~Auction~~ the property or that portion not retained by the Town under paragraph 6-A. 6(A) and pay any amount in excess of amounts owed to the Town to the owner as follows pursuant to paragraph 3 in accordance with the following:

1. i. The auction shall be public;

2. ii. Notice shall be published and written notice shall be ~~given in writing provided~~ to the owner by regular mail to the owner's last known address as shown on the Town's tax records;

3. iii. There shall be a minimum bid equal to all amounts calculated in accordance with paragraph 3 plus all overdue taxes, including taxes for which a subsequent lien has not ripened and taxes for which a subsequent lien has not yet been filed, plus all amounts which should have been paid pursuant to any installment agreement entered into pursuant to paragraph 5. The amount of the minimum bid shall also include costs of the auction (including but not limited to advertising, rental fees, and professional fees) and all other related costs that the town has incurred;

~~(a) — hereof (in the event that the owner has failed to pay the taxes or enter into an installment agreement within the three (3) months period) plus any other taxes and interest which are overdue or (b) all amounts which should have been paid pursuant to any installment agreement entered into pursuant to paragraph 5 hereof plus any other taxes and interest which are overdue (in the event an owner has breached his installment payment agreement). The amount of the minimum bid shall also include the action costs and all other costs the Town has incurred;~~

4. ~~iv.~~ The property shall be sold to the highest bidder whose bid exceeds the minimum price set by the Town;
5. ~~v.~~ Upon completion of the auction and payment of the bid price, the Town shall:
- i. Give the successful bidder a quit claim deed;
 - ii. Retain from the bidder's payment the minimum auction price which has been set by the Town; and
 - iii. Pay over the balance to the owner in return for a release from the "owner" and a release deed from the owner to the successful bidder.
6. ~~vi.~~ If no bid equal to or greater than the minimum bid is received, the Town may thereafter dispose of the property for any price and in any way it deems appropriate.
7. The Town may, in its discretion, bid at the auction.

7. Provisions for owner - occupied property

Notwithstanding the foregoing, in the event an owner who is also an occupant of a residence on the property which has ~~become owned~~ been acquired by the Town through the tax lien process has within the three (3) month period specified in paragraph 2 ~~window~~ failed to take advantage of the provisions of paragraph 2 or has breached an installment agreement, the Town Council may nevertheless permit continued occupancy by the owner and his or her family after taking into consideration:

- A. Whether the owner has the financial ability to pay the taxes or transfer land to pay the taxes in accordance with paragraph 4;
- B. Whether the owner has a reasonable residential alternative;

- C. Whether eviction of the owner would cause the owner to be eligible for Town public assistance;
- D. Whether the owner can pay some rent (sufficient at lease to cover necessary insurance); and
- E. Whether there are any other humanitarian reasons for not evicting the owner.

The provisions of this paragraph 7 are not to be deemed to give the owner any rights, and decisions under this paragraph 7 are within the sole discretion of the Town. Any arrangements made ~~by the Town Council Town~~ under this paragraph 7 shall be reviewed by the ~~Town~~ Town Council at least annually and may be terminated unilaterally by the ~~Town~~ at any time.

8. Retention of Ownership by the Town

Notwithstanding the provisions of any of the preceding paragraphs, if more than one (1) year has elapsed from the date on which notice to the owner was mailed pursuant to paragraph 2 and the owner has not exercised the options available pursuant to paragraph 2 or has entered into an installment agreement but has breached that agreement, the Town shall retain ownership of the property as established by the tax lien foreclosure process and shall have no obligation to pay to the owner any sums in excess of the amounts owed pursuant to paragraph 3.

-END-

Carla Nixon

From: Terry Ann Scriven [tscriven@maine.rr.com]

Sent: Friday, March 08, 2002 8:18 AM

To: Carla Nixon

Subject: Brown Tailed Moth

Town Councilors
&Carla Nixon
Cumberland Town Office

RE: Brown Tail Moth Spraying

Dear Ms. Nixon

I am writing to request that my property be included in the spraying program if possible. Although I am an avid environmentalist, we had the experience of having someone on our property come in contact with the caterpillars there, and subsequently become quite ill not only with a rash but with more widespread systems. He required steroids before he could return to work. There is quite a toxic reaction that can be elicited by the hairs of these caterpillars, and it is perhaps not seen as a real threat until one sees an individual so sensitized.

Our Cumberland address is 17 Sea Cove Road, and we own the field on the right hand side at the terminus of Sea Cove Road, and the small house set towards the water from the field.

Thank you. Please let me know soon if you decide to cover our property, as last year we called too late to be covered by State or private program. I believe time is of the essence, since once the caterpillars molt there is nothing we can do.

Terry Ann Scriven
17 Sea Cove Road

PS.

While I am writing regarding insects, I have another small query. I personally have gotten quite a reaction and swelling from bites of fire ants on the land. Is this a problem elsewhere in Cumberland, and what is recommended? I was unaware of such insects existing in Maine, though I know they are common in areas in the SE like Georgia.

RB

SOLID WASTE TO R.W.S.

YEAR MONTH	2001	2002	1997	1998	1999	2000
January	211.07	207.21	204.61	192.30	191.10	184.53
February	163.98	170.02	152.55	163.73	167.36	171.20
March	175.61		164.92	187.13	188.09	193.05
April	211.90		233.12*	179.17	190.87	181.92
May	331.97*		175.02	217.70*	277.75*	304.98*
June	228.57		201.01	229.98	222.10	229.93
July	248.17		223.52	224.88	212.91	223.73
August	244.76		175.55	194.03	251.36	267.61
September	217.00		247.89	245.27	229.28	225.17
October	277.72*		260.72*	273.00*	270.87*	267.31*
November	240.28		185.99	197.09	209.37	236.55
December	225.56		214.89	208.16	230.40	195.88
Total	2,776.59		2,439.79	2,512.44	2,641.46	2,681.86

NOTE: All Measurements in tons

* Bulky Waste Pick-up week included

STREET HOPE ISLAND BOX 400 WOODS FIRE ASSIGNMENT

LOCATION IN CASCO BAY

MISC CALLS

MISC CALL INCLUDES

Check or Assist with Attended Burn; EMS Assist
Gasoline leaking from vehicle Outside Structure
Lines Down; Power Lines Down; Public Assist
Smoke Investigations; Unattended Burns

HYDRANT LOCATIONS

**NOTIFY FALMOUTH PD TO HAVE
THEIR HARBORMASTER MEET
PERSONNEL AT FALMOUTH TOWN
LANDING FOR TRANSPORT. HAVE
TED CURTIS MEET PERSONNEL AT
FALMOUTH TOWN LANDING. NOTIFY
PORTLAND FD AND LONG ISLAND FD
TO REQUEST THEIR FIREBOATS.
NOTIFY THE COAST GUARD FOR**

WATER PROBLEMS /LOCKOUTS/ELEVATOR PROBLEMS

STILL BOX

VEHICLE FIRE

CARBON MONOXIDE

ACCIDENT

SEND ALPHA-PAGE IF EXTRICATION IS NECESSARY

FIRE ALARM, CHIMNEY FIRE, FURNACE PROBLEM

DESK BOX INCLUDES

WOODS FIRE

DO NOT ANNOUNCE AS BOMB THREAT - DISPATCH AS A 10-71

BOMB THREAT

WATER RESCUE

DESK BOX

ENG 4, ENG 6, ENG 8, ENG 9, TANK 1,

ENGINE 1**, SQUAD 1**

**HAVE ENGINE 1 AND SQUAD 1 RESPOND
TO FALMOUTH TOWN LANDING ON RT 88**

SPECIAL
INSTRUCTIONS

Any Doubt regarding threat to life or Property - or
seriousness of situation - send desk box; Arcing
wires inside a structure (interior electrical problems);
Bomb Explosion; Fires in Structures; Fires within 25
feet of a structure (ex. woods fire, vehicle fires, etc.);
Flammable Liquid Spills IN STRUCTURE
(Examples: Gasoline, Oil, Kerosene); Hazmat
(serious); Interior Electrical Problems (ex. smoking
outlets, electrical smell)
Plane Crash; Propane Leaks; Serious Hazmat;
Smoke in the Building (including furnace problems
with smoke showing); Smell of Smoke or Propane in
Building; Train Derailment

ALL HANDS

SEND ALPHA-PAGE

NOTIFY CMP, RESCUE TO THE SCENE

SECOND ALARM
CALL SALVATION
ARMY

STATION
COVERAGE

THIRD ALARM

STATION COVERAGE
3RD

85 Tuttle Rd

Cumberland, Me 04105

March 11, 02

Mr. Benson
Town Office
Cumberland, Me

Dear Mr. Benson,

In order to register my
car I needed to make a phone call
to my insurance office.

The clerk refused. I ^{was} told
to use the pay phone. Considering
the amount of taxes I pay to the
Town of Cumberland, this is definitely
a disservice. I protest.

Sincerely,

Clair D. Givens

M E M O

TO: Bob Benson
FROM: Klara Norton
DATE: March 7, 2002

RE: Mass Gathering Fees for Cumberland Fairgrounds events

Going by the information in my records, Mass Gathering fees before 1996 were \$100 per event. The Council usually waived the fee for non-profits like the Cumberland Farmer's Club for the Cumberland Fair and for school functions. In those days, the Farmer's Club most times never notified me of an event, so no applications were filed. In fact, for the Cumberland Fair, I always had to call the Farmer's Club several times a year to remind them to apply for a mass gathering permit and they would get mad at me for it!

When, in August, 1995, Pearl Jam applied to hold a rock concert at the fairgrounds. With a potential of 20,000 people attending, town officials became concerned for the public's safety and welfare. New guidelines were implemented in an updated Mass Gathering Ordinance to ensure proper security, first aid, enough sanitary facilities, safe traffic flow, Liability Insurance, etc. and the fees were increased to \$250 for 1,000 to 5,000 people per day attending and \$500 to over 5,000 attending. The fees took into consideration the costs to the Town for increased staff to cover the public safety aspects during each event.

Since 1996, everyone has had to pay the fee for a mass gathering permit. I have gotten feed back from two organizations, The Native American Appreciation Day Commission and The Downeast Street Rods that the fees and other expenses were posing a financial burden to them so they no longer could hold their events at the Fairgrounds. However, I can't help but wonder if additional costs for event contracts with the Farmer's Club may also have contributed to making it prohibitive to these organizations to hold their events?

Klara

MASS GATHERING PERMIT Application LISTING held at Cumberland Fairgrounds

<u>NAME & #</u> <u>EXPECTED</u>	<u>PLACE</u>	<u>EVENT</u>	<u>DATES of event</u>
Cumberland Farmer's Club 5,000 per day	CF	Cumberland Fair	Last week in September annually
United Maine Craftsmen, Inc. 5,000 "	CF	Crafts (many kinds!)	4 days in August, 1995 to present : Aug.
Pearl Jam 20,000	CF	Rock group concert	08-23-95(applied, never held)
Maine Made Crafts 1000-2500	CF	Craft Show	1995 only
Cumberland Farmers Club 3000-4000	CF	4X4 Truck Drag Show	1996 only
Native American Appreciation Day Commission 3000-4000	CF		1995 & 1996 only
Downeast Street Rods 900-1000	CF	Annual Rod Run	1996, 1997, 1998 1999
Kennebec Girl Scout Council 1,500	CF	85th Anniversary Celebration	1997 only
Harley Davidson Motor Co., 3,500 to 4,500	CF	Hog Rally	1997 only
Harley Owners Group		motorcycle races, etc.	

Background

- GASB 34 is new reporting model for governmental entities issued June 1999
- Biggest change ever in governmental financial reporting
- Objective to provide greater accountability by providing more useful information
- Change was needed to promote not only fiscal accountability (raising and spending of public monies) but also operational accountability (efficiency and effectiveness)
- GASB settled on an integrated approach presenting both government-wide *and* fund financial statements
- Staggered implementation depending on size (Cumberland = 2003)
- Infrastructure was most controversial part (do benefits outweigh costs?)
- GASB wanted to enhance awareness and recognize importance of maintaining infrastructure (are costs being shifted?)

Key features

- Government-wide financial reporting
- Long-term focus
- Narrative overview and analysis (MD&A)
- Information on major funds
- Expanded budgetary reporting

Overview

Government-wide financial statements

- Statement of Net Assets (balance sheet) and Statement of Activities (operating statement)
- Present government as a single, unified entity
- Present all assets, liabilities, revenues and expenses
- Excludes fiduciary fund types
- Two columns – governmental activities and business-type
- Presentation of *cost* data (calculating cost of each activity)
- Biggest changes are capitalizing and depreciating fixed assets rather than expensing and recording long-term debt as a liability rather than revenue
- Difference between assets and liabilities = net assets
- Statement of Activities reports the cost to the taxpayers of each function or activity. Expenses less program revenues equals net expense by function.

Implementation issues

- Cumberland must implement for year ended June 30, 2003 but will implement early
- Already have fixed assets recorded
- Available information on infrastructure is better than most
- Requires plenty of estimating – estimate replacement costs and deflate using CPI index
- Very little additional costs for Cumberland by using in-house expertise (Adam and Melody)
- Adopting a policy
- Reformatting financial statements
- Modified approach versus depreciation for infrastructure

Risks of non-compliance

- Undermine public and private confidence
- Lack of public accountability
- Qualified or adverse opinion
- Lower bond and other financial ratings
- You can't manage what you don't measure

CITY OF PORTLAND, MAINE

STATEMENT OF NET ASSETS

June 30, 2001

	Primary Government			Component Units	
	Governmental Activities	Business-type Activities	Total	Portland Fish Exchange	Portland Public Library
ASSETS					
Cash and cash equivalents	\$ 13,208,624	\$ 7,218,836	\$ 20,427,460	\$ 485,966	\$ 195,980
Investments	36,605,645	13,493,817	50,099,462		6,130,634
Taxes receivable	2,832,822	-	2,832,822		
Accounts receivable	2,607,061	2,933,113	5,540,174	587,664	48,709
Allowance for uncollectible accounts	(1,081,152)	(72,111)	(1,153,263)		
Loans receivable	5,762,718	-	5,762,718		
Allowance for uncollectible loans	(273,374)	-	(273,374)		
Due from other governments	4,233,623	16,798	4,250,421		
Due from other funds	-	-	-		
Due from component unit	4,762	-	4,762		
Inventories	1,090,531	150,158	1,240,689	52,069	
Other assets	129,913	322,656	452,569	681	54,300
Net Investment in direct financing leases	-	6,012,025	6,012,025		
Advances to enterprise funds	600,000	-	600,000		
Capital assets (net of accumulated depreciation):					
Land	11,795,519	12,378,907	24,174,426		
Land improvements	10,466,472	45,219,947	55,686,419		
Buildings and improvements	79,658,341	28,600,327	108,258,668		4,940
Machinery and equipment	14,247,542	3,940,576	18,188,118	614,046	152,387
Infrastructure	162,644,378	-	162,644,378		
Construction in progress	4,309,571	7,810,236	12,119,807		
Total assets	348,842,996	128,025,285	476,868,281	1,740,426	6,586,950
LIABILITIES					
Accounts payable	5,448,445	984,648	6,433,093	13,024	14,976
Other liabilities	14,348,480	1,477,740	15,826,220	95,590	156,820
Deferred revenue	44,901	-	44,901	31,252	
Due to other governments	152,734	-	152,734		
Due to primary government	-	-	-		4,762
Notes payable	150,000	2,237,413	2,387,413		
Noncurrent liabilities:					
Due within one year	11,147,471	2,998,496	14,145,967	4,725	
Due in more than one year	211,323,048	26,263,433	237,586,481	73	
Total liabilities	242,615,079	33,961,730	276,576,809	144,664	176,558
NET ASSETS					
Invested in capital assets, net of related debt	192,386,317	75,790,748	268,177,065	609,248	157,327
Restricted for:					
Capital projects	9,696,004	7,228,425	16,924,429		
Debt service	128,306	-	128,306		
Reserve requirements	-	3,541,025	3,541,025		
Perpetual care, nonexpendable	6,828,534	-	6,828,534		
Endowments, expendable	2,759,482	-	2,759,482		2,102,234
Endowments, nonexpendable	3,266,506	-	3,266,506		2,843,063
Unrestricted	(108,837,232)	7,503,357	(101,333,875)	986,514	1,307,768
Total net assets	\$ 106,227,917	\$ 94,063,555	\$ 200,291,472	\$ 1,595,762	\$ 6,410,392

The notes to the financial statements are an integral part of this statement.

CITY OF PORTLAND, MAINE

STATEMENT OF ACTIVITIES

For the Year Ended June 30, 2001

					Net (Expense) Revenue and Changes in Net Assets				
Program Revenues					Primary Government			Component Units	
Functions / Programs	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total	Portland Fish Exchange	Portland Public Library
Primary government:									
Governmental activities:									
General government	\$ 18,310,485	\$ 8,377,762	\$ 5,351,613	\$ 226,955	\$ (4,354,155)	\$ -	\$ (4,354,155)	\$ -	\$ -
Public safety	22,554,719	3,297,910	659,804	-	(18,597,005)	-	(18,597,005)	-	-
Public works	13,422,534	2,131,976	1,532,337	-	(9,758,221)	-	(9,758,221)	-	-
Health and social services	18,109,446	13,042,010	3,624,489	-	(1,442,947)	-	(1,442,947)	-	-
Parks and recreation	5,466,914	999,498	90,325	-	(4,377,091)	-	(4,377,091)	-	-
Public library	2,517,056	-	-	-	(2,517,056)	-	(2,517,056)	-	-
Education	82,083,216	3,692,818	30,944,511	-	(47,445,887)	-	(47,445,887)	-	-
Pension and employee insurance	16,668,726	1,382,876	-	-	(15,285,850)	-	(15,285,850)	-	-
Other	6,913,902	-	-	-	(6,913,902)	-	(6,913,902)	-	-
Interest on long-term debt	5,471,800	-	-	-	(5,471,800)	-	(5,471,800)	-	-
Total governmental activities	191,518,798	32,924,850	42,203,079	226,955	(116,163,914)	-	(116,163,914)	-	-
Business-type activities:									
Recreational facilities	1,453,419	1,228,103	-	-	-	(225,316)	(225,316)	-	-
Seaport facilities	1,610,100	2,415,499	-	20,700	-	826,099	826,099	-	-
Sewer	12,629,391	12,589,291	-	-	-	(40,100)	(40,100)	-	-
Transportation	11,068,972	10,383,195	64,799	2,712,060	-	2,091,082	2,091,082	-	-
Total business-type activities	26,761,882	26,616,088	64,799	2,732,760	-	2,651,765	2,651,765	-	-
Total primary government	\$ 218,280,680	\$ 59,540,938	\$ 42,267,878	\$ 2,959,715	(116,163,914)	2,651,765	(113,512,149)	-	-
Component units:									
Portland Fish Exchange	\$ 2,257,375	\$ 2,420,420	\$ -	\$ -	-	-	-	163,045	-
Portland Public Library	3,861,828	(109,174)	3,327,104	132,046	-	-	-	-	(511,852)
Total component units	\$ 6,119,203	\$ 2,311,246	\$ 3,327,104	\$ 132,046	-	-	-	163,045	(511,852)
General revenues:									
Property taxes					89,399,510	-	89,399,510	-	-
Other taxes					9,740,048	-	9,740,048	-	-
Grants and contributions not restricted to specific programs					7,709,745	-	7,709,745	-	-
Unrestricted investment earnings					3,332,743	783,770	4,116,513	27,863	(190,618)
Gain on sale of capital assets					113,992	-	113,992	-	-
Transfers					410,305	(410,305)	-	-	-
Total general revenues and transfers					110,706,343	373,465	111,079,808	27,863	(190,618)
Change in net assets					(5,457,571)	3,025,230	(2,432,341)	190,908	(702,470)
Net assets - beginning					111,685,488	91,038,325	202,723,813	1,404,854	7,112,862
Net assets - ending					\$ 106,227,917	\$ 94,063,555	\$ 200,291,472	\$ 1,595,762	\$ 6,410,392

The notes to the financial statements are an integral part of this statement.

CITY OF PORTLAND, MAINE

BALANCE SHEET
GOVERNMENTAL FUNDS

June 30, 2001

	General	Capital Projects	Other Governmental Funds	Total Governmental Funds
ASSETS				
Cash and cash equivalents	\$ 7,940,407	\$ 2,662,655	\$ 2,605,561	\$ 13,208,623
Investments	13,944,431	8,003,131	14,658,083	36,605,645
Taxes receivable	2,832,822	-	-	2,832,822
Accounts receivable	2,472,973	-	134,088	2,607,061
Allowance for uncollectible accounts	(1,081,152)	-	-	(1,081,152)
Loans receivable	141,525	-	5,621,193	5,762,718
Allowance for uncollectible loans	-	-	(273,374)	(273,374)
Due from other governments	1,267,913	-	2,965,710	4,233,623
Due from other funds	1,406,103	-	-	1,406,103
Due from component unit	4,762	-	-	4,762
Inventories	1,022,952	-	67,579	1,090,531
Prepaid items	-	-	129,913	129,913
Advances to enterprise funds	600,000	-	-	600,000
Total assets	\$ 30,552,736	\$ 10,665,786	\$ 25,908,753	\$ 67,127,275
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 3,859,268	\$ 965,049	\$ 624,128	\$ 5,448,445
Other liabilities	7,114,281	4,733	692,896	7,811,910
Deferred revenue	2,467,372	-	11,688	2,479,060
Due to other governments	150,000	-	2,734	152,734
Due to other funds	-	-	1,406,103	1,406,103
Notes payable	-	-	150,000	150,000
Accrued self-insurance liabilities	3,640,500	-	-	3,640,500
Accrued vacation and sick pay	1,339,005	-	-	1,339,005
Total liabilities	18,570,426	969,782	2,887,549	22,427,757
Fund balances:				
Reserved for:				
Encumbrances	216,254	4,411,666	1,547,634	6,175,554
Loans receivable	141,525	-	5,267,819	5,409,344
Inventories	1,022,952	-	67,579	1,090,531
Debt service	-	-	128,306	128,306
Advances	600,000	-	-	600,000
Perpetual care	-	-	6,828,534	6,828,534
Endowments	-	-	3,266,506	3,266,506
Unreserved:				
Designated	4,501,350	-	-	4,501,350
Undesignated, reported in:				
General fund	5,500,229	-	-	5,500,229
Capital projects fund	-	5,284,338	-	5,284,338
Special revenue funds	-	-	3,155,344	3,155,344
Permanent fund	-	-	2,759,482	2,759,482
Total fund balances	11,982,310	9,696,004	23,021,204	44,699,518
Total liabilities and fund balances	\$ 30,552,736	\$ 10,665,786	\$ 25,908,753	

Amounts reported for governmental activities in the statement of net assets are different because:

Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.	283,121,823
Other long-term assets are not available to pay for current-period expenditures and, therefore, are deferred in the funds.	2,434,159
Long-term liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported in the funds.	(224,027,584)

Net assets of governmental activities \$ 106,227,916

The notes to the financial statements are an integral part of this statement.

CITY OF PORTLAND, MAINE

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
For the Year Ended June 30, 2001

	General	Debt Service	Capital Projects	Other Governmental Funds	Total Governmental Funds
Revenues					
General property and other taxes	\$ 98,755,943	\$ -	\$ -	\$ -	\$ 98,755,943
Licenses and permits	2,347,930	-	-	-	2,347,930
Fines, forfeits and penalties	888,647	-	-	-	888,647
Uses of money and property	5,590,877	-	1,250,026	(137,244)	6,703,659
Intergovernmental	31,332,101	-	-	17,507,954	48,840,055
Current services	18,272,873	-	-	2,925,650	21,198,523
Other	5,671,811	-	-	860,738	6,532,549
Total revenues	162,860,182	-	1,250,026	21,157,098	185,267,306
Expenditures					
Current:					
General government	12,125,190	-	-	4,820,479	16,945,669
Public safety	20,069,570	-	-	995,421	21,064,991
Public works	9,283,576	-	-	1,612,138	10,895,714
Health and social services	14,012,085	-	-	3,959,137	17,971,222
Parks and recreation	4,466,561	-	-	422,199	4,888,760
Public library	2,517,056	-	-	-	2,517,056
Education	69,097,019	-	-	9,221,729	78,318,748
Pension and employee insurance	13,436,288	-	-	-	13,436,288
Other	6,913,902	-	-	-	6,913,902
Debt service:					
Principal	-	10,441,296	-	-	10,441,296
Interest	-	5,445,079	-	-	5,445,079
Capital outlay	-	-	12,071,932	-	12,071,932
Total expenditures	151,921,247	15,886,375	12,071,932	21,031,103	200,910,657
Excess (deficiency) of revenues over (under) expenditures	10,938,935	(15,886,375)	(10,821,906)	125,995	(15,643,351)
Other financing sources (uses)					
Proceeds from sale of general obligation bonds	-	-	11,065,000	-	11,065,000
Transfers in	2,140,777	15,886,375	-	1,194,781	19,221,933
Transfers out	(16,497,674)	-	(1,250,026)	(1,063,928)	(18,811,628)
Total other financing sources (uses)	(14,356,897)	15,886,375	9,814,974	130,853	11,475,305
Net change in fund balances	(3,417,962)	-	(1,006,932)	256,848	(4,168,046)
Fund balances - beginning	15,400,272	-	10,702,936	22,764,356	48,867,564
Fund balances - ending	\$ 11,982,310	\$ -	\$ 9,696,004	\$ 23,021,204	\$ 44,699,518

Continued

The notes to the financial statements are an integral part of this statement.

CITY OF PORTLAND, MAINE

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
For the Year Ended June 30, 2001

Reconciliation of the change in fund balances - total governmental funds
to the change in net assets of governmental activities:

Net change in fund balances - total governmental funds, Exhibit 4 \$ (4,168,046)

Amounts reported for governmental activities in the statement of activities
are different because:

Governmental funds report capital outlays as expenditures. However,
in the statement of activities the cost of those assets is allocated over
their estimated useful lives and reported as depreciation expense.

Capital outlays	\$ 12,105,996	
Depreciation expense	<u>(9,186,872)</u>	2,919,124

Revenues in the statement of activities that do not provide current financial
resources are not reported as revenues in the funds.

383,615

The issuance of long-term debt (e.g., bonds, leases) provides current financial
resources to governmental funds, while the repayment of the principal of
long-term debt consumes the current financial resources of governmental
funds. Neither transaction, however, has any effect on net assets.

Debt issued	\$ (11,065,000)	
Principal repaid	<u>10,441,296</u>	(623,704)

Some expenses reported in the statement of activities do not require the use
of current financial resources and, therefore, are not reported as expenditures
in governmental funds.

Employee pension expense	\$ (3,014,849)	
Interest expense	(26,721)	
Education expense	(321,742)	
Miscellaneous expenses	<u>(605,248)</u>	(3,968,560)

Change in net assets of governmental activities, Exhibit 2 \$ (5,457,571)

The notes to the financial statements are an integral part of this statement.

CITY OF PORTLAND, MAINE

GENERAL FUND

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES -
BUDGET AND ACTUAL (BUDGET BASIS)

For the Year Ended June 30, 2001

	Budgeted Amounts		Actual Amounts	Variance with
	Original	Final	(Budget Basis)	Final Budget - Positive (Negative)
Revenues				
General property and other taxes	\$ 98,083,973	\$ 98,083,973	\$ 98,755,943	\$ 671,970
Licenses and permits	2,431,097	2,431,097	2,526,795	95,698
Fines, forfeits and penalties	766,300	766,300	888,647	122,347
Uses of money and property	5,131,632	5,131,632	5,455,376	323,744
Intergovernmental	7,820,420	7,820,420	8,052,901	232,481
Current services	17,548,988	17,548,988	15,824,823	(1,724,165)
School	19,947,405	19,947,405	20,370,470	423,065
Other	5,788,308	5,788,308	5,575,426	(212,882)
Interdepartmental charges	15,263,306	15,263,306	15,469,994	206,688
Fund balance appropriation:				
City	3,150,000	3,150,000	3,150,000	-
School	1,735,000	1,735,000	1,735,000	-
Total revenues	177,666,429	177,666,429	177,805,375	138,946
Expenditures				
General government	13,866,298	13,572,745	14,089,044	(516,299)
Public safety	20,502,948	20,796,501	21,530,745	(734,244)
Public works	10,988,440	10,988,440	10,596,083	392,357
Health and social services	15,943,813	15,943,813	14,279,823	1,663,990
Parks and recreation	5,389,471	5,389,471	4,710,318	679,153
Public library	2,458,260	2,458,260	2,458,260	-
Education	69,248,810	69,248,810	68,844,938	403,872
Pension and employee insurance	14,722,461	14,722,461	16,019,201	(1,296,740)
Other	6,792,853	6,792,853	6,913,902	(121,049)
Debt service	18,975,272	18,975,272	18,663,470	311,802
Total expenditures and encumbrances	178,888,626	178,888,626	178,105,784	782,842
Excess (deficiency) of revenues over (under) expenditures and encumbrances	(1,222,197)	(1,222,197)	(300,409)	921,788
Other financing sources (uses)				
Net transfers from other funds	1,222,197	1,222,197	1,437,932	215,735
Total other sources	1,222,197	1,222,197	1,437,932	215,735
Excess of revenues and other sources over expenditures and encumbrances	\$ -	\$ -	\$ 1,137,523	\$ 1,137,523

The notes to the financial statements are an integral part of this statement.

CITY OF PORTLAND, MAINE
STATEMENT OF NET ASSETS
PROPRIETARY FUNDS
Business-type Activities - Enterprise Funds

June 30, 2001

	Jetport	Sewer	International Ferry Terminal	Fish Pier	Dry Dock and Ship Repair Facility	Parking Garage	Golf Courses	Ice Arena Facility	Totals Current Year
ASSETS									
Current assets:									
Cash and cash equivalents	\$ 3,647,681	\$ 3,208,803	\$ 38,114	\$ 101,977	\$ 9,314	\$ 124,908	\$ 68,988	\$ 19,051	\$ 7,218,836
Investments	6,150,358	6,614,687	100,645	285,509	15,877	211,080	60,038	55,623	13,493,817
Accounts receivable	1,802,377	911,609	120,682	28,838	-	51,704	-	17,903	2,933,113
Allowance for uncollectible accounts	-	(69,559)	-	-	-	-	-	(2,552)	(72,111)
Net investment in direct financing leases	-	-	-	-	-	86,368	-	-	86,368
Due from other governments	16,798	-	-	-	-	-	-	-	16,798
Inventories	78,258	25,463	-	-	-	-	46,437	-	150,158
Total current assets	11,695,472	10,691,003	259,441	416,324	25,191	474,060	175,463	90,025	23,826,979
Noncurrent assets:									
Net investment in direct financing leases	-	-	-	-	4,893,000	1,032,657	-	-	5,925,657
Other assets	2,954	263,254	45,783	9,586	-	-	-	1,079	322,656
Capital assets:									
Land	7,151,715	5,408	883,840	4,263,569	-	-	51,195	23,180	12,378,907
Land improvements	34,310,873	44,322,588	345,336	916,062	-	-	1,176,545	8,605	81,080,009
Buildings and improvements	30,323,481	809,531	12,006,226	11,328,350	-	895,226	907,871	1,747,341	58,018,026
Machinery and equipment	7,319,754	3,314,357	245,704	138,795	-	-	411,841	78,659	11,509,110
Construction in progress	3,742,989	4,055,618	9,680	-	-	-	-	1,949	7,810,236
Less accumulated depreciation	(43,270,996)	(12,140,104)	(6,363,607)	(8,163,897)	-	(301,369)	(1,466,752)	(1,139,570)	(72,846,295)
Total capital assets (net of accumulated depreciation)	39,577,816	40,367,398	7,127,179	8,482,879	-	593,857	1,080,700	720,164	97,949,993
Total noncurrent assets	39,580,770	40,630,652	7,172,962	8,492,465	4,893,000	1,626,514	1,080,700	721,243	104,198,306
Total assets	51,276,242	51,321,655	7,432,403	8,908,789	4,918,191	2,100,574	1,256,163	811,268	128,025,285

	Jetport	Sewer	International Ferry Terminal	Fish Pier	Dry Dock and Ship Repair Facility	Parking Garage	Golf Courses	Ice Arena Facility	Totals Current Year
LIABILITIES									
Current liabilities:									
Notes payable, line-of-credit	2,237,413	-	-	-	-	-	-	-	2,237,413
Accounts payable	326,128	537,292	23,873	11,358	-	-	37,096	48,901	984,648
Other liabilities and accrued expenses	358,911	831,221	27,539	12,714	176,971	1,733	49,677	18,974	1,477,740
General obligation bonds, current	169,435	1,611,831	121,558	116,895	683,250	37,735	57,355	83,630	2,881,689
Accrued self-insurance liabilities, current	807	116,000	-	-	-	-	-	-	116,807
Total current liabilities	3,092,694	3,096,344	172,970	140,967	860,221	39,468	144,128	151,505	7,698,297
Noncurrent liabilities:									
General obligation bonds	1,362,769	20,738,023	1,008,424	694,489	683,250	372,723	535,689	239,701	25,635,068
Accrued self-insurance liabilities	27,865	-	-	-	-	-	500	-	28,365
Advances from other funds	-	-	-	-	600,000	-	-	-	600,000
Total noncurrent liabilities	1,390,634	20,738,023	1,008,424	694,489	1,283,250	372,723	536,189	239,701	26,263,433
Total liabilities	4,483,328	23,834,367	1,181,394	835,456	2,143,471	412,191	680,317	391,206	33,961,730
NET ASSETS									
Invested in capital assets, net of related debt	35,808,199	24,648,113	6,112,517	8,032,086	-	184,353	569,422	436,058	75,790,748
Restricted for -									
Operating maintenance	1,504,931	-	-	-	-	-	-	-	1,504,931
Renewal and replacement	1,035,696	-	-	-	-	-	-	-	1,035,696
Debt service	1,000,398	-	-	-	-	-	-	-	1,000,398
Unrestricted (deficit)	7,443,690	2,839,175	138,492	41,247	2,774,720	1,504,030	6,424	(15,996)	14,731,782
Total net assets	\$ 46,792,914	\$ 27,487,288	\$ 6,251,009	\$ 8,073,333	\$ 2,774,720	\$ 1,688,383	\$ 575,846	\$ 420,062	\$ 94,063,555

The notes to the financial statements are an integral part of this statement.

CITY OF PORTLAND, MAINE

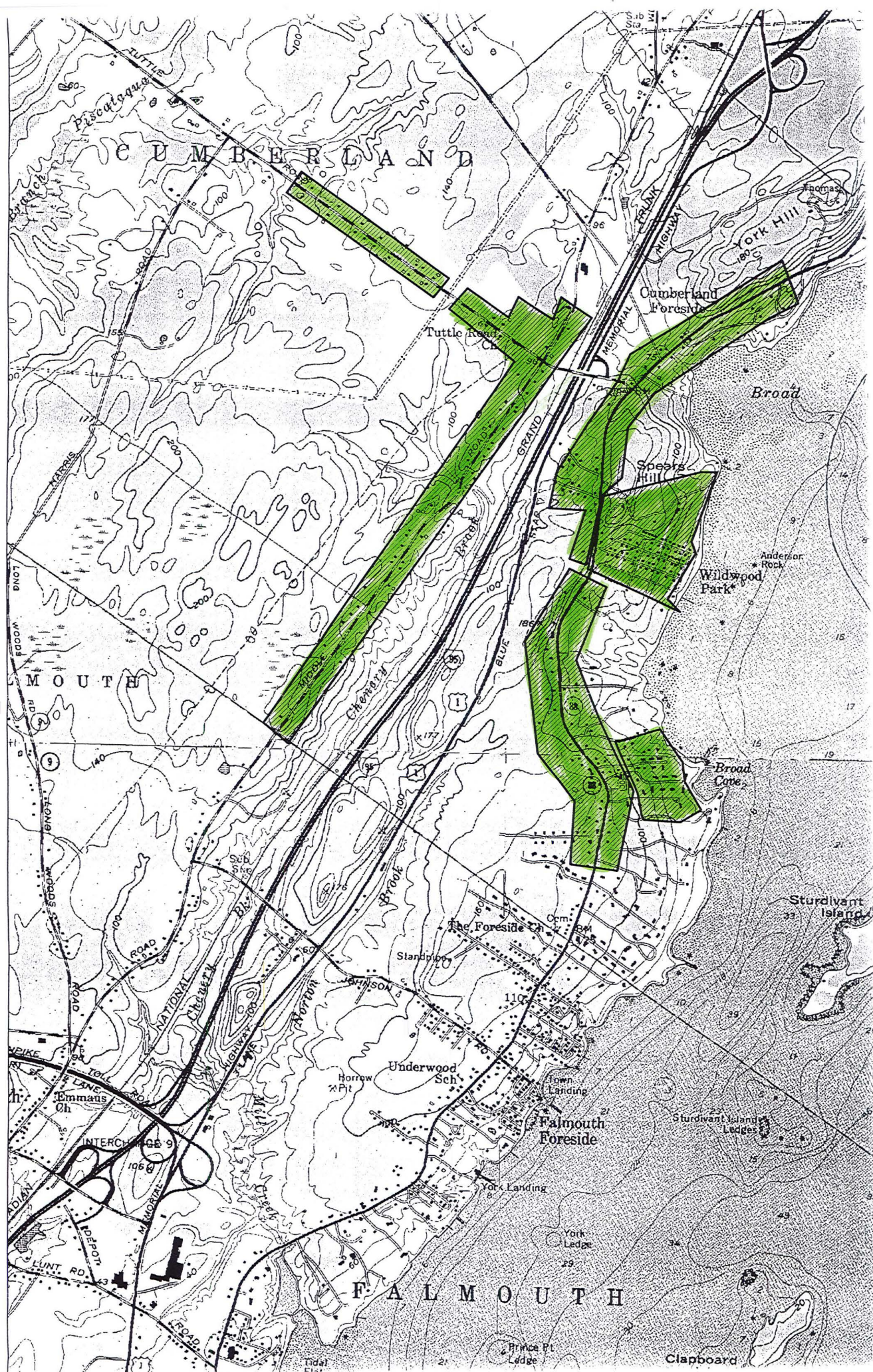
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET ASSETS
PROPRIETARY FUNDS

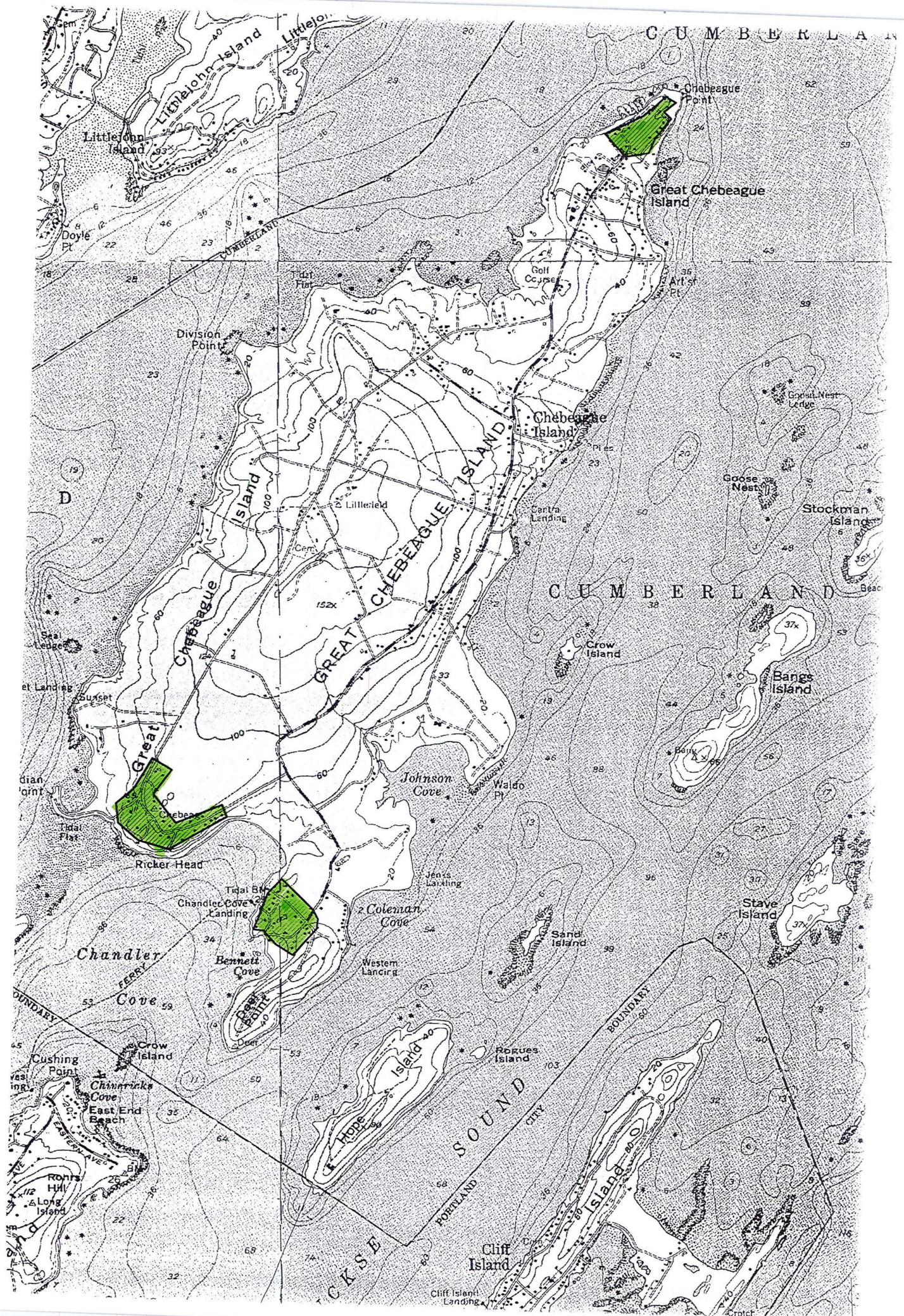
Business-type Activities - Enterprise Funds

For the Year Ended June 30, 2001

	Jetport	Sewer	International Ferry Terminal	Fish Pier	Dry Dock and Ship Repair Facility	Parking Garage	Golf Courses	Ice Arena Facility	Totals Current Year
Operating revenues:									
Charges for services	\$ 10,218,972	\$ 12,521,366	\$ 665,609	\$ 449,758	\$ 1,300,132	\$ 164,223	\$ 830,637	\$ 397,466	\$ 26,548,163
Operating expenses:									
Personal services	2,264,412	2,290,686	43,011	-	-	-	554,076	216,854	5,369,039
Contractual services	2,593,409	465,310	16,658	103,487	-	-	57,307	3,652	3,239,823
Portland Water District services	-	7,077,492	-	-	-	-	-	-	7,077,492
Supplies and materials	377,419	144,437	15,583	-	-	-	83,188	21,091	641,718
Rentals	258,838	11,440	22,157	3,686	-	-	33,922	654	330,697
Utilities	479,122	63,924	83,846	21,038	-	-	45,253	116,866	810,049
Maintenance	471,097	238,646	18,229	14,573	-	-	39,222	18,417	800,184
Depreciation and amortization	3,589,165	822,551	454,758	495,301	-	92,732	116,545	52,307	5,623,359
Other	544,369	513,207	52,518	19,532	-	28,777	6,596	21,942	1,186,941
Total operating expenses	10,577,831	11,627,693	706,760	657,617	-	121,509	936,109	451,783	25,079,302
Operating income (loss)	(358,859)	893,673	(41,151)	(207,859)	1,300,132	42,714	(105,472)	(54,317)	1,468,861
Nonoperating revenues (expenses):									
Interest and other revenue	740,799	175,695	-	-	-	-	-	-	916,494
Interest expense	(347,210)	(1,001,698)	(67,540)	(41,533)	(136,650)	(22,422)	(37,358)	(28,169)	(1,682,580)
Total nonoperating revenues (expenses)	393,589	(826,003)	(67,540)	(41,533)	(136,650)	(22,422)	(37,358)	(28,169)	(766,086)
Income (loss) before contributions and transfers	34,730	67,670	(108,691)	(249,392)	1,163,482	20,292	(142,830)	(82,486)	702,775
Capital contributions	2,712,060	-	8,200	12,500	-	-	-	-	2,732,760
Transfers in	-	384,397	8,996	26,760	-	37	35,858	113,055	569,103
Transfers out	-	-	(259,557)	(406,000)	(264,000)	(49,851)	-	-	(979,408)
Change in net assets	2,746,790	452,067	(351,052)	(616,132)	899,482	(29,522)	(106,972)	30,569	3,025,230
Total net assets - beginning	44,046,124	27,035,221	6,602,061	8,689,465	1,875,238	1,717,905	682,818	389,493	91,038,325
Total net assets - ending	\$ 46,792,914	\$ 27,487,288	\$ 6,251,009	\$ 8,073,333	\$ 2,774,720	\$ 1,688,383	\$ 575,846	\$ 420,062	\$ 94,063,555

The notes to the financial statements are an integral part of this statement.







M E M O R A N D U M

P L A N N I N G D E P A R T M E N T
T O W N O F C U M B E R L A N D , M A I N E

Date: 11 March 2002
To: Bob Benson, Town Manager
Cc: Cumberland Town Council
From: Andy Fillmore, Town Planner
Subject: Rockwood Senior Housing Project - Summary

Dear Bob,

On 19 March 2002 the Planning Board granted Final Major Subdivision Approval to Jim Guidi for his "Rockwood Senior Housing Project" in the Cumberland Business Park.

Mr. Guidi has a number of "Conditions of Approval" to fulfill before construction can begin. They include: approval by the DEP, approval by the Portland Water District, attendance at a "Pre-Construction Conference" with the Town and its peer reviewers, the submission to the Town of a final site plan signed by the Planning Board and recorded at the Registry of Deeds, the submission of a Letter of Credit to cover all public improvements associated with the project, and the initiation of an escrow account to cover the cost of construction inspection by the Town and the various regional agencies. No site work can commence until all of these conditions are met.

The following is a brief description of the project:

- 66 units of condominium housing for persons 55 years of age or older.
- At present all units will be sold at the market rate, which is expected to be in the \$225,000 range. (No "low income" units are contemplated.)
- A network of pedestrian trails will be provided, as well as sidewalks along the new roadways.
- A "common area" is reserved for a future public amenity to be constructed at the condominium association's expense, such as a clubhouse or gazebo.
- The project will utilize Town water and sewer.

It is also of interest that Mr. Guidi is currently discussing the construction of a Residential Care Facility on lots 9 and 10 of Cumberland Business Park. There exists

the possibility of a very interesting and beneficial synergy between Rockwood, a care facility, and the existing day care on lot 6.

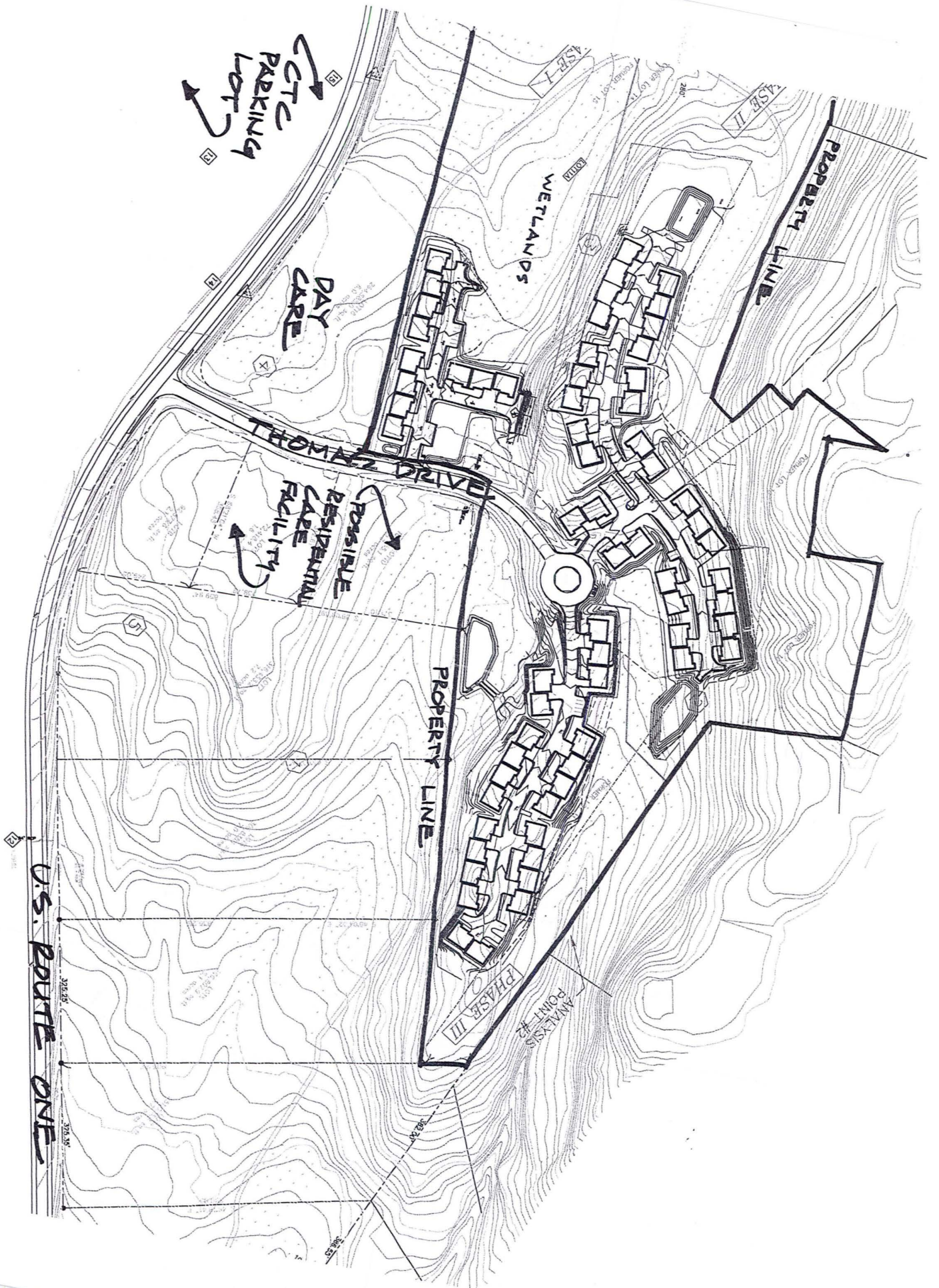
Attached is a site plan of the approved scheme, as well as an article on Rockwood which appeared in the 7 March 2002 Forecaster.

Please let me know if I can be of any further assistance.

Best regards,

A handwritten signature in dark ink that reads "P.A. Fillmore" followed by a long, sweeping horizontal stroke.

Andy Fillmore, AICP -
Cumberland Town Planner



Senior housing facility approved, finally

By Joe Appel

CUMBERLAND — Jim Guidi has waited a long time for this. After almost two years of haggling with the town council and planning board over details of a proposed senior housing facility on Guidi's property, the planning board unanimously approved the revised plan at its meeting Feb. 19.

The proposed development, Rockwood Senior Housing, will be situated on 35 acres in the northern office commercial district of town, along Route 1. The property abuts the Yarmouth line and Cole Haan to the north, and Powell Road to the south, and sits behind Toddle Inn. Access will be off Thomas Drive.

Guidi said he expects groundbreaking to begin soon, with occupancy of some of the attached condominiums in mid- to late summer. Sixty-six homes, most of them 1,700-square-foot, single-story units with two bedrooms and two bathrooms, are planned.

"There seems to be a pent-up demand out there," Guidi told The Forecaster,

"and we do have several good prospects already." He added that he expected asking prices "in the low \$200s," but said that with upgrades such as adding an optional second floor, the cost for a new Rockwood home could "easily get into the high range" of the \$200,000-\$300,000 spectrum.

Residency will be restricted to those 55 and older, with some leeway for temporary caregivers. The age restriction halves the minimum lot size in the zone from 20,000 to 10,000 square feet.

Guidi bought the property in 1999, and his first official application was for a community of rental units. But he said projected costs would have put rents "in the \$1,400 range," and so he changed plans.

Town Planner Andy Fillmore said the project's initial design, submitted in late 2000, "had significant problems," including those of road layout, home footprints and measures taken to address road grades.

"The planning board sent Jim back to

do his homework," Fillmore said. Guidi returned with plans for staggered home footprints, curving roadways, improvements to walking paths, bus shelters and a common area, among other changes.

Guidi said there are no current plans for bus service, but perhaps in the future a private bus service would incorporate the Rockwood development into one of its routes.

The project still awaits approval from

the state Department of Environmental Protection and the Cumberland County Soil and Water Conservation District, which will be looking at the storm water management plan designed by the project's engineer, Scott Decker of SYTDesign. The Portland Water District will examine water and sewer engineering. Neither Guidi nor Fillmore said they expected serious problems with environmental issues.

MEMORANDUM

TO: ALL COUNCILORS

FROM: ROBERT BENSON, TOWN MANAGER

DATE: MARCH 8, 2002

RE: REGIONAL DISCUSSIONS WITH FALMOUTH, YARMOUTH, FREEPORT

Chairman Moriarty has invited the above towns to come to Cumberland on March 28 from 6-8 p.m. for a follow-up meeting to discuss ways in which our towns can provide services on a more regional basis. This meeting is for the Chair and Vice Chair and the managers. If you would like to provide ideas for consideration at this meeting, please contact me. We expect to have a future meeting that would include all councilors.

TOWN OF CUMBERLAND
Planning Board Meeting

Tuesday, March 19, 2002
Council Chambers of the Town Offices
290 Tuttle Road, Cumberland Center
7 PM

- A. **Call To Order**
- B. **Roll Call**
- C. **Minutes of Prior Meetings** – December 18, 2001, February 19, 2002
- D. **Consent Calendar**

Advisory recommendation – required by Section 410 of the Zoning Ordinance
“Extraction of Earth Materials” for an annually renewable special permit from the Zoning
Board of Appeals; Tax Assessor Map R07, Lot 48, Town of Cumberland, applicant.

E. **Hearings and Presentations**

- 1. **Public Hearing** - Minor Site Plan, to construct a 40' x 60' addition for
commercial uses at 7 Corey Road, Tax Assessor Map U07, Lot 3C, William Ward,
owner.
- 2. **Public Hearing** - Minor Site Plan Amendment for an addition containing six
bedrooms at Ledgeview Estates Senior facility located at 92 U.S. Route One; Tax
Assessor Map R01, Lot 13A, Fred Jensen owner, Bob Farthing applicant.
- 3. **Application Completeness** – Major 3-lot Subdivision, Longwoods Meadows; at
45 Longwoods Road, Tax Assessor Map R03, Lot 15, 22 acres, RR1m Zone, Richard
Meoli, owner, Michael Creamer, Preferred Homebuilders, applicant.
- 4. **Public Hearing** – Route One Design Guidelines – to review and adopt the
proposed advisory guidelines for Route One.

F. **Adjournment**

Town of Cumberland

Public Works Department

11 March 2002

To: Robert B. Benson, Town Manager

From: Adam J. Ogden, Director of Public Works

PROJECT UPDATE: Chebeague Island Oil Tank Replacement

1. Project Overview

The Project consists of replacing as many at-risk home heating oil tanks under a grant provided by the MDEP.

2. Budget/ Cost Responsibility

The Budget for the project is \$50,000 with an administrative fee of \$4,000. MDEP will pay up to 100% of the Budget, or \$50,000 towards the tank replacement program. The Public Works department will participate by providing labor and equipment, which are chargeable to the budget, but the PWD does not anticipate charging our costs to the budget so that as many tanks as possible can be replaced as provided in the MDEP Contract.

3. General Roles in Project Development

The Town (Public Works) shall take the lead during the design, procurement, and construction phases of the Project. Volunteer help has been provided by several residents of the Island, namely Beth Howe and Carol White. The survey of the tanks is complete with the exception of a few tanks that will require the assistance of the MDEP Remediation Division. The Town has a list and priority of tanks to be removed and new tanks to be installed. There are 60 drums/tanks that need to be removed and disposed of by the PWD. There are 37 drums/tanks that need to be replaced. And there are 13 tanks on the waiting list.

4. Duration of Current Agreement

Unless terminated or extended later in writing the provisions of the MDEP Agreement shall expire on June 30th 2002.

5. Original Schedule

The Schedule for design and bid documents was originally planned to have a contract for construction awarded during the Fall of 2001. There are very few contractors willing to work on the Island. We have negotiated and awarded the contract to Kelley Mechanical of Westbrook, Maine. They have assigned a project manager, Mr. Robert Hannigan, to assist the Town in the tank replacement program. We anticipate an immediate start up of the program this month. The Town and the MDEP will meet every two weeks to review the progress and ensure that the work progresses in a timely fashion. The Town will be as flexible as it requires to get the most tanks replaced within the limited monies available. We will work with Kelley Mechanical on all aspects from bargaining, travel to the island, on island transportation and any other required logistical and operational support you would need to accomplish the project.

				Page 10		Page 9		Page 8		Page 7		Page 6		Page 5	
Item	Description	Unit	Unit Cost	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
201.11	Clearing	Acre	\$ 3,500.00		\$0	0.4	\$1,400	0.2	\$700	1.5	\$5,250	0.5	\$1,750	1.4	\$4,900
202.191	Pipe Removal	l.f.	\$ 5.00		\$0		\$0		\$0		\$0		\$0		\$0
202.203	Pavement Butt Joint (Grinding)	l.f.	\$ 1.00	300	\$300	120	\$120	80	\$80	170	\$170	70	\$70	160	\$160
203.200	Common Excavation	c.y.	\$ 7.87	625	\$4,919	752	\$5,918	1505	\$11,844	1180	\$9,287	1330	\$10,467	889	\$6,996
203.210	Rock Excavation	c.y.	\$ 50.00	30	\$1,500	40	\$2,000	150	\$7,500	100	\$5,000	130	\$6,500	45	\$2,250
304.100	Agg Subb Course-gravel	c.y.	\$ 13.00	625	\$8,125	752	\$9,776	765	\$9,945	698	\$9,074	777	\$10,101	889	\$11,557
403.207	Superpave Hot Mix Asphalt 19.0 mm	Ton	\$ 29.02	463	\$13,436	556	\$16,135	556	\$16,135	556	\$16,135	556	\$16,135	556	\$16,135
403.208	Superpave Hot Mix Asphalt 12.5 mm	Ton	\$ 29.02	463	\$13,436	556	\$16,135	556	\$16,135	556	\$16,135	556	\$16,135	556	\$16,135
	Superpave Handwork	Ton	\$ 80.00	15	\$1,200	15	\$1,200	15	\$1,200	15	\$1,200	15	\$1,200	15	\$1,200
419.200	Saw Cut Pvt.	l.f.	\$ 2.50	300	\$750	120	\$300	80	\$200	170	\$425	70	\$175	160	\$400
603.179	18" Pipe Option III (Storm Drain)	l.f.	\$ 45.00	120	\$5,400	80	\$3,600	120	\$5,400	20	\$900	80	\$3,600	0	\$0
604.072	Catch Basin	each	\$ 1,800.00	7	\$12,600	8	\$14,400	11	\$19,800	2	\$3,600	2	\$3,600	0	\$0
605.090	Type B Underdrain	l.f.	\$ 19.00	944	\$17,936	1,692	\$32,148	1,620	\$30,780	740	\$14,060	480	\$9,120	0	\$0
605.130	Type C Underdrain	l.f.	\$ 33.00	368	\$12,144	224	\$7,392	290	\$9,570	0	\$0	280	\$9,240	0	\$0
606.000	Guard Rail	l.f.	\$ 15.00	310	\$4,650	0	\$0	590	\$8,850	192	\$2,880	200	\$3,000	0	\$0
	MELT Terminal Ends	each	\$ 1,300.00	4	\$5,200	0	\$0	4	\$5,200	2	\$2,600	2	\$2,600		
609.310	Curb Type 3	l.f.	\$ 4.50	2,200	\$9,900	2000	\$9,000	2350	\$10,575	1075	\$4,838	1450	\$6,525	0	\$0
615.070	Loam	c.y.	\$ 20.00	231	\$4,620	280	\$5,600	280	\$5,600	280	\$5,600	280	\$5,600	280	\$5,600
618.140	Seeding Method Number 2	unit	\$ 32.00	5	\$160	5	\$160	5	\$160	5	\$160	5	\$160	5	\$160
627.619	Lane Markings and Stop Bars	s.f.	\$ 1.90	25	\$48		\$0		\$0		\$0		\$0	25	\$48
627.710	4" Solid White Line	l.f.	\$ 0.29	2,500	\$725	3000	\$870	3000	\$870	3000	\$870	3000	\$870	3000	\$870
627.731	4" Double Yellow Line	l.f.	\$ 0.42	1,250	\$525	1500	\$630	1500	\$630	1500	\$630	1500	\$630	1500	\$630
652.000	Traffic Control	Lump sum	Lump sum												
656.632	30" Temp. Silt Fence	l.f.	\$ 2.50		\$0		\$0		\$0		\$0		\$0		\$0
656.660	Stone Check Dams	each	\$ 50.00	1	\$50	11	\$550	11	\$550	24	\$1,200	18	\$900	26	\$1,300
	Relocate Sign	each	\$ 100.00		\$0		\$0		\$0		\$0		\$0		\$0
	reclaim	sy	\$ 0.67	3,055	\$2,047	3666	\$2,456	3666	\$2,456	3666	\$2,456	3666	\$2,456	3666	\$2,456
	CaCl Application	sy	\$ 0.89	3,165	\$2,817	3666	\$3,263	3666	\$3,263	3666	\$3,263	3666	\$3,263	3666	\$3,263
								</							

**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

Tuesday

February 26, 2002

7:00 PM

Cumberland Town Hall

Council Chambers

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

2. Approval of Minutes

3. Superintendent's Report

4. Presentations

a) Superintendent's proposed 2002-2003 Budget

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

h) Technology Task Force

i) Math Committee: Update

6. Items for Action

a) Executive Session – Custodial Negotiations

7. Communications

8. 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

- 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 by 2003, including progress toward the certification that all students meet the State's Learning Results; and
 - Effectively communicating the results of our District's work.
- Execute the Resolution on Facilities Planning by ensuring the timely completion of the Charges made to the Building Committees to construct a new middle school and renovate Greely Junior High School into high school space, and support measures to relieve constraints due to conditions created by our current facilities.
- Promote sound resource management through:
 - Measuring progress towards structuring the school day and year to maximize student achievement;
 - Budgeting three-year resource needs;
 - 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	781-2334	bjgorsky@hotmail.com
Audrey Lones	829-4171	audrey@alum.mit.edu
Henry Kennedy	829-6979	hrk@kieve.org
Kim True, Chair	829-3209	ktrue1@maine.rr.com
Bob Vail	829-5393	

Upcoming Meetings/Events

2/22/02 - Washington's Birthday
2/26/02 – Budget Overview to Board of Directors, 7:00 PM, Cumberland Town Hall Council Chambers
2/27/02 – Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
3/5/02 – GJHS, Athletics, Special Ed./Instructional Support budget presentations to BOD, MIW, 7:00 PM
3/6/02 – GHS, Athletics, District Wide, Transportation, Maintenance, Food Service budget presentations to the BOD, MIW, 7:00 PM
3/6/02 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
3/7/02 – Kindergarten Screening, Overview, MIW, 6:30 PM
3/8/02 – GJHS/GHS Mid-quarter reports
3/13/02 - Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
3/14/02 – GHS Pop Concert
3/16/02 – Sadie Hawkins Dance, 8 – 11:00 PM, GHS
3/18/02 – Public Hearing on 2002-2003 Budget, Cumberland Town Hall Council Chambers, 7:00 PM
3/18/02 – First Practice High School Pitchers/Catchers
3/19/02 – Blood Drive, GHS, 7:30 AM – 1:15 PM
3/20/02 – Full day of school
3/20/02 – GHS & French & Spanish Honor Societies Induction Ceremony, 7:00 PM
3/21/02 – Multiage Program Overview, MIW, 6:30 PM
3/21/02 – Gr. 4 Pioneer Nigh
3/21/02 - GHS Drama Production, "While the Lights Were Out", 7:30 PM
3/22/02 – No school, Teacher In-Service Day
3/22/02 - GHS Drama Production, "While the Lights Were Out"
3/23/02 - GHS Drama Production, "While the Lights Were Out"
3/25/02 – Board of Directors Adopts Budget, MIW, 7:00 PM
3/25/02 – First Practice High School Spring Athletics
3/26/02 – GJHS Parent Information Night for 6th Grade Parents, 7:00 PM
3/27/02 – Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
3/28/02 – Passover
3/29/02 – Good Friday
3/31/02 - Easter

Next Meeting:

Monday, March 4, 2002 – North Yarmouth Memorial School
MIW, NYMS, Chebeague Budget presentations to Board

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

P. O. Box 6A

Cumberland Center, ME 04021

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

Board of Directors

Minutes

Monday

February 4, 2002

7:00 PM

**Cumberland Town Hall
Council Chambers**

1. Call To Order - by MSAD #51 Board of Directors Chairperson, Kim True 7:05 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, Scott Poulin

2. Approval of the Minutes – of the Board of Directors meetings held on January 28, 2002.

Motioned 2nd ed

Voted: To approve the minutes of the Board of Directors meeting held on January 28, 2002.

(Voted: 7-0, 1 absent)

3. Superintendent's Report

4. Presentations

5. Committee Report

- a) Finance Committee
- b) Negotiation Committee
- c) Design Team
- d) Steering Committee –Presentation: Master Plan and Middle School Project
- e) Policy Committee
- f) Performance Indicators
- g) Time Task Force
- h) Technology Task Force: Presentation from the Technology Task Force

6. Items for Action

- a) Vote to enter into executive session - Negotiations



Motioned 2nd ed.

Voted: Vote to enter into Executive Session at 7:47 PM. (Voted: 8-0)

Motioned 2nd ed

Voted: Vote to come out of Executive Session at 7:59 PM. (Voted: 8-0)

b) Vote to ratify contract between MSAD #51 Education Association and the Board of Directors

Motioned 2nd ed.

Voted: to ratify contract between MSAD #51 Education Association and the Board of Directors.
(Voted: 8-0)

7. Communications

8. Adjourn Meeting 7:59 PM

Upcoming Meetings/Events

1/31/02 – NYMS/DRS Winter Chorus Concert

Feb 1 through Feb. 2 – GHS District II Chorus Festival

2/6/02 – Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM

Feb. 4 through Feb. 8 – Kindergarten Registration Week at Mabel I. Wilson School, 7:30 – 4:00 PM daily
in the Main Office

2/6/02 – First Practice Jr. High Track and Swimming (Tentative)

2/12/02 – Lincoln's Birthday

2/12/02 – Steering Committee, MIW Library, 7:00 PM

2/13/02 – Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM

2/13/02 – Design Team, GHS Library, 3:15 PM

2/14/02 – Valentine's Day

2/15/02 – Performance Indicators Retreat, No. Yarmouth Town Office, 9:30 AM – 3:30 PM

2/18/02 – Presidents' Day

Feb. 18 through Feb. 22 – No School, Mid-Winter Break

2/22/02 - Washington's Birthday

2/26/02 – Budget Overview to Board of Directors, 7:00 PM, Cumberland Town Hall Council Chambers

2/27/02 – Early Release, Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM

Next Meeting:

Tuesday, February 26, 2002 – Cumberland Town Hall Council Chambers, 7:00 PM

Budget Overview to the Board of Directors



Denise C. Albert, CPRP, Director
Parks & Recreation



CITY OF PORTLAND

Joseph E. Gray, Jr.
City Manager



February 25, 2002

Mr. Robert Benson
Town of Cumberland
PO Box 128
Cumberland Center ME 04021-0128

Dear Mr. Benson:

The City of Portland has a long-standing tradition of celebrating this Nation's birthday, July 4th, with a spectacular fireworks display. Our cost for this is \$25,000 and provides the Greater Portland community with an excellent 30-minute display. For many years, this beautiful display has been made possible with the contributions of people and businesses like you. We thank our very many sponsors who have made our daylong activities and fireworks display a spectacular and special event enjoyed by thousands of people. In order to continue this festive tradition we need your support.

Each year the 4th of July Fireworks and Festival Celebration at the Eastern Promenade attracts thousands of spectators. Many view the fireworks from other Portland locations, Falmouth, South Portland, the Islands of Casco Bay, and from the hundreds of boats that are in the harbor. This year's fireworks will be complemented by musical entertainment (starting at 6:00 PM), and food and refreshments for everyone. This is truly one of the best celebrations that Portland offers.

In order to continue this American Celebration, we need support from the business community. Our goal is to raise the entire \$25,000 needed for this display from the Greater Portland business community. The benefits for participating in the events are:

- ❖ Association with a festive and patriotic celebration in the Greater Portland area.
- ❖ Businesses donating \$1,000 (or more) are recognized on a banner suspended over Congress Street, June 28th – July 5th, and also may display their own company banner at the festival main stage.
- ❖ Major contributions (\$500 or more) are recognized on a banner at the festival main stage.
- ❖ Sponsors of \$100 or more are credited on all July 4th publicity.
- ❖ All donors will be listed on the City's web page: www.portland.ci.me.us/rec./htm
- ❖ Your contribution to the 4th of July activities is tax deductible.

In order to sustain this celebration we need your assistance. I appreciate the consideration you are giving this request. If you have questions regarding the 4th of July activities, please call Carol McClure or Ted Musgrave at 874-8793.

Sincerely,

Denise C. Albert, CPRP

NOTE: Make checks payable to: City of Portland, and mail to: Portland Parks & Recreation, ATT: Keith Hansen, 17 Arbor Street, Portland, Maine 04103. Please list a contact name and number with your donation. We will contact you soon to discuss sponsorship recognition.

Enjoy Portland for Life.

17 Arbor Street • Portland, Maine 04103 • (207) 874-8793 • FAX 756-8390



Transportation
Communications
Facilities/Development

March 1, 2002

Mr. Robert B. Benson
Town Manager
Town of Cumberland
Cumberland, ME 04021

Subject: **Introduction**

Dear Mr. Benson:

First, thank you for taking the time to read this letter. Your time is valuable so our intent is to briefly introduce you and the Town of Cumberland to the range of engineering services offered by Edwards and Kelcey.

As you know, there are occasions when every town needs professional help evaluating traffic impacts, designing roadways and utility improvements. The ever increasing demand for services call for design firms that provide cost effective, practical solutions within reasonable time lines.

The professionals at Edwards and Kelcey stand ready to provide assistance to the Town of Cumberland, with years of experience finding sensible solutions to challenging capital improvement projects. With over 1,000 engineers nationwide and 250 in New England alone, our firm has the ability to address many of the needs of your municipality. We do this by offering services that are not only affordable, but combine the accumulated knowledge of hundreds of engineers and 55 years of successful business practice.

We at Edwards and Kelcey would appreciate the opportunity to speak with you about your town's upcoming projects and discuss how our firm can provide the solutions that you may be looking for. We would be pleased to review our qualifications with you directly at your convenience and provide further details of Edwards and Kelcey's heritage of excellence in engineering.

Very truly yours

Edwards and Kelcey

Stephen E. McNally P.E.
Office Manager

Enc. Kittery, Maine office location

74 State Road, Suite 202
Kittery, Maine 03904

Voice 207.439.9449
Fax 207.439.4664
www.ekcorp.com

Bob
The Council Members
Each r'cvd a copy
of this.

- Lisa

Edwards and Kelcey's Kittery, Maine Office



MAJOR SERVICES

BRIDGE ENGINEERING
ROADWAY ENGINEERING
TRAFFIC ENGINEERING
SUBDIVISION REVIEW
MULTI-USE & RAILS-TO-TRAILS PATHWAYS
CONSTRUCTION ENGINEERING
GRAPHICAL INFORMATION SYSTEMS (GIS)
TECHNOLOGY
RESTORATION OF HISTORIC BUILDINGS
BUILDING ENVELOPE SYSTEMS TECHNOLOGY
ROOFING / WATERPROOFING TECHNOLOGY
BUILDING MEP SERVICES
TELECOMMUNICATIONS

REPRESENTATIVE CLIENT LIST

Maine Department of Transportation
Maine Turnpike Authority
NH Department of Transportation
Town of Newington, NH
City of Lewiston, ME

Professional Experience, Corporate Resources And Personal Service

Edwards and Kelcey is committed to providing quality professional engineering services to clients in Maine and throughout New England. Our growing Kittery office includes engineering professionals with substantial proven experience on a variety of transportation improvement projects including bridge and roadway design, traffic engineering, construction administration and inspection services, and subdivision review services. Our capabilities also include value engineering, airports, railroads, building facilities and architectural services. We offer our professional experience, comprehensive corporate resources and personal service to develop common sense and practical solutions for your infrastructure needs.

Our Maine Team

- Carl Tortolano, P.E. - *Principal-In-Charge*
- Stephen McNally, P.E. - *Principal Engineer - Structures*
- John Hodgkins, P.E. - *Principal Engineer - Traffic, Highways*
- Darren Conboy, P.E. - *Principal Engineer - Bridges*
- Rod Emery, P.E. - *Principal Engineer - Traffic*
- Jack Brown, P.E. - *Principal Engineer - Right-of Way*
- Robert Prudhomme - *Principal Engineer - Highways*
- Kim Falcone - *Marketing Director*

Our Maine Office – Steve McNally, Office Manager

74 State Road, Suite 202
Kittery, ME 03904
207.439.9449 phone
207.439.4664 fax

DAVID A. LOURIE
Attorney at Law
189 Spurwink Avenue
Cape Elizabeth, ME 04107
(207) 799-4922 - Fax 799-7865
dal@maine.rr.com



February 19, 2002

William H. Healey, Jr., Assessor
Town of Cumberland
12 Drowne Road
P.O. Box 128
Cumberland, Maine 04021-0128

Re: Abatement to Correct Illegality and Error as to Farm Exemption of Priscilla Gray
Property (Map R03 Lot 48A)

Dear Mr. Healey:

Priscilla Gray applied to Assessor Paula Jansmann for classification of a portion of her property as farmland on February 10, 2000. At the time, Ms. Gray had doubts as to whether the property qualified for such treatment (as the amounts indicated represented bartered hay rather than actual payment of money), but understood that the classification was to be provisional.¹ These facts were fully disclosed to Assessor Jansmann at the time of application. On the other hand the penalties associated with withdrawal of the classification (that a penalty of 20% of the assessed value would be assessed if she failed to farm the land for three (3) of the next succeeding five (5) years) were not understood by Ms. Gray in February of 2000.

On May 10, 2000, your predecessor approved the farmland designation on a permanent rather than provisional basis. In her approval letter however Ms. Jansmann questioned whether Ms. Gray wanted to continue with the classification of the property under the Farmland program, and disclosed the existence of a 20% penalty if the property was reclassified on sale or failure to maintain the classification for a five (5) year period. It is clear from that letter that Ms. Jansmann would have allowed Ms. Gray to withdraw from the program had she requested to do so in May 2000.

Later that same year, the farmer who had been haying Ms. Gray's fields in 1998 and 1999 determined that it was not profitable for him to continue doing so, and failed to carry on the activity that Summer or Fall. As a result, Ms. Gray was unable to have the field hayed at all in 2000, and has been unable to get anyone to hay her fields since then. Due to the dearth of farmers willing to bale hay in a form useable for Ms. Gray's horses and the condition of the fields

¹ The misunderstanding as to the "provisional" or "permanent classification appears to be immaterial to the resulting penalties. However, Ms. Gray's focus upon that issue in prior correspondence does corroborate the confusion surrounding the February 10, 2000 application and your subsequent discussions with Ms. Gray and the State Tax Assessor's Office.

William H. Healey, Jr., Assessor

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(which have now been unhayed for two (2) years), it is unlikely that Ms. Gray will find anyone who is willing to do it on any basis, let alone the sharecropping basis in the foreseeable basis. Ms. Gray was unable to contact your office to rescind her application for farmland status until September of 2000 for the reasons stated in her letter to you dated May 31, 2001.

For reasons I cannot understand, the reclassification of Ms. Gray's property appears on your valuation sheet printed as of 6/12/00 and was apparently made effective in the 2000 property tax levy. This was legal error, as the status of all property in the Town, including Ms. Gray's property was fixed as of April 1, 2000 and the approval was not made until May 10, 2000, if even then given its tentative nature. Under Maine law, in order to qualify for property tax exemption for a particular year, an applicant *must* have received approval of the certification or approval by April 1st of that year. *See, Gulf Island Pond Oxygenation Project Partnership v. Board of Environmental Protection* 644 A.2d 1055, 1060 (Me. 1994) and *Connecticut Bank & Trust Co., N.A. v. City of Westbrook*, 477 A.2d 269, 272 (Me.1984).

As you are aware, Ms. Gray has been trying since September 2000 (prior to the next succeeding April 1 tax date, shortly after your predecessor's inquiry as to whether she really wanted to risk the penalty, and almost a year before the imposition of any proper tax adjustment based on the pasture classification to rescind her application for farm exemption status. Your letter dated June 5, 2001 requires Ms. Gray to fulfill the obligations of the approval by farming the land for the next three (3) years and threatens assessment of the statutory penalty of 20% of the assessed value if she does not, but offers no solution to the situation.

Your earlier communications indicate that it is too late for you to grant an abatement to correct the errors noted above. However, the 185-day limitation is only applicable where abatement application is made to the Assessor. 36 M.R.S.A. § 841.1 ¶2 states that:

"The municipal officers, either upon written application filed after one year but within 3 years from commitment stating the grounds for an abatement or on their own initiative within that time period, may make such reasonable abatement as they consider proper to correct any illegality, error or irregularity in assessment, provided the taxpayer has complied with section 706. The municipal officers may not grant an abatement to correct an error in the valuation of property."

As the errors made in the 2000 and 2001 tax levies go to the classification of property rather than its valuation, (which is correctly stated on your records) it appears that the municipal officers *can* grant relief by abatement, to correct the illegality as to 2000 and the consequent error, or the irregularities that occurred in the 2001 tax levy (once the one year period has passed.) Once those errors are corrected by abatement of the assessment and correction of the classification, you need not assess the statutory penalty. You can then assess a supplemental tax on the then untaxed property at its full value. Ms. Gray is willing to waive any right to interest

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on the abated taxes or to contest any supplemental tax imposed at the unclassified valuation level.

We would like to cooperate with you in the prompt resolution of this matter. We would like to make application for the 2000 abatement at this time, and request that the municipal officers grant the 2001 abatement as soon thereafter as the one (1) year waiting period for action by the municipal officers permits them to redress this situation.

Please call or write to me to discuss the feasibility of the proposed actions outlined above. I will be out of town the rest of this week. Perhaps we can discuss this next week. Thank you.

Sincerely,

David A. Lourie

cc: Robert Benson, Town Manager
Priscilla Gray