

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
TOWN COUNCIL CHAMBERS
October 8, 2002**

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

II. Approval of Minutes

- a) September 9, 2002
- b) September 23, 2002
- c) October 1, 2002

III. Manager's Report

IV. Public Discussion

V. Legislation & Policy

02 – 117 To hear presentation by Paula Valente
RE: "Confronting Maine's Economic Future"

8:00 pm

02 – 118 To hold Public Hearing to adopt permanent amendment to Traffic Ordinance.

VI. Correspondence

VII. New Business

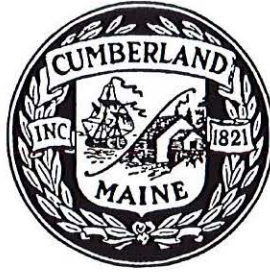
VIII. Executive Session: Personnel

IX. Adjourn

MEMBERS OF THE TOWN COUNCIL

| | | | |
|-----------------------|----------|----------------|----------|
| Jeffrey Porter, Chair | 829-4129 | Donna Damon | 846-5140 |
| Mark Kuntz | 829-6482 | Harland Storey | 829-3939 |
| Michael Savasuk | 781-3061 | William Stiles | 829-6679 |
| Steve Moriarty | 829-5095 | | |

Town of Cumberland web site: www.cumberlandmaine.com



MEMO

Date: 10/3/02
To: Town Council
From: Robert Benson
RE: Council Meeting 10/8/02

Managers Report – I will be briefing the Council on the Gosselin property purchase. Please refer to the letter from Ken Cole dtd 9/5/02 and motion passed on 9/9/02. As you recall, the words prior to closing are removed from this motion and the vote taken on the meeting of 9/9/02. I haven't received any petitions regarding the expenditure and don't expect to which means we can close this prior to 10/15/02 as agreed to in the contract extension with the Gosselin's. The Town Attorney has advised me that he has completed the title search and I should expect to receive an opinion from him that the title is satisfactory. I've enclosed the report from Dick Sweet regarding the septic sites and I have a copy of the appraisal that was previously shared with the Council that the appraisal is greater than the purchase price so the conditions that the Town Attorney referred to in the letter dtd 9/5/02 have been met. Ken Cole also advised me that the motion passed on 9/9/02 is sufficient to enable me to close the purchase of the Gosselin Property. With your approval, I will plan on setting this up with the Town Attorney and the Gosselin's to close on the property prior to 10/15/02.

As of the time of this dictation, I don't have information on the contributions from the Cumberland & Mainland Islands Trust beyond that mentioned by Councilor Damon at the last meeting. I will talk with her this afternoon and have this information for you for the meeting.

The other items on the agenda are self explanatory

We've enclosed information regarding Paula Valente's presentation and will have handouts at the meeting. Senator Turner and Representative McKenney have been invited to this meeting by Chairman Porter. Hopefully we can hold the Public Hearing at 8:00 pm for the Traffic Ordinance Amendment.

If you have any further questions, please don't hesitate to call.

Bob Benson

**TOWN OF CUMBERLAND
MEETING MINUTES OF THE TOWN COUNCIL
SEPTEMBER 9, 2002**

Present: Jeffrey Porter, Stephen Moriarty, William Stiles, Mark Kuntz, Harland Storey, Donna Damon & Michael Savasuk

I. Call to Order

The meeting was called to order by Chairman Porter in the Council Chambers at Cumberland Town Hall at 7:02 PM.

II. Approval of Minutes

Councilor Moriarty wished to make changes to text on page 3.

Councilor Stiles moved to adopt the August 26, 2002 minutes with the changes.

Seconded by Councilor Moriarty.

VOTE: IN FAVOR (5)
ABSTAIN (2) Damon, Savasuk

III. Manager's Report

The Town Council presented Peter Bingham with a chair and thanked him for all of his time and dedication while serving on the Town Council.

IV. Public Discussion

None

V. Legislation & Policy

- 02-102.** To hold **Public Hearing** to consider and act on application for Mass Gathering Permit by the Cumberland Farmers Club to hold the Cumberland Fair, 2002, at the Cumberland Fairgrounds, September 22-29, 2002.

Town Manager Robert Benson recommended that the Town Council approve the Mass Gathering Permit, noting this year is the 131st year of the Cumberland Fair.

Councilor Moriarty moved to approve the application for Mass Gathering Permit by the Cumberland Farmers Club to hold the Cumberland Fair 2002, at the Cumberland Fairgrounds, September 22-29, 2002.

Seconded by Councilor Damon.

VOTE: UNANIMOUS (7)

- 02-103.** To hold **Public Hearing** to consider and act on application for Mass Gathering Permit by East Coast Marketing Group to hold PFFM benefit concert at the Cumberland Fairgrounds, October 5, 2002.

Mr. Benson recommended approving this application.

Councilor Stiles moved to approve the application for Mass Gathering Permit by East Coast Marketing Group to hold PFFM benefit concert at the Cumberland Fairgrounds, October 5, 2002.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (7)

- 02-104.** To consider and act on applications for victualers licenses for the Cumberland Fair 2002, September 22-29, 2002.

Mr. Benson recommended approving the victualers license applications pending inspections by the Fire Department, Building Inspector and Health Officer.

Councilor Stiles moved to approve the applications for victualers licenses for the Cumberland Fair 2002, September 22-29, 2002.

Seconded by Councilor Moriarty.

VOTE: UNANIMOUS (7)

- 02-105.** To hear request of Cumberland Animal Clinic for a zone change pertaining to signage.

Mr. Benson referred to letter from Cumberland Animal Clinic requesting a zone change, enabling a sign to be posted at the intersection of Greely Road & Middle Road. Mr. Benson recommended this item be referred to the Planning Board for recommendation and comment.

Councilor Kuntz moved to refer item 02-105 to the Planning Board for review.

Seconded by Councilor Moriarty.

VOTE: UNANIMOUS (7)

- 02-106.** To review draft conservation easement between the Town of Cumberland and the Cumberland Mainland and Islands Trust RE: Gosselin Property on Chebeague Island.

Councilor Moriarty stated that in June, the Town Council voted to authorize the Town Manager to begin negotiations with the Gosselin family on Chebeague Island, regarding the purchase of their 18 +/- parcel. The Cumberland Mainland & Islands Island Trust was asked to privately raise money to offset approximately one half the cost of the purchase.

Councilor Damon stated that the CMIT has received a grant of \$50,000 from MBNA in late August. Cash and pledges of approximately \$15,000 had also been received, and \$21,000 out in other grant applications.

Robert Crawford, President of the CMIT, stated that the CMIT is seeking to purchase an easement on this property. The easement will cover approximately half of the property. The focus areas are the shoreland and riparian areas. The goal is the preservation of shoreland access, recreation activities and natural features.

Councilor Savasuk inquired as to who was drafting the easement. He indicated language typos in the draft.

Councilor Moriarty moved to approve in concept the draft easement with the CMIT.

Seconded by Councilor Savasuk.

VOTED: UNANIMOUS (7)

- 02-107.** To authorize Town Manager to proceed with purchase of Gosselin Property- Chebeague Island.

Councilor Moriarty moved to authorize the Town Manager to proceed with purchase of Gosselin property - Chebeague Island, in accordance with the authorization presented by the Town Attorney, provided that the words "prior to closing" in the fourth line be deleted.

Councilor Stiles seconded.

VOTE: UNANIMOUS (7)

- 02-108.** To receive and act on property tax abatement request for Elizabeth Lemieux on property located at 7 Sturdivant Road, Cumberland Foreside, to correct an error in assessment due to inaccurate building measurements, pursuant to Title 36, Section

841A.

Mr. Benson recommended that the abatement be granted.

Councilor Damon inquired as to how much the difference was in square footage.

William Healey, Town Assessor, stated that the difference was 784 feet less.

Councilor Savasuk moved to grant the tax abatement request for Elizabeth Lemieux on property located at 7 Sturdivant Road, Cumberland Foreside, to correct an error in assessment due to inaccurate building measurements, pursuant to Title 36, Section 841A.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (7)

02-109. To act on proposed gift of 10.8 acres, more or less, on U.S. Route 1 from Peter Kennedy.

Mr. Benson requested that this item and item 02-110 be delayed, pending arrival of Mr. Kennedy and Mr. Gleason.

02-111. To set date for Chebeague Council meeting.

Councilor Moriarty stated he was waiting arrival of information from the Stone Wharf Committee.

Councilor Damon to table item 02-111.

Seconded by Councilor Moriarty.

VOTE: UNANIMOUS (7)

02-112. To set date for Town Council/Planning Board Workshop.

Councilor Moriarty moved to set date of October 1, 2002 at 7:00 PM as date for Town Council/Planning Board Workshop.

Seconded by Councilor Stiles.

VOTE: UNANIMOUS (7)

02-109. To act on proposed gift of 10.8 acres, more or less, on U.S. Route 1 from Peter Kennedy.

Mr. Benson referred to a memo from Town Attorney, Ken Cole, with a suggested motion. The property will be served by water and sewer and the intended use will be for senior rental housing.

Councilor Moriarty moved to accept proposed gift of 10.8 acres, more or less, on U.S. Route 1 from Peter Kennedy, at a value to be determined by a subsequent appraisal.

Seconded by Councilor Stiles.

VOTE: UNANIMOUS (7)

02-110. To discuss acceptance of bus shelter as part of public road improvements at Jordan Farms subdivision.

Mr. Benson referred to memo from Town Attorney, Kenneth Cole, regarding what the Town Council can consider tonight.

John Mitchell, of Mitchell and Associates Landscape Architects, stated that the entrance design consisted of a wooden bus shelter integrated with a stonewall on either side of the entrance drive. The shelter is a 6' x 6' wood shelter, which is located within and on the side of the 50' right of way. It sets back from the edge of Tuttle Road 25'. Final subdivision was granted in August.

John Lambert, representing Marie & Peter Gerrity of 98 Tuttle Road, stated that the bus house was introduced as a gatehouse on April 29th. It was renamed as a bus stop when people started to understand how offensive the gatehouse concept was. The Planning Board has not approved the gatehouse.

Councilors discussed the liability issues, upkeep, & acceptance of a subdivision road as a town way.

VI. Correspondence.

Councilor Savasuk:

Letter from Attorney Marchese re: Town Business

Councilor Damon:

Condition of hill at Cousins Island

Letter from Dorothy Colbeth re: Nubble Road walking path

Informational meeting on September 28, 2002 from 3-5 PM Chebeague Island Hall & Community Center re: people from Long Island

Secession article in newspaper

Communication from Island Institute re: Workshop on Affordable Housing Projects on Island

Conference of people from islands on property tax reform

Councilor Storey:

Secession article in newspaper

Letter from Celeste Dougherty re: Powell Road

Councilor Kuntz:

Letter from Celeste Dougherty re: Powell Road

Councilor Porter:

Calls from residents on Lawn Avenue re: parking

Calls from neighbors re: street lights

Editorial in Press Herald on secession

Invitation from Town of Yarmouth re: regional meeting on October 10, 2002 at Pineland

MMA tax reform proposal

Invitation from Cumberland/York Fire Chiefs

Councilor Moriarty:

None

Councilor Stiles:

None

Mr. Benson:

Correspondence from Jensen, Baird re: update on MDOT situation

Memo on oil tank replacement

VII. New Business

Councilor Stiles:

Acceptance of new streets

Councilor Moriarty:

Gossesin property re: committees on affordable housing, and senior housing

Councilor Porter:

Letter from Celeste Dougherty re: Powell Road

Compliments to Storey Bros on construction of Blanchard Road

Compliments to A. H. Grover on construction of Middle School

Town Council
September 9, 2002

Reactivate Cable TV Committee
Councilor Kuntz:
Survey on intersection of Route 100 and Skillin Road
New dental business in West Cumberland

Councilor Storey:
Joint meeting with other towns on October 10, 2002

Councilor Damon:
Museum of Chebeague History opening
New person at Island Institute
Tuttle Road/ Kings Highway intersection

Councilor Savasuk:
Tuttle Road/Kings Highway intersection

Councilor Stiles moved to adjourn to Executive Session to discuss Personnel/Land Acquisition
at 9:03 PM.

Seconded by Councilor Damon.

VOTE: UNANIMOUS (7)

Councilor Stiles moved to adjourn from Executive Session at 10:00 PM.

Seconded by Councilor Damon.

VOTE: UNANIMOUS (7)

Respectfully submitted,

A handwritten signature in blue ink that reads "Deborah Flanigan, Dep". The signature is written in a cursive, flowing style.

Deborah Flanigan, Deputy Town Clerk

**TOWN OF CUMBERLAND
MEETING MINUTES OF THE TOWN COUNCIL
SEPTEMBER 23, 2002**

Present: Jeffrey Porter, William Stiles, Stephen Moriarty, Mark Kuntz, Harland Storey, Donna Damon & Michael Savasuk.

I. Call to Order.

The meeting was called to order by Chairman Porter in the Council Chambers at Cumberland Town Hall at 7:03 PM.

II. Manager's Report.

Reference to handout on schedule of Cumberland County Commissioner's Budget Hearings for FY 2003.

III. Public Discussion.

None

IV. Legislation & Policy.

02-113. To acknowledge recognition by Town of Yarmouth for Code & Inspection Support.

The Council and the Manager acknowledged and praised the efforts Richard Peterson, Plumbing Inspector, Barbara McPheters, Code Enforcement Officer & Stanford Brown, Electrical Inspector as set forth in a resolution of the Yarmouth Town Council, in their efforts in covering the Code, Plumbing & Building offices, due to illness of their employee.

02-114. To consider emergency amendment to traffic ordinance, schedule C-2, re: prohibiting parking on the following streets: Farwell Avenue, Maple Avenue, Lawn Avenue, Tuttle Road, and Main Street between the hours of 7:00 am to 4:00 pm except weekends and holidays.

Mr. Benson stated that parking issues have been brought on by the construction of the Middle School. Currently, parking is being done at the Twin Brook Recreation Area.

Chief Joseph Charron stated that due to the construction at the High School, underclassmen are not able to bring vehicles to school because of limited parking. Due to after school activities, underclassmen are parking vehicles off school grounds. The late bus has been eliminated because of budget cuts. Twin Brooks has been made available for underclassmen parking; a shuttle bus is available. He recommended posting "Resident Parking Only" signs on the adjacent streets to the High School.

The public portion was opened by Chairman Porter at 7:15 PM.

Several residents of Maple Street, Farwell Avenue, Lawn Avenue expressed concern with parking on the streets, preserving resident rights; supported posting "Resident & Guest Parking Only" signs; litter from vehicles; parking on one side of the street only.

The public portion was closed at 8:03 PM.

Councilor Moriarty moved to amend Traffic Ordinance schedule C-2 on an emergency basis to restrict parking to residents and their guests on the following streets:

Farwell Avenue, Maple Avenue, Lawn Avenue, Prince Street, Tuttle Road, and Main Street

Seconded by Councilor Stiles.

VOTE: UNANIMOUS (7)

02-115. To set date for Public Hearing to adopt permanent amendment to Traffic Ordinance.

Town Council Meeting
September 23, 2002

Mr. Benson recommended setting a date of October 8, 2002.

Councilor Moriarty moved to set a date of October 8, 2002 for Public Hearing to adopt permanent amendment to Traffic Ordinance.

Seconded by Councilor Damon.

VOTE: UNANIMOUS (7)

02-116. To set date for Town Council Meeting in October.

Mr. Benson recommended setting a date of October 8, 2002 for Town Council Meeting.

Councilor Kuntz moved to set date of October 8, 2002 for Town Council Meeting.

Seconded by Councilor Savasuk.

VOTE: UNANIMOUS (7)

V. Correspondence

Mr. Benson:
Correspondence in Town Council packets.

Councilman Stiles:
Letter of apology from CTC

Councilor Porter:
Regional meeting of Cumberland/York Fire Chiefs
Fire Department Open House on October 10, 2002 from 10:00 am to 1:00 pm
Letter from John Ash re: revaluation
Letter from Ted Curtis re: regulations on houseboats
Letter from Eileen Wyatt re: donation in memory of William Wyatt
Letter from Tuttle Road United Methodist Church re: donation in memory of William Wyatt
Memo from Chief Charron re: speed enforcement
MMA meeting in Freeport on September 16, 2002, tax reform
Letter to Senator Snow from Army Core of Engineers

Councilor Storey
Report on MMA meeting in Freeport

Councilor Damon:
Letter from MBNA on grant of \$50,000 to CMIT
Notification from Recompense Foundation of \$1,000

VI. New Business

Councilor Damon:
Long Island meeting on September 28, 2002
Intersection of King's Highway & Tuttle Road
Powell Road street light

Councilor Storey:
Elimination of street lights

Councilor Kuntz:
Route 100/Skillin Road intersection

Town Council Meeting
September 23, 2002

Councilor Porter:
Report of Institute for A Strong Maine Economy

Councilor Stiles moved to adjourn to Executive Session: Land Acquisition & Personnel

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (7)

Councilor Stiles moved to adjourn from Executive Session at 9:35 PM.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (7)

Respectfully submitted,


Deborah Flanigan, Deputy Town Clerk

TOWN OF CUMBERLAND
MEETING MINUTES OF THE TOWN COUNCIL
TOWN COUNCIL CHAMBERS
October 1, 2002

I. Meeting was called to order at 7:00 pm

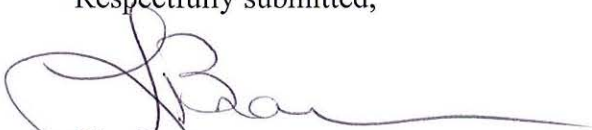
II. Executive Session: Personnel

Councilor Stiles moved to enter into Executive Session to discuss Personnel.
Second by Councilor Damon

Councilor Stiles moved to come out of Executive Session and adjourn meeting at 8:30 pm.
Second by Councilor Damon

III. Adjourn

Respectfully submitted,

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

Lisa Brown
Administrative Assistant

Jensen Baird Gardner & Henry

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

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

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

TELECOPIER (207) 775-7935

www.jbgh.com

M. DONALD GARDNER
MERTON O. HENRY
JAMES E. KAPLAN
OF COUNSEL

RAYMOND E. JENSEN
(1906-2002)
KENNETH BAIRD
(1916-1987)

YORK COUNTY OFFICE

11 MAIN STREET, SUITE 4
KENNEBUNK, MAINE 04043
(207) 985-4676
TELECOPIER (207) 985-4032

September 5, 2002

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

Dear Bob:

Enclosed herewith please find a proposed motion and order in regard to the Gosselin purchase on Chebeague Island. I believe I have reflected everything you and I discussed. If the \$100,000 from the Cumberland Mainland and Island Trust is actually available at closing, obviously only \$100,000 rather than \$200,000 of municipal funds would need to be used at that time. Further, to the extent that there is some intent to impose a conservation easement of some kind, I have left it open so that the Council can agree to that at a later date rather than accept the transfer subject to it initially. I hope this is the understanding with the ladies.

Finally, as to the condition of the contract that there be three or more suitable septic sites and that the appraisal be at least equal to the purchase price, I am unaware whether the Town has obtained those as of yet and you need to confirm that prior to closing. Similarly, as to the title, it is not quite done due to the delays in determining the descent of title to the sellers. However, the Council should feel free to go forward with this order since it simply authorizes the funds necessary in the event we reach closing and all of the conditions are satisfied.

If you have any question in regard to the enclosed, please let me know.

Very truly yours,



Kenneth M. Cole III

KMC/ab

To Authorize the expenditure of up to \$200,000 to purchase a parcel of 12.66 acres more or less, westerly of but not adjacent to North Road on Chebeague Island (Tax Map I6, Lot 14) from Martha Hough, Barbara Thorp and Elizabeth Gosselin, subject to receipt of a contribution from the Cumberland Mainland and Island Trust of \$100,000 prior to closing to be applied to said purchase price and to the repayment of the remainder of the municipal funds within three (3) years of closing; and if not so received, the sale of so much of said premises as may be required to retire said debt.

Sweet Associates

155 GRAY ROAD

FALMOUTH, MAINE 04105

HYDROGEOLOGY

SITE EVALUATIONS

(207) 797-2110

FAX (207) 878-2364

10-8-02

DATE: September 10, 2002

TO: Betsy Gosselin
473 Gray Road
North Yarmouth, ME 04097

OWNER: Betsy Gosselin

RE: PRELIMINARY SOIL INVESTIGATION: This property is Lot 14, Map I-6 located on the north side of North Road, Chebeague Island.

DATE OF INVESTIGATION: July 24, 2002

PURPOSE OF INVESTIGATION: The purpose is to determine the suitability of the soil and site for subsurface sewage disposal for three sites.

METHOD OF INVESTIGATION: Hand auger

RESULTS OF INVESTIGATION:

The test borings on this lot were located approximately as shown on the attached site plan. Testing was primarily confined to the higher southeastern end of the property.

The test borings revealed a fine sandy loam topsoil and subsoil and a sandy loam substratum. A restrictive layer and seasonal high water table were encountered at 12 to 15 inches below the surface. The disposal fields proposed are rated medium large (18 plastic chambers for a 3-bedroom house). Raised disposal fields approximately 30 inches high are required. The Maine Plumbing Code designations are 3C/D.

Betsy Gosselin
Page Two
Investigation Date: 7/24/02

All three sites are acceptable for subsurface sewage disposal according to the Maine Plumbing Code. Further investigation will be required to prepare a septic system design for any tested site.

A handwritten signature in cursive script, reading "Richard A. Sweet", written over a horizontal line.

Richard A. Sweet
Site Evaluator #034



CASCO
BAY



LOT 1A
MAP I-6

WETLAND

SITES ACCEPTABLE
FOR SUBSURFACE
SEWAGE DISPOSAL



R/W

1" = 200'
(APPROX.)

NORTH ROAD

No Place to Hide

Confronting Maine's Economic Future

*"Failure to invest means
failure, period."*

—Laurie Lachance, Maine State Economist



Changing the debate

Maine will elect a new Governor and a new Legislature this year. Together they will choose a course for our state, and — right or wrong — their decisions will shape our future for years to come.

There is no more compelling issue in this election year than **the Maine economy**. Whether you think government spends too much or too little, whether you think taxes are too high or just about right, whether your priorities are health care, education or the environment — eventually the choices we make are all driven by the health of our economy.

But why is this year's election any more critical than past elections? Why is our economy more important today than four years ago? Two reasons: the competition for investment among states (as well as with foreign countries) is growing more intense by the day, and second, Maine's economic survival is being threatened by a host of "silent killers" — fundamental economic and demographic issues that must be understood and confronted.

So how do we ensure Maine people make informed choices? How do we have a rational, lively debate about the economy in an election year? How do we hold our candidates accountable for their pledges to help Maine's economy grow and to attract new jobs to our state?

To this end the Institute for a Strong Maine Economy, a partnership of Maine businesses, municipalities, and economic development organizations, set out to create a "white paper" on the Maine economy — a document that takes an honest look at where we are, offers some **irrefutable data about where we are headed**, and provides a **realistic look at our competition**. We were fortunate to have the assistance of some very talented people in putting this all together:

State economist **Laurie Lachance**, who produced "Maine's Investment Imperative" for this project — a compelling report that explains clearly why we must invest in our state and the consequences of doing nothing;

Jonathan Speros, a senior manager and northeast leader of the Credits and Incentives Practice with PricewaterhouseCoopers, who reminds us in his report, "Economic Development Programs in Maine," that we are part of a global economy and that our competitors must be taken seriously;

Ten Maine businesses, who have generously shared with us their stories about investments that are paying off for their workers, their suppliers and vendors around the state, and the people of Maine;

And finally, **the people of Maine**, who spoke loudly and clearly in one public opinion survey, telling us that economic development is their priority, too.

Each element of this paper stands on its own. Each makes a case for creating incentives for new investment. Taken together, they make a powerful case for fundamental changes in the way we look at Maine's economic future, and lead us to five key recommendations:

◆

1. Reduce Maine's tax burden to the national average. Maine's high tax burden is in part the result of political choices. We can make better choices.

2. Restructure Maine's tax system to promote private investment, export activity, business competitiveness, stability and predictability of revenues. It is not enough to reduce Maine's taxes; we need to fundamentally restructure how and what we tax to promote economic growth and prosperity.

3. Reduce the cost of government by restructuring the delivery of regional and local government services. Maine has little more than a million people, who are supporting 500 local governments, 16 county governments, 287 school districts, myriad sewer/water, solid waste, economic development, planning, etc. districts — plus a large state government infrastructure. This is an integral part of why Maine's tax burden is so high.

4. Limit the growth in government spending to the growth in gross state product, income, or some other logical benchmark. Right now growth in spending is tied to no reasonable measure, but rather solely reflects the availability of revenues.

5. Promote a culture of lifelong learning through a seamless educational system. We have made great strides in improving Maine's K through Grade 12 educational system; it is now time to make equal progress in Maine's post-secondary educational attainment.

These are our recommendations, based on the evidence that we have gathered. Maine is at the crossroads, and we have choices to make. Let the debate begin.

No place to hide

Any discussion about the essence of Maine prompts a long and lively debate. But whatever Maine means to us individually, more than anything else we are bound together by a powerful sense of place – a very special place.

It is our great strength, and it can also work against us.

It is a strength in that it reinforces our independence, fosters our pride, and sets us apart in a world where more and more places look and feel the same.

But it can work against us when it lulls us into thinking that we can get by tomorrow on what got us where we are today. That our natural beauty and hard-working people are by themselves enough to make us competitive. That the fundamental rules of risk and reward, investment and return, don't apply to us in the same way they do the rest of the world.

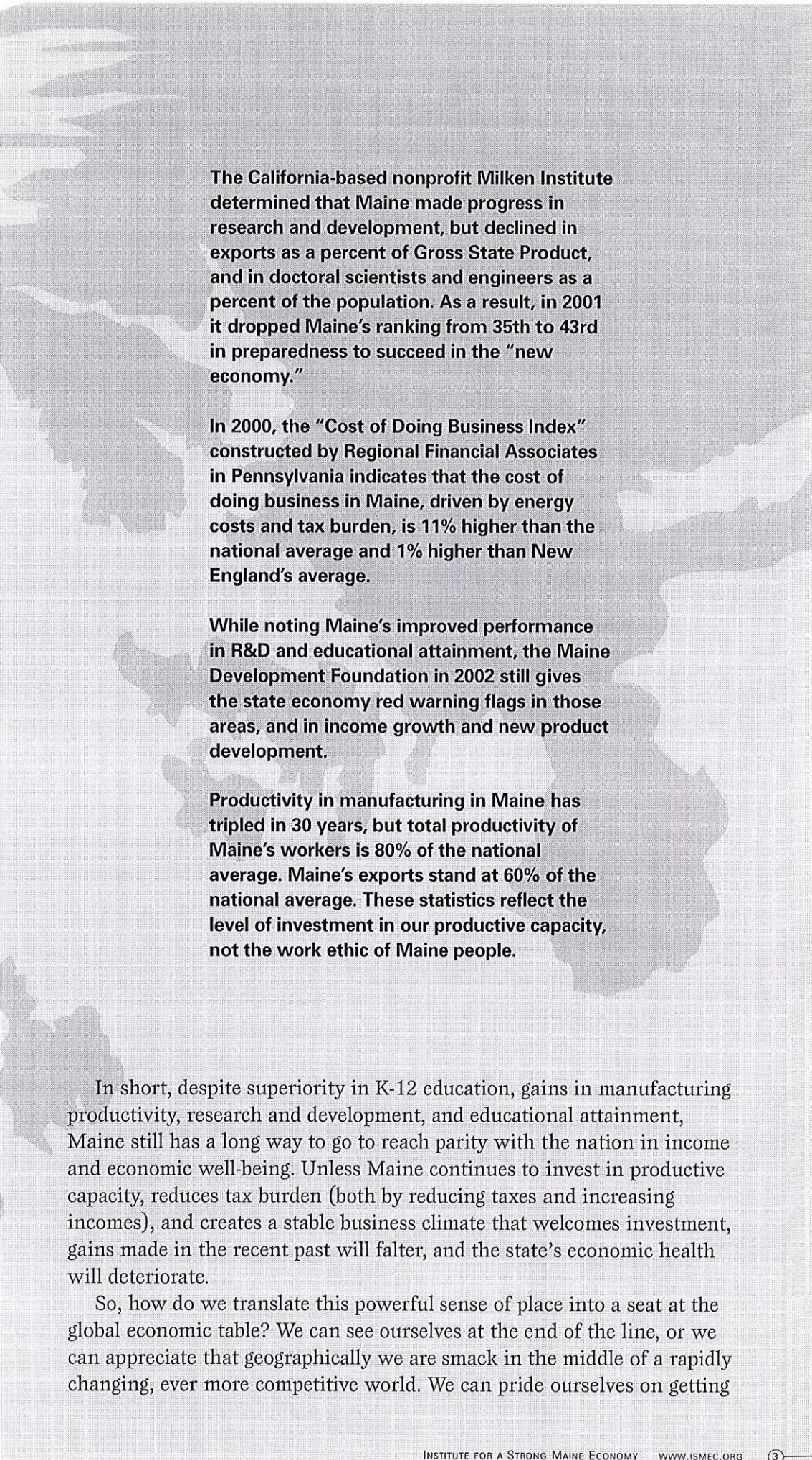
The reality is that economists, analysts, and business decision-makers from around the country are applying these rules to us, and this is a sample of what they are finding:

Maine's per capita income has chronically lagged the national average by 12% to 15%, placing Maine 36th among the 50 states, according to the U.S. Census.

For 2001, the Washington-based nonprofit Corporation for Enterprise Development gives Maine an overall grade of D for Development Capacity. Maine received As and Bs in human resources (including K-12 education), but Fs in innovation assets (including both university and private R&D, science/engineering graduate students, and patents issued).

The same report for 2001 recognized relatively strong short-term employment growth and awarded an A for quality of life, including equity (i.e., Maine has one of the fairest tax systems across income groups); but Fs in natural capital, especially for high energy costs and rapid conversion of cropland to other uses.

Latest Census data rank Maine 2nd among states in overall tax burden. Maine ranks 16th in state and local spending per capita, 7% above the median. Combined with relatively low incomes, this produces a high tax burden.



The California-based nonprofit Milken Institute determined that Maine made progress in research and development, but declined in exports as a percent of Gross State Product, and in doctoral scientists and engineers as a percent of the population. As a result, in 2001 it dropped Maine's ranking from 35th to 43rd in preparedness to succeed in the "new economy."

In 2000, the "Cost of Doing Business Index" constructed by Regional Financial Associates in Pennsylvania indicates that the cost of doing business in Maine, driven by energy costs and tax burden, is 11% higher than the national average and 1% higher than New England's average.

While noting Maine's improved performance in R&D and educational attainment, the Maine Development Foundation in 2002 still gives the state economy red warning flags in those areas, and in income growth and new product development.

Productivity in manufacturing in Maine has tripled in 30 years, but total productivity of Maine's workers is 80% of the national average. Maine's exports stand at 60% of the national average. These statistics reflect the level of investment in our productive capacity, not the work ethic of Maine people.

In short, despite superiority in K-12 education, gains in manufacturing productivity, research and development, and educational attainment, Maine still has a long way to go to reach parity with the nation in income and economic well-being. Unless Maine continues to invest in productive capacity, reduces tax burden (both by reducing taxes and increasing incomes), and creates a stable business climate that welcomes investment, gains made in the recent past will falter, and the state's economic health will deteriorate.

So, how do we translate this powerful sense of place into a seat at the global economic table? We can see ourselves at the end of the line, or we can appreciate that geographically we are smack in the middle of a rapidly changing, ever more competitive world. We can pride ourselves on getting

by, no matter how tough things get, or we can acknowledge that despite our best effort the economic gap between us and other states remains large. We can sadly watch the exodus of another generation of Maine's best and brightest, or we can commit ourselves to creating the opportunities that will bring our children home.

These are our challenges. But it is also important to celebrate all of the good things we have accomplished in recent years:

- The best primary education system in the U.S., backed by Learning Results and a bold initiative in Learning Technologies;
- Improved access to higher education through a community college track that now serves 1,000 students, investments in the technical college system, and the Governor's Training Initiative;
- An advanced telecommunications network with 110,000 miles of fiber optic cable and 100 % digital switching;
- A 20-fold increase to \$35 million annually in state support for research and development in the University of Maine System, biomedical research, marine technologies and the new industry-based Maine Technology Institute. Five-to-one returns are reported on this investment;
- An open electricity market and a large supply of natural gas through two new pipelines;
- Dramatic reduction in deficient arterial roads, implementation of a three-port strategy, and reintroduction of passenger rail service.

Our challenge now is to build on these accomplishments. They are not enough, nor have they demonstrated staying power or stability in a volatile political environment. Despite these successes, many other states at the same time have achieved more. The reality is to improve our economic standing, we have to outperform the national average year after year.

Maine is indeed a special place, but much of what we hold dear is at risk if we fail to invest in our economic future. And whether we like it or not, major decisions about investment in Maine today are often made in places well beyond our borders. We must give those making investment decisions — whether they are in Maine or California — their own sense of this place. We must show them that Maine is a welcoming state. We must demonstrate that Maine stands ready to work with them, and that Maine is a place where they can grow and succeed.

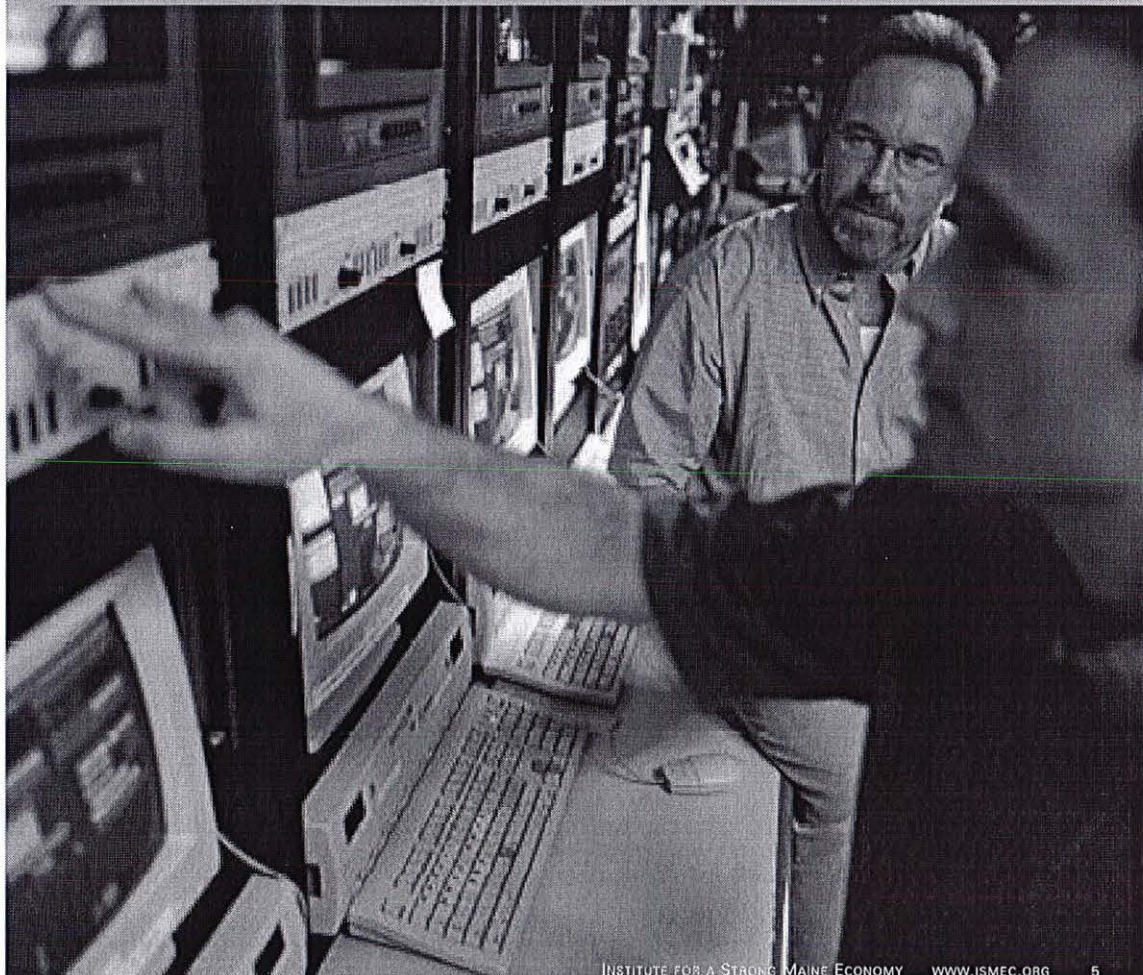
Even more important, we must tap into the legendary "can do" spirit of Maine's people and give them hope that our best days lie ahead.

This report makes our choice abundantly clear: we can act boldly, build on our success, and diligently work to fix things still broken; or we can undo progress already made, ignore the need for change, fall further behind the competition, and put our future at risk.

Maine's population — growing slow, growing old

The Census Bureau tells us Maine's per capita income is chronically about 14% below the national average, or 36th in the nation. Another way to think of this: Maine is one of 50 teams and this is our ranking among them. Then consider this caution from State Economist Laurie Lachance: **the team that we have today is essentially the same team we are going to be fielding for the next decade or so.**

While we can argue about the worth of various programs and policies, there can be no argument about Maine's demographic trends and the enormity of their impact on Maine's economic future. If this is our reality — at least for the foreseeable future — then we are challenged in the short term to maximize the potential of the "team in place," and over the long term, to develop a strategy to attract new players. Here are some of the concerns raised by Laurie Lachance in "Maine's Investment Imperative" (see www.ismec.org).



1. Maine's labor force is not growing.

Maine's population has grown more slowly than the U.S. as a whole for the past 130 years. Population growth peaked in the '70s and '80s, but declined in the '90s, with six years of out-migration and a drop in the number of babies born. Slow growth and out-migration seriously affect both the size of Maine's labor force and income levels.

The era of the 1980s, when Maine's job base and labor force grew the most, is also the era when Maine's personal income rose faster than the rest of the country (see chart to right).

Maine fell further behind in personal income in the 1990s, as growth in the labor force slowed.

What are the sources of labor force growth? There are three (see bottom right chart).

Natural growth, which is the phenomenon of young people growing up and entering the workforce; but Maine in the 1990s suffered significant out-migration of young people, who left for higher education and job opportunities elsewhere.

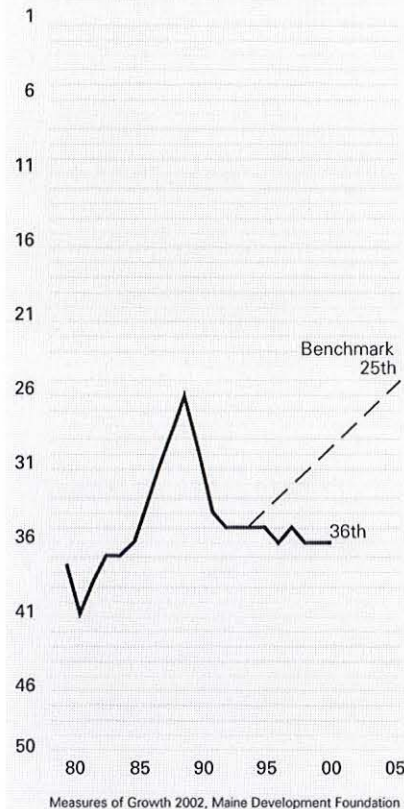
Migration, the phenomenon of people moving to the area and joining the workforce. In recent years Maine has experienced some in-migration, mostly of people aged 35 and older, or near retirement.

Participation rate increases, which is more adults entering the workforce. In the 1980s, 130,000 workers, many of them women leaving the home, joined the labor force. By the 1990s most adults were already in the workforce, so this was no longer a source of growth.

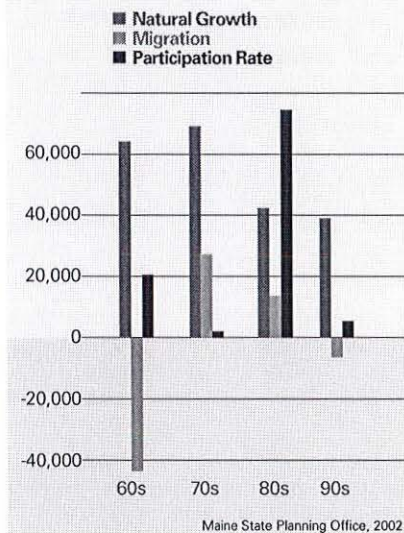
What does this mean for the future? In Laurie Lachance's words, "Slow population growth means that the vast majority of today's workforce will be the workforce next year and five and 10 years hence. Remember, this is the team that put us in 36th place and we're not expecting many new players.

To successfully compete we must upgrade the skill level and educational attainment of every workforce 'team' member, and invest in the technology and equipment that can maximize the productivity of every worker and business in Maine."

Maine's National Rank — Per Capita Income, 1980-2000



Sources of Labor Force Growth



2. Maine's labor force has less formal education than average in the rest of the country — and in the last five years the percentage of adults and workers participating in continuing education declined.

There are few things that can be called certainties in the world of economic development, but here is one: the higher the general level of education in the workforce, the greater the income. The chart on the right shows that Maine's lower-than-average performance in per capita income is absolutely predictable given the education level of the population.

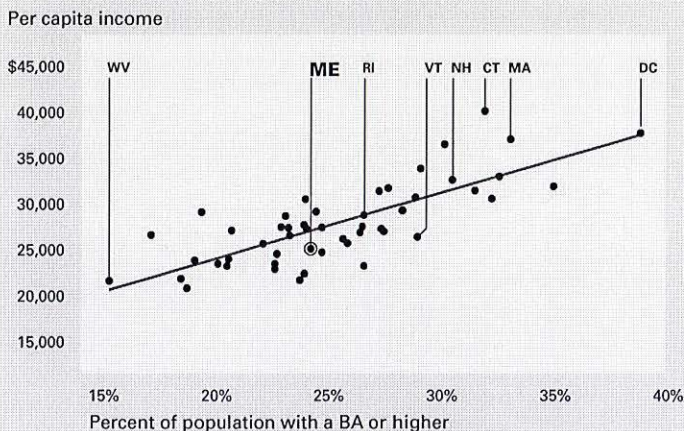
So Maine has a labor force that is not growing, and that has less education than competing states.

If the goal is to increase incomes, then part of the answer must be to increase the level of education of the existing population. This means more Mainers attaining associate's, bachelor's and graduate degrees, plus continuing a habit of lifelong learning.

We have had some success in recent years in expanding the number of Mainers with bachelor's degrees, but we still lag significantly behind national and New England averages. And, unfortunately, in the last five years, the participation of front-line employees in training has fallen by two-thirds, and the proportion of adults participating in continuing education also has fallen sharply.

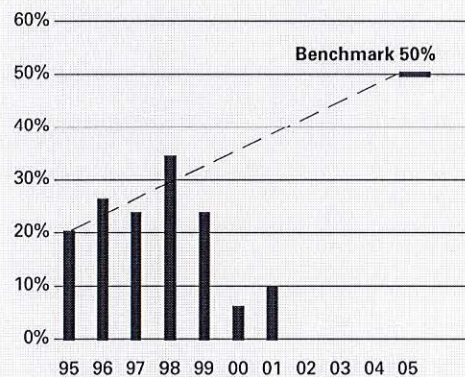
Maine cannot make progress on increasing the incomes of our workers unless we expand the percentage of our population holding post-secondary degrees and reverse the trends for participation in continuing education.

Education Attainment and Per Capita Income 2000



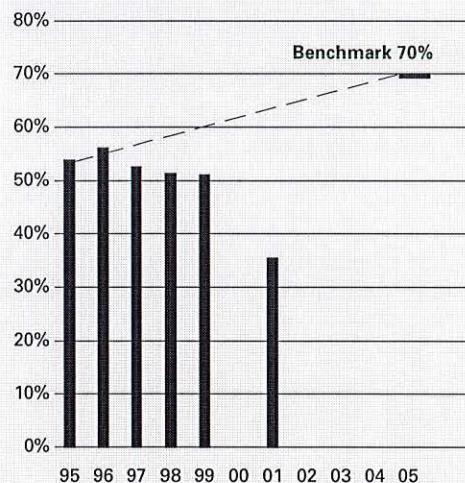
Maine State Planning Office, 2002

Percentage of front-line employees who attend employer-sponsored training, 1995-2001



Maine State Planning Office, 2002

Percentage of citizens attending educational seminars, programs and courses, 1995-1999 and 2001



Maine State Planning Office, 2002

"After graduating college, where I participated in National Semiconductor's co-op program, the company offered me a competitive alternative to moving out of state..."
Aaron Dries, Chemical Engineer

3. Maine is gaining middle-aged and older people and losing young people.

Laurie Lachance refers to this as not just a tidal wave, but an absolute "tsunami" that will drive Maine's future. In the next two decades, Maine's population age 65 to 74 is projected to double in size, and the percentage of people 45 and under will decline by 15%.

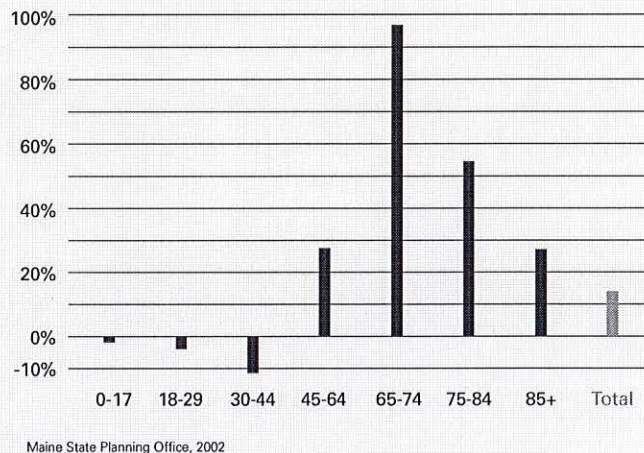
Think of what this means in terms of higher health care costs, greater demands for housing and transportation, changes to educational systems, and the impact on Maine's labor force.

This general trend is further aggravated by migration patterns. During the 1990s Maine had a net in-migration of people over 35 years of age, and a net out-migration of people less than 35 years of age. In rural and inland counties, the out-migration of young people is occurring at a rate that threatens the long-term economic viability of many small towns.

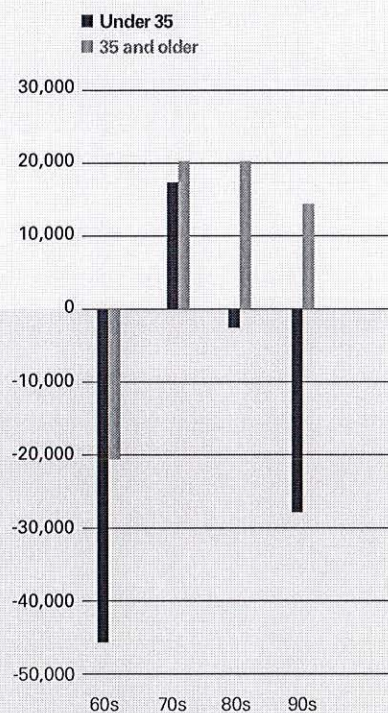
So what we are facing is a huge older population that will need more services at higher costs, coupled with fewer and fewer young people to provide the economic base those services will require.

Maintaining the age diversity of the state's population and workforce is an economic imperative. What does it take to attract and keep young workers? It takes interesting jobs that pay well and that provide long-term prospects of advancement. It takes interesting communities with a strong and lively social fabric. It takes educationally and culturally vibrant centers in all of the regions of the state.

Percent population change by age group Maine 1999-2025



Population migration by age



"McCain has provided a stable market for Aroostook County farmers."
Bruce Flewelling, farmer

4. Maine is growing in inefficient and unfair ways — emptying out in the north and east, while sprawling along the south and coast.

These are Maine's two migrations, and they need to be reversed. The first migration is the persistent loss of population from the natural resource-dependent, rural economies of the north and east in search of job opportunities in more urban regions. Communities in these regions are suffering. Mills have closed. Young people have left. The legacy of generations is threatened.

Meanwhile, the second migration — known as "sprawl" — is shifting a vast population from hub communities around the state into the suburban and once-rural communities within commuting range. Sprawl costs the state's taxpayers money. To take the simplest and most dramatic example, while Maine's school population decreased from 1970 to 1995, state government spent three-quarters of a billion dollars building schools, much of it to accommodate an outward-migrating population. The State Planning Office estimates that new and redundant infrastructure in schools, roads, police, and the like cost the state's General Fund \$50 million to \$75 million annually. And especially in southern and coastal Maine, local governments are enacting growth control ordinances to try to preserve their quality of life.

Smart growth in Maine involves encouraging businesses and homeowners to stay in built-up areas, and in promoting economic development in rural Maine. The current imbalance is unsustainable.

Summary

Our challenge as a people can be summarized in a phrase — **smart growth**. We need to grow our population by creating the economic opportunities that will bring Maine sons and daughters home and entice new people to move here. We need to grow smarter within ourselves in terms of education — meaning higher levels of attainment and a commitment to the ethic of lifelong learning. We must be a state that welcomes change and welcomes diversity.

5. Maine is the whitest state in the nation.

In the rest of the country, white Caucasians comprise two out of three people in the population. In Maine, whites are 27 out of 28.

What difference does this make? First, it affects our own understanding of people in the rest of the United States and the world — people with whom we are competing and to whom we must sell our goods and services. **Our own world is narrower when we lack the ideas, insights, and perspectives of people from different cultures.** Second, it gets in the way of attracting new people to Maine. People of color may find our culture not welcoming. Or they — and others — may simply find our culture uninteresting. Either way, we lose the competitive advantage that comes with a diversity of ideas and approaches.

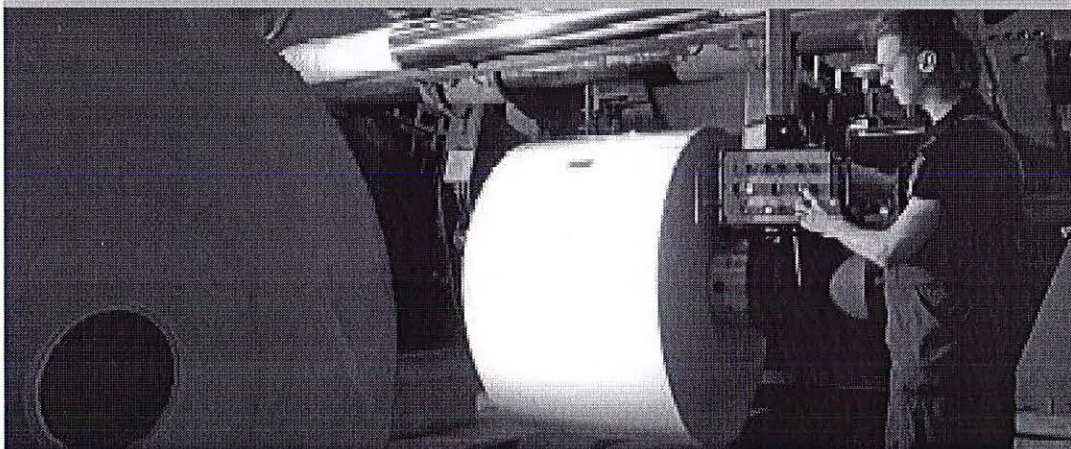


"The jobs they have created have been mostly high-quality ones, paying above the state's living wage and providing workers with valuable training in technology and manufacturing."

Andrew Sachs, Director of Office of Economic Development in Brewer
- 25.1 emford

The challenge of creating a dynamic economy

Maine's labor force may be getting older and desirous of stability and security, but its economy is going in a different direction. That economy is shedding old mill jobs and replacing them with service jobs at a rapid rate. Funny thing, though, on a proportional basis some of those "old" manufacturing jobs are actually contributing more to the Maine economy today than they ever did before.



1. Maine's employment base is shifting from manufacturing to services.

In 1950 one in two jobs in Maine was in the manufacturing sector. By 1980 it was one in five. Today it is one in nine.

This is a big problem for many individuals and families for two reasons. First, the transition from manufacturing to services often means lower paying jobs. There are some exceptions: some of the shoe and textile mill jobs being lost paid just a few dollars over minimum wage, while there are new jobs in financial and professional services and biomedical research that pay well over the state's average income.

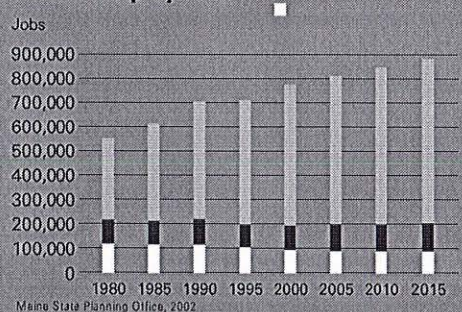
Second, the problem is compounded by the fact that in many cases the people who are losing the mill jobs are not located near the new good-paying service jobs, nor are they trained to perform them in any case. Helping to remove this imbalance is a major part of the labor force challenge.

2. The manufacturing sector remains critical to Maine's economy.

While employment in manufacturing is down, the manufacturing sector's contribution to Maine's overall economy is holding steady. Manufacturing has accounted for roughly one in five dollars of Maine's overall output for the past 20 years, even as its jobs have decreased.

How has the manufacturing sector managed to maintain its share of gross state product? By increasing the amount of production per worker. An average manufacturing worker today produces three times as much product, in real terms, as was true 20 years ago. How has this been

Changing composition of Maine's employment



Maine State Planning Office, 2002

achieved? **Through capital investment and the upgrading of skill levels.**

The manufacturers who are left operating in Maine today, after the shakeout of the last 20 years, are much stronger and more competitive than before. Far from being a dying sector of the economy, manufacturing is more important than ever for maintaining the

strength of the overall Maine economy.

Furthermore, the manufacturing sector is Maine's chief exporter, and as both Laurie Lachance and Jonathan Speros agree, a principal focus of Maine's business development activities should be export companies because they bring the greatest value to the Maine economy.

It's interesting to note, too, that the productivity of manufacturing workers in Maine has accelerated dramatically since 1995. That's around the time Maine's Business Equipment Tax Reimbursement (BETR) program was initiated, spurring some significant capital investment in our state.

3. Productivity in Maine's service sector is stagnant.

The flip side of the story is that Maine's growing service sector is not becoming more productive. Despite the gains in manufacturing, Maine's overall economy has consistently lagged about 20% behind the rest of the nation for its value of output per worker over the last 30 years. Lachance quotes columnist Paul Krugman on the subject: "Productivity isn't everything, but in the long run it is almost everything." Raising productivity per worker is the way to raise incomes per worker. Here again raising the skills and education level of the workforce will be critical to raising productivity in the service industries in the future.

4. Maine lags behind the rest of the nation in exports, despite bordering Canada and being the closest state to Europe.

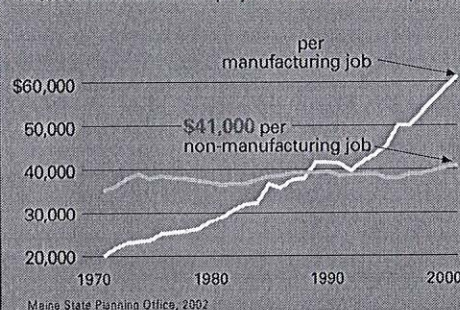
Exports as a percentage of our gross state product are about 60% of the United States average. Most of Maine's exports are concentrated in two sectors — paper and computer chips. Thus we are not doing much exporting, and what we do is not very diversified. Maine is not performing as a full participant in the global economy.

5. Further, Maine is at a significant disadvantage because of its high cost of doing business.

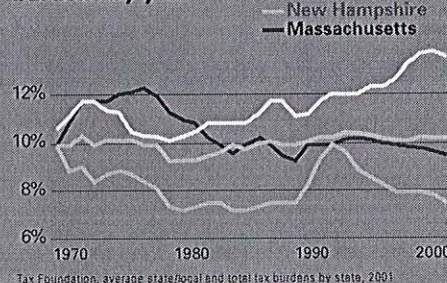
All across the United States high cost producers are being beaten out by low cost foreign competition. Maine has a cost of doing business — including labor, energy, and tax costs — about 11% over the national average. This index does not include health care costs. A recent Blue Ribbon Commission on Health Care found that health care costs are higher in Maine than in the rest of the nation, and are rising faster as well. From 1990 to 1998 health care expenditures in Maine rose 80%, the fastest in the nation.

A critical part of staying competitive with other states and the global economy is controlling costs. This is as true for states as it is for companies.

Value of each manufacturing and non-manufacturing job to Maine's economy
Direct economic contribution per job in dollars of real GSP per year.



State and local tax burdens by year



6. Maine's tax structure is discouraging to private investment.

Part of the cost of doing business is taxes. Maine's tax burden for families in 2001 (state and local taxes as a percentage of income), as measured by the nonprofit Tax Foundation, is first in the nation. Maine's tax collection as a percent of Gross State Product in 2001, as measured by the Beacon Hill Institute at Suffolk University in Boston, is the

highest among the 50 states.

Contributing to Maine's high tax burden are both low incomes and spending patterns. The most recent Census figures show that the total spending per capita from state and local taxes and user fees in Maine is 7% above the national median, and 1% above the national average. **But because Maine's personal incomes are relatively low, chronically lagging 12%–15% behind the national average, we are spending beyond our means. The result is Maine's high tax burden.**

There are some aspects to the cost of doing business that cannot help but be high in a cold, rural state without oil wells. However, other costs, such as taxes, can be influenced. Maine needs to move more into the middle of the pack on tax burden. We need to reduce taxes, even as we accelerate investment in productivity, higher education, and R&D to increase incomes.

The tax structure causes other problems as well. Maine is more heavily dependent on property taxes — taxes on physical assets — than most other states in the country. The property tax burden is especially high for manufacturing industries that need continuous investment in capital plant and facilities to remain competitive. Most states either do not tax production machinery and equipment at all or tax it at much lower levels than does Maine.

Currently the Business Equipment Tax Reimbursement (BETR) program offsets this tax for new investments. While BETR attempts to level the playing field, as Laurie Lachance says in Maine's Investment Imperative, **"The real villain is the tax itself."**

That said, even the BETR program has been subject to frequent and bitter debate in the Legislature and by the media. Lachance also notes this, saying "The term 'corporate welfare,' frequently used by opponents of the BETR program, is clearly a misnomer and when the public is allowed to be misled into believing that BETR is the root of all evil, it is a true disservice to the state of Maine."

Finally, Maine's sales and income tax structures create a very volatile mix. In good economic years state government runs up big surpluses; in bad years the state runs up big deficits. This, too, creates an unstable business investment climate.

In summary, because of both the size of the take and the way it takes it, Maine's tax system is in need of overhaul.

7. Maine's investment in research and development is one-quarter the level it needs to be.

Maine has made great progress in recent years in nurturing nascent research and development possibilities in the private, public, and nonprofit sectors. Maine has promising research activities in biomedicine, composite materials, oceanography, and

information technologies. As of 1998, the total level of research and development investment per worker was about \$250 in Maine — one-fourth the level of \$1,000 per worker that the State Planning Office estimates is needed to raise incomes in Maine to the national average. While the State has dramatically increased its investment in R&D, Maine still has a long way to go to reach innovative competitiveness.

8. Maine is perceived as a vacation destination by executives outside the state.

This, of course, is the image that we advertise on our license plates and in tourism promotions. There is nothing wrong with this image in itself. However, we need to make sure that it doesn't overwhelm the notion that Maine also is a good place to do business.

Summary

Our economic challenge is to make the transition from a traditional low-productivity, low-skill, low-pay economy to a modern high-productivity and high-pay state. The seeds of the new economy are here in our smart manufacturing industries and growing high technology businesses. But we must do much more to bring the productivity revolution to service businesses. And

it is imperative that we structure our taxes and government services in ways that significantly expand private investment.

As noted in a report funded by the Maine Department of Economic and Community Development and the U.S. Economic Development Administration, "How to Retain Businesses in Maine," **our state doesn't necessarily have an employment problem; we have an income problem.** Our unemployment rates overall have been consistently below the national average. It is our incomes that are falling behind, and the only way to boost them is through investments in people, equipment, and technology.

How do we attract that investment? An evaluation of our economic development tools, and suggestions for alternatives provided by PricewaterhouseCoopers LLP, are provided in the next section.



Economic development programs in Maine - how do they stack up?

Government has been involved in providing incentives for economic development since before the beginning of the United States. The activity is as American as apple pie. Also, it works.

The paper industry first came to Maine because the government at the time — the General Court of Massachusetts — gave an exclusive patent that was passed on to Thomas Westbrook and General Waldo. Westbrook built his paper mill at Stroudwater in present-day Portland. Waldo built his on the Presumpscot River. The year was 1731. In the next century the private railroad through Kennebec County was built with city and town bonds. During the Civil War the Bates Mill in Lewiston expanded rapidly due to government contracts. These examples are not exceptions. **In most of Maine's key industries over the years — shipbuilding, farming, granite, computer chips, biomedical research — government has played a key role in the creation and/or the nurturing of private businesses.** There is nothing wrong with this. To the contrary, it is to the credit of our forebears that they acted on the opportunities to create viable industries that employed generations of Maine citizens. This is the American way.

Today it is more than just the American way. It is the global way. Today shoe factories in Franklin County, Maine, are lured to the Caribbean islands with offers of free land and cheap labor. Computer chip manufacturers like National Semiconductor and Fairchild compete with China. Call centers along the Maine coast compete with phone banks in India. The stakes have never been higher.

Today it is our generation's responsibility to answer the global challenge and to create and nurture the businesses for Maine's tomorrow. To do this we must use the economic development tools at our disposal.

What are those tools? Jonathan Speros of PricewaterhouseCoopers LLP in his paper "Economic Development Programs in Maine" (see www.ismec.org) identifies four strong programs operating in our state.

1) The Business Equipment Tax Reimbursement (BETR) Program

reimburses qualified business property tax payments for new capital investments for up to 12 years. The program is serving 1,600 businesses. Properly speaking, this program is not an "incentive" — what it actually does is counteract what would otherwise be a disincentive to modernize, namely, the fact that Maine is one of the few states in the country to apply a full property tax levy on business equipment.

2) The Employment Tax Increment Financing (ETIF) Program reimburses state income tax withholdings for newly created jobs for up to 10 years.

3) The Municipal Tax Increment Financing (TIF) Program allows the municipality to use all or part of a company's new property tax payments resulting from a new business investment to assist the company in financing that investment. The municipality can also use the TIF revenues to help pay for needed public improvements.

4) The Governor's Training Initiative (GTI) Program provides a partial reimbursement to employers for job training expenses associated with a business expansion or relocation.

These programs have been used with great success in Maine.

...each one decided to continue operating in Maine, and to participate in one or more of Maine's four economic development programs.

Fraser Papers, Inc.

paper
\$91 million investment
1,000 jobs preserved

McCain Foods

food processing
\$71 million investment
production capacity doubled

ZF-Lemforder

car parts
3 expansions in 20 years
350 jobs

Madison Paper Industries

paper
\$52 million expansion
286 jobs preserved

Tambrands, Inc.

personal care products
\$83 million investment
120 jobs added

L.L. Bean, retail

new order fulfillment
center now employs 800
year-round

The Dingley Press

printing
\$22 million investment
160 new jobs

Bath Iron Works


shipbuilding
\$250 million drydock
preserving 7,000 jobs

National Semiconductor

integrated circuits
new wafer fabrication plant
150 jobs preserved
475 jobs added

Atlantic Precision Products

machine shop
75 jobs
heading to 200 jobs



In fact, companies filing incentive reports with the Department of Economic and Community Development for just the period 1998 through 2000, reported capital investments of \$2.7 billion, and worker training investments of \$119 million. For 1998 and 1999, more than 10,000 jobs were created or retained, and a base of 69,000 Maine jobs was supported by the investments.

The Dingley Press in Lisbon, Bath Iron Works in Bath, Atlantic Precision Products in Sanford, Madison Paper Industries in Madison, L.L. Bean in Freeport, Fraser Papers in Madawaska, McCain Foods in Easton, National Semiconductor in South Portland, Tambrands in Auburn, ZF-Lemforder in Brewer — you could not assemble a more diverse group of businesses than this in terms of products, processes, and markets.

But all of these businesses have several things in common. They have all been approached by other economic development groups to move some or all of their operations to another state or country. They have all decided to continue operating in Maine. And, in order to do so, they all participate in one or more of Maine's four economic development programs.

The stories of these businesses can be read in detail at www.ismec.org. They are typical of all Maine businesses taking significant advantage of economic development programs, particularly the BETR and TIF programs. There are several important lessons their stories communicate.

First, **these businesses pay well.** Starting wages for skilled machinists at Atlantic Precision Products generally are above the regional average of \$11 per hour and go as high as \$21 per hour. Madison Paper employees average \$66,000 a year. L.L. Bean's employees average \$32,000 annually. National Semiconductor pays an average of \$48,000. All of the companies provide generous health and retirement benefits. These businesses are good Maine citizens.

Second, the investments made by these companies have placed in the hands of Maine workers **modern equipment and technology** that allows them to compete with workers elsewhere. In addition, when companies modernize their facilities, this gives Maine workers the opportunity to upgrade their skills and engage in interesting and challenging work in which they can take pride.

As Andy Fitzpatrick of ZF-Lemforder Corporation said about a recent expansion at the Brewer auto parts manufacturer, "The GMT expansion created many new and exciting career opportunities for those already employed...For me personally, it provided an opportunity in the challenging ranks of manufacturing senior management."

Third, **each of these businesses provides markets for dozens of small businesses employing Maine workers.**

Each supports a network of small businesses in the immediate area. BIW spends \$20 million a year on contracts with companies like Reed & Reed in Woolwich. Madison Paper's purchases made it possible for Specialty Minerals, Inc. (supplier of precipitated calcium carbonate) to set up a \$9 million operation in Maine with nine employees on-site.

L.L. Bean purchased \$95 million in goods and services from 1,125 Maine suppliers — including Worcester Wreath Company, the largest seasonal employer in Washington County. Fraser Papers spends \$55 million on 400 Maine suppliers, from Chamberland Trucking in Saint Agatha to Cianbro in Pittsfield to Sullivan & Merritt in Scarborough.

McCain's supports 15 workers at the Central Aroostook Association of Retarded Citizens in making 700 wooden pallets a day. National Semiconductor's presence in Maine has attracted other companies to move here as well, such as Kinetics Group and Dakota Systems, Inc. In short, when the State of Maine helps a company like one of these to expand, it is at the same time creating new and larger markets for dozens of smaller Maine businesses.

Fourth, **these are businesses that predominantly export their products**, which translate to a sizable infusion of revenue into Maine. Export businesses are critical to Maine's economic health, since they import dollars and wealth to the state.

Finally, the stories of these companies show that **the investment cycle to stay competitive in the global economy is getting tighter.**

ZF-Lemforder has made three major investments in 20 years. Tambrands' parent company, Procter and Gamble, looks at a seven to nine year investment cycle — in other words, the Auburn plant must remain competitive enough to justify new investments every seven to nine years. The Dingley Press in Lisbon has had two major investments since 1998, and has another \$11 million expansion on the books for 2002. McCain's invested \$71 million in 1998 and is looking at another major investment this year.

Why is this frequency of investment required? It is driven by a number of factors, all of which have a common theme: the global market demands it. In today's global market, companies must modernize to meet product quality requirements, to keep product costs competitive, to take advantage of new processes and materials, to produce a new product when a company's current product is no longer in demand, etc. In sum, for one of these Maine businesses to stay competitive today, it must raise the capital to modernize its plant and equipment every five to 10 years.

These are the kinds of businesses taking advantage of Maine's economic development programs. They are raising the skills and pride of their employees, they are supporting dozens of smaller businesses in Maine, and they are raising money for major capital investments every five to 10 years.

What kind of an economic development climate is needed in Maine to help existing and new businesses prosper in the future? For businesses to prosper a state's business climate must:

1) Encourage/support capital investment and modernization. As discussed above, Maine businesses must modernize their equipment with more frequency with each passing year. If they do not do so, the businesses and their workers simply cannot compete in the global marketplace. The property tax on business equipment is a disincentive to development here, compared to other

states. Thus either this tax should be repealed, or the BETR program must remain and expand.

2) Encourage/support the training of the workforce.

The first point is about modernizing equipment. This point is about updating the skills of our

workforce. The competitive global economy requires a workforce with post-secondary and graduate degrees — a workforce of "talent" that attracts and retains business

3) Encourage/support existing businesses and the upgrading and retention of existing jobs, as much as attracting new businesses and job creation.

Maine does not have a shortage of jobs. It has

a shortage of jobs that pay good incomes. Public policy should be focused on upgrading existing jobs, not just creating new ones.

4) Encourage/support businesses that export a substantial part of their goods or services to other states and foreign countries.

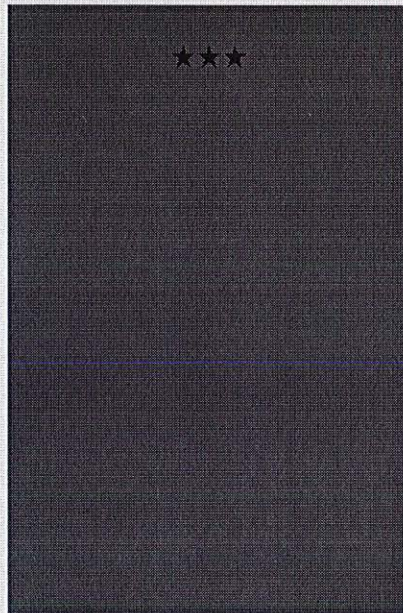
These are the kinds of businesses shown in the examples above. They are manufacturers who by definition are exporters. But they are also retail operations like L.L. Bean. And they are insurance and service businesses that sell their products out-of-state.

5) Ensure that government-imposed costs (such as taxes, workers' compensation, unemployment

compensation, permitting costs) **are competitive**, and ideally, provide businesses and workers a competitive advantage. As the previous chapters relate, Maine has work to do to achieve this goal.

6) Provide a stable tax and economic development environment.

This point is not about the size of the taxes or incentives. It is about the stability of the programs that are in place. The BETR program, for example, loses a little bit of its effectiveness as an





incentive for private investment, when annually business leaders hear a loud public debate about whether or not to eliminate it. They may fear that if they enter into the program, the promised benefits will not be there in later years.

The great example of stability in tax and economic development programs cited by Jonathan Speros, and by many others, is the country of Ireland. Ireland undertook a 20-year effort to upgrade educational levels, promote business, and lower taxes. It worked. While the exact program may not apply to Maine, the general principle of picking a strategy and sticking with it applies to Maine and to every other entity involved in economic development.

Speros also cites other states Maine can learn from. Rhode Island, for example, has a central economic development agency with a toolbox of generous tax credits for job creation, new construction, and job

training. Massachusetts, once derided as "Taxachusetts," has reduced its tax burden from well above the national average to well below it. Michigan and Pennsylvania have created virtually tax-free "opportunity zones" in depressed areas of inner cities as well as small towns. Over 15,000 jobs have resulted.

To sum up this section, government has been in the economic development business in this country since before the Revolution. Maine has certain economic development tools that have been effective. The businesses that have been helped by them have contributed high wages and area-wide small business benefits. But the tools are not as strong as what Maine will need in the future, nor are they as powerful or stable as those in other states.

Where do we go from here?

Five public policy imperatives

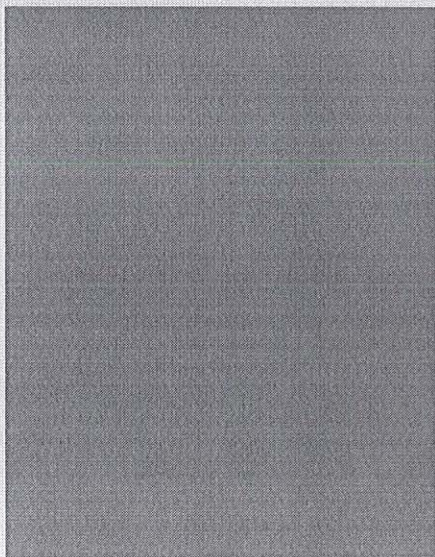
This white paper is different than many others you may read. It doesn't say that if state government adopts this program or that, our problems will be solved. Because, in reality, Maine's issues will not be solved by one or two specific programs — there are no silver bullets. **What is required is staying the course where progress already has been made**, such as in K-12 education, higher education, and research and development; **and a wholesale change in direction where we have not made progress**, such as in tax burden and structure, streamlining of government service delivery, and a stable, predictable business climate.

What is the right direction? The Institute for a Strong Maine Economy has identified five imperatives for the Maine economy. They are:

1 Reduce Maine's tax burden to the national average.

Maine has several economic disadvantages that can't be helped — our climate is cold, our location is out-of-the-way, our population is small and spread out. These are the cards that history and geography have dealt us. They cannot be used as excuses for Maine's economic condition.

The fact that Maine has one of the highest tax burdens in the country is a result in part of political choices, not fate. We can change those choices. We can commit to reducing our tax burden, increasing our incomes, and eliminating this particular disincentive to economic growth. In fact, we must, if we wish to remain economically competitive in the 21st century.



2 Restructure Maine's tax system to promote private investment, export activity, business competitiveness, stability, and predictability of revenues.

It is necessary for Maine to **reduce** its taxes, but it is not enough. Maine also needs to **restructure** the nature of its taxation.

As economist Robert Tannenwald points out in the Federal Reserve Bank of Boston's *New England Economic Review*¹, and economist Laurie Lachance reaffirms, Maine's current taxation system is based on the "old economy" of manufacturing-dependence and localized retail sales. This creates several problems. First, it is unfair. It taxes local manufacturers much more heavily than service businesses. The property tax on equipment, for example, is a disincentive for manufacturing investment in Maine. Second, it is unstable. The sales tax, driven largely by car and housing purchases, does very well during boom times — when government expenditure demands are not as great — and falls dramatically during recessions — when demands on government rise. Likewise, the income tax, with its sharply graded top scale, rises and falls more than in other states.

All of these issues indicate that Maine's tax system needs to be retooled for the 21st century. This is not a tinkering job. It is a fundamental rethinking of how and what we tax. Our goal must be to create a more stable and fair system of taxation, which promotes economic growth and reduces the tax-imposed costs of doing business in Maine.

¹ see <http://www.bos.frb.org/economic/neer/neer2001/neer401b.htm>

3 Reduce the cost of government by restructuring regional and local government services.

Maine has a little more than a million people. To serve this population we have nearly 500 local governments. Put another way, for roughly every 2,500 people, we have a town hall, a town manager, a police chief, a fire chief, a public works director, police cars, fire trucks, plow trucks, fire stations, and garages. Overlaid upon town and city governments are another layer of school districts, sewer districts, water districts, solid waste districts, economic development districts, planning districts, and counties. Each of these in turn has another set of administrators, offices, staffs, and equipment.

If you were to give a blank piece of paper to an average group of Maine citizens and ask them to design a local services delivery system for the state, they would come up with something much simpler than exists. It would no doubt also be much less expensive.

Every year there is a call in the Maine Legislature to reduce the property tax burden. The strategy usually involves sending more sales and income tax revenues back to local governments. In fact, state aid to local governments in Maine, through school funding and road block grants and revenue sharing and similar programs, has increased many times over in the past 25 years. Yet local government costs keep going up faster than the state aid, in part because of state mandates and in part because of our deeply held tradition of local control, which oftentimes prevents us from considering more efficient ways to deliver services.

The problem, in short, goes beyond a question of more state aid. It goes to fundamentally restructuring and simplifying the way Maine delivers local government services. **If the inefficient way we deliver local public safety, public works, economic development, and educational services is not changed, then no amount of state aid will ever be enough.**

That is why this is such an important recommendation.

4 Limit the growth in governmental spending to growth in gross state product, income, or some other logical benchmark.

Right now the growth in state spending is not tied to anything but available revenues. This leads to what Laurie Lachance refers to as "roller coaster budgeting cycles." In years of prosperity spending goes way up and new programs are added. In downturns, the demand for state services grows, and investments in key areas such as education, infrastructure, or technology are pitted against current services. In short, these cycles hamper Maine's ability to make wise, long-term investment decisions.

5 Promote a culture of lifelong learning through a seamless educational system running from pre-school to university to adult education.

Maine's population has a lower than average level of formal education than the rest of the country, and its participation in job training and continuing education is on the decline. When the Maine Economic Growth Council identified "red flag issues" for the Maine economy in its 2002 Report Card, five of the eight red flags were around educational achievement.

Maine has made significant progress in K through Grade 12 educational achievement in the last 20 years, and educators have reason to feel proud of this. But our level of post-secondary educational achievement continues to lag significantly behind both the national and regional average and places Maine at a real competitive disadvantage. **It is time for us to fully commit our efforts and resources to expanding post-secondary educational achievement in Maine.**

We cannot afford to leave our state and people in a competitive hole compared to other states in this critical area. As with the tax issue, this is a disadvantage that can be eliminated with focused and aggressive public policy.

"Dingley Press provides good jobs for an educated work force and, as the largest taxpayer, helps taxpayers afford the services they need."
Curtis Lunt, Town Manager, Lisbon

The Maine people “get it” – but do the candidates?

This paper began with the premise that Maine faces significant challenges that will only get more difficult unless we act now.

In fact, the Maine people already know there's a problem. In response to a statistically valid telephone survey* conducted in June 2001, **94%** of Maine people — 13 out of 14 adults — said that Maine needs to do **MORE** than it is doing now to promote business. A substantial group — one in three — said that Maine needs to do **MUCH MORE** to promote business.

The same strong convictions show up in discussions of more specific issues.

The percent of Maine people who agree that:

be active in attracting new business to Maine.”

be active in improving education and training in Maine.”

cut red tape and streamline the permitting process.”

improve Maine's per capita income ranking.”

reduce the costs of workers' compensation.”

* The Potholm Group, June 2001; survey of 400 Maine adults with a margin of error of plus or minus .049 at the 95% level of confidence.

So the general public understands that change is needed, even if they may not know what specific actions need to be taken.

The year 2002 is an election year. There are candidates for office all across the state. The Institute for a Strong Maine Economy urges Maine people to use this report to take the measure of these candidates, and to determine whether these candidates truly are prepared to confront Maine's economic future with bold, clearly defined, programs and policies.

Maine voters need to be able to separate the candidates who want to debate the facts from those who want to debate the solutions. We have laid out the facts in this report. We now need to hear if our candidates are willing to act on them.

Here's a simple test: Every time you hear a candidate offer a proposal for creating jobs or strengthening our economy, ask these questions:

How will this promote new investment in Maine?

How will this create opportunities for our young people?

How will this increase skill levels and incomes?

How will this reduce the cost of delivering government services?

How will this encourage exports?

Think about how different the debate can be if every day, every candidate must address these critical questions.

Maine has made some real progress in recent years, but while we have done so, our competitors have moved ahead as well, in many cases much faster. Now it is time for Maine people who care about our economic future to move this issue to the front political burner, and to create the conditions for real, fundamental, and long-lasting change.

This is about our future and our children's future. This is about hope and promise. We have choices to make, and there is no place for us to hide.

The Institute for a Strong Maine Economy gratefully acknowledges the primary contributors to this report:

Laurie Lachance, Maine State Economist, who authored "Maine's Investment Imperative" for this report;

Jonathan Speros, senior manager and northeast leader of the Credits and Tax Incentives Practice with PricewaterhouseCoopers, who authored "Economic Development Programs in Maine"; and

The 10 Maine businesses, who told the stories of their investments and the workers, suppliers, and vendors around the state who have benefited as a result.

The full text of their work, as well as this report, is available on the Institute's web site www.ismec.org

or by contacting:

Paula Valente, President
Institute for a Strong Maine Economy
120 Exchange Street
Portland, Maine 04101-5004
207-874-4748.

Investors

Corporations

Anthem Blue Cross and Blue Shield
Atlantic Precision Products, Inc.
Bath Iron Works
Brewer Automotive Components
Dead River Company
Dingley Press
Dragon Products Company
Fraser Papers, Ltd.
Gates Formed Fiber
Great Northern Paper
Guilford of Maine
Hancock Lumber
Hannaford Brothers
International Paper
J.S. McCarthy
L.L. Bean
Maine Yankee
McCain Foods
National Semiconductor
Perrier Group of America
Sappi Fine Paper North America
Specialty Minerals, Inc.
Tambrands, Inc.
UNUM / Provident
ZF Lemforder Corporation

Municipalities

City of Auburn
City of Augusta
City of Bangor
City of Bath
City of Brewer
Town of Freeport
City of Gardiner
City of Lewiston
City of South Portland
City of Waterville
Town of Yarmouth

Development Corporations

Lewiston-Auburn Economic Growth Council
Lewiston Development Corporation
Auburn Business Development Corporation

TRAFFIC ORDINANCE OF
THE TOWN OF CUMBERLAND, MAINE

AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF
THE TOWN OF CUMBERLAND, MAINE

THE TOWN OF CUMBERLAND HEREBY ORDAINS the following; under sections 1917 and 2151 of Title 30, Maine Revised Statutes Annotated 1964 as amended.

Article I - Words and Phrases Defined

1-1: Definition of words and phrases

- A. The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the meanings respectively ascribed to them in this Article, except when the context otherwise requires.
- B. Whenever any words and phrases used herein are not defined herein but are defined in the State laws regulating the operation of vehicles, any such definition therein shall be deemed to apply to such words and phrases used herein, except when the context otherwise requires.

- 1-2: Commercial vehicle - Every vehicle designed, maintained or used primarily for transportation of property.
- 1-3: Controlled access highway - Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.
- 1-4: Curb loading zone - A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers, materials, or freight.
- 1-5: Driver - Every person who drives or is in actual physical control of a vehicle.
- 1-6: Fire department official - Any municipal firefighter or fire warden including those appointed under special laws.
- 1-7: Laned roadway - A roadway which is divided into two or more clearly marked lanes for vehicular traffic.
- 1-8: Official time standard - Whenever certain hours are named herein they shall mean standard time or daylight-saving time as may be in current use in this municipality.
- 1-9: Park - Means the standing of a vehicle, whether occupied or not, otherwise then temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

- 1-10: Pedestrian - Any person afoot.
- 1-11: Person - Any natural person, firm, co-partnership, association, corporation, or other legal entity.
- 1-12: Police Officer - Any officer of the police department, any constable, or any person authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
- 1-13: Private road or driveway - Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.
- 1-14: Right of way - The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.
- 1-15: Roadway - That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm of the shoulder. In the event a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.
- 1-16: Safety zone - The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.
- 1-17: Sidewalk - That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.
- 1-18: Traffic division - The traffic division of the police department of this municipality, or in the event a traffic division is not established, then said term whenever used herein shall be deemed to refer to the police department of this Town.

Article II Traffic Administration

2-1: Police Administration -

There is hereby established in the police department of this municipality a traffic division to be under the control of an officer of police appointed by and directly responsible to the Chief of Police.

2-2: Duty of traffic division -

The traffic division, with such assistance as may be rendered by other personnel within the police department, shall:

- A. enforce the traffic provisions of this ordinance and the State vehicle laws;
- B. make arrests for traffic violations;
- C. investigate accidents;

- D. cooperate with other municipal officials in the administration of traffic laws and in developing methods to improve traffic conditions;
- E. carry out those duties imposed upon it by this ordinance.

2-3: Records of traffic violations -

- A. The police department or the traffic division thereof shall keep a record of all violations of the traffic ordinances of this municipality or of the State vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a five-year period and, from that time on, the record shall be maintained complete for at least the most recent five-year period.
- B. All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record shall be kept available to the public showing the disposal of all such forms.
- C. All such records and reports shall be public records.

2-4: Traffic division to investigate accidents -

It shall be the duty of the traffic division, assisted by other police officers in the department, to investigate traffic accidents, to arrest and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

2-5: Traffic accident studies -

Whenever the accidents at any particular location become numerous, the traffic division shall conduct studies of such accidents and with the assistance of traffic engineers employed by the Maine Department of Transportation, formulate remedial measures.

2-6: Traffic accident reports -

The traffic division shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location.

2-7: Drivers' files to be maintained -

- A. Said division shall study the cases of all drivers charged with frequent or serious violations of the traffic laws or involved in frequent traffic accidents or any serious accident, and report such information to the division of motor vehicles or other appropriate State agencies.
- B. Such records shall accumulate during at least a five-year period and, from that time on, such records shall be maintained complete for at least the most recent five-year period.

2-8: Traffic division to submit annual traffic safety report -

The traffic division shall annually prepare a traffic report which shall be filed with the Town Manager. Such report shall contain

information on traffic matters in this municipality as follows:

1. The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;
2. The number of traffic accidents investigated and other pertinent data on the safety activities of the police;
3. The plans and recommendations of the division for future traffic safety activities, including remedial measures arising from traffic accident studies.

2-9: It shall be the general duty of the Chief of Police to determine the installation and proper timing and maintenance of traffic control devices, to conduct analyses of traffic accidents and to devise remedial measures, to conduct investigations of traffic conditions, to plan the operation of traffic on streets and highways of this municipality, and to cooperate with other municipal officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by ordinances of this municipality. The installation of traffic control devices on state-aid and state highways is subject to Maine Department of Transportation approval.

2-10: Emergency and experimental regulations -

- A. The Town Council, by and with the approval of the Maine Department of Transportation is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of this town and to make temporary or experimental regulations to cover emergencies or special conditions. Such temporary or experimental regulations shall be enforced by the police department. No such temporary or experimental regulation shall remain in effect for more than 90 days.
- B. The Chief of Police may test traffic-control devices under actual conditions of traffic.

Article III Enforcement and obedience to traffic regulations

3-1: Authority of police and fire department officials -

- A. It shall be the duty of any police officer to enforce all traffic laws of this municipality and all State vehicle laws.
- B. Police officers are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic, or to safeguard pedestrians, police officers may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.
- C. Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

3-2: Required obedience to traffic ordinance -

It is unlawful and a misdemeanor for any person to do any act forbidden or fail to perform any act required in this ordinance.

3-3: Obedience to police and fire officials -

No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer or fire department official in directing traffic.

- 3-4: Public employees to obey traffic regulations -
The provisions of this ordinance shall apply to the drivers of all vehicles owned or operated by the United States, this State, or any county, town, district, or any other political subdivision of the State, subject to such specific exceptions as are set forth in this ordinance or in the State vehicle code.
- 3-5: Authorized emergency vehicles -
A. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to, but not upon return from, a fire alarm, may park or stand, irrespective of the provisions of this ordinance.
B. The foregoing provision shall not relieve the driver of an authorized emergency vehicle from the duty to park or stand with due regard for the safety of all persons, nor shall such provision protect the driver from the consequences of his reckless disregard for the safety of others.
- 3-6: Certain nonmotorized traffic to obey traffic regulations -
A. Every person propelling any push cart upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this ordinance and by the rules of the road portion of the State vehicle code, except those provisions which by their nature have no application.
B. Every person riding an animal or driving an animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this ordinance, except those provisions of this ordinance which by their very nature can have no application.
- 3-7: Use of coaster, roller skates, motorized toys and similar devices restricted -
No person upon roller skates, or riding in or by means of any coaster, skateboard, toy vehicle, motorized toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.
- 3-8: Written report of accident -
The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to or death of any person or total damage to all property to an apparent extent of \$200. or more shall within 10 days after such accident forward to the police department a written report of such accident or a copy of any report filed with the Chief of the State Police. The provisions of this section shall not be applicable when the accident has been investigated at the scene by a municipal police officer while such driver was present thereat.
- 3-9: When driver unable to report -
Whenever the driver is physically incapable of making a written report of an accident as required in section 3-8 and such driver is not the owner of the vehicle, then the owner of the vehicle in such accident shall within 10 days after the accident make such report not made by the driver.

Article IV Traffic Control Devices

- 4-1: Authority to install traffic-control devices -
The Chief of Police, at the direction of, or with the approval of, the Town Council and with the assistance of the Highway Department, shall place and maintain official traffic-control devices when and as required under the traffic ordinances of this municipality to make effective the provisions of said ordinances and shall recommend to the Town Council such additional official traffic-control devices as he may deem necessary to regulate, warn, or guide traffic under the traffic ordinances of this municipality or the State vehicle code. The installation of traffic-control devices on state-aid and state highways shall be subject to and the responsibility of the Maine Department of Transportation.
- 4-2: Specifications for traffic-control devices -
All traffic-control signs, signals and devices shall conform to specifications approved by the Maine Department of Transportation. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the municipality. All traffic-control devices so erected and not inconsistent with the provisions of State law or this ordinance shall be official traffic-control devices.
- 4-3: Obedience to official traffic-control devices -
The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this ordinance, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle.
- 4-4: When official traffic-control devices required for enforcement purposes -
A. No provision of this ordinance for which official traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person.
B. Whenever a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place.
- 4-5: Official traffic-control devices. Presumption of legality -
A. Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this ordinance, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.
- 4-6: Chief of Police to recommend crosswalks and establish safety zone -
The Chief of Police is hereby charged with the responsibility of submitting recommendations to the Town Council which will enable the Council to designate, and the Highway Department to maintain:
1. Appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where there is particular

danger to pedestrians crossing the roadway, and at such other places as may be deemed necessary.

2. To establish safety zones of such kind and character and at such places as may be deemed necessary for the protection of pedestrians.
3. On state-aid and state highways the recommendations of the Chief of Police and authority of the Town Council are subject to approval by the Maine Department of Transportation.

4-7: Traffic lanes -

The Chief of Police is hereby authorized, with the approval of the Road Commissioner and cooperation of the Highway Department, to designate traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary. On state-aid and state highways, the authority of the Chief of Police is subject to Maine Department of Transportation approval.

Article V, Speed Regulations

5-1: State speed laws applicable -

The State traffic laws regulating the speed of vehicles shall be applicable upon all streets within this municipality.

5-2: Regulation of speed by traffic signals -

The Chief of Police is authorized, subject to approval by the Town Council, the Maine Department of Transportation, and State Police, to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof.

Article VI, Turning Movements

6-1: Authority to place devices altering normal course for turns -

The Chief of Police is authorized, subject to the approval of the Town Council, to place or have placed official traffic-control devices within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law. On state-aid and state highways, the authority of the Police Chief is also subject to approval of the Maine Department of Transportation.

6-2: Authority to place restricted turn signs -

The Chief of Police is to recommend to the Town Council those intersections at which drivers of vehicles shall not make a right, left, or U-turn, and shall, upon affirmative vote of the Council, with the cooperation of the Highway Department, place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs, or the signs may be removed when such turns are permitted. On state-aid and state highways, the recommendations of the Police Chief and the authority of the Town Council are subject to approval of the Maine Department of Transportation.

Article VII, Stop and Yield Intersections -

- 7-1: Through streets designated -
Those streets and parts of streets described in schedule I attached hereto and made a part hereof, are hereby declared to be through streets for the purpose of this section.
- 7-2: Signs required at through streets -
Whenever this ordinance designates and describes a through street, it shall be the duty of the Chief of Police with the cooperation of the Highway Department, to place and maintain a stop sign, or on the basis of an engineering and traffic investigation at any intersection a yield sign, on each and every street intersecting such through street unless traffic at any such intersection is controlled at all times by traffic-control signals; provided, however, that at the intersection of two such through streets or at the intersection of a through street and a heavy traffic street not so designated, stop signs shall be erected at the approaches of either of said streets as may be recommended to and voted by the Town Council, by the Chief of Police upon the basis of an engineering and traffic study.
- 7-3: Other intersections where stop or yield required -
The Chief of Police is to designate intersections where a particular hazard exists upon other than through streets and to determine and recommend to the Town Council:
- A. whether vehicles shall stop at one or more entrances to any such intersection, in which event, upon vote of the Town Council, he shall cause to be erected a stop sign at every such place where a stop is required, or:
 - B. whether vehicles shall yield the right-of-way to vehicles on a different street at such intersection, in which event upon vote of the Town Council he shall cause to be erected a yield sign at every place where obedience is required.
- 7-4: State approval -
On state-aid and state highways, the designation of through streets and the installation of stop and yield signs are subject to Maine Department of Transportation approval.

Article VIII, Miscellaneous Driving Rules

- 8-1: Stop when traffic obstructed -
No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or sidewalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal to proceed.
- 8-2: Driving through funeral or other procession -
No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

- 8-3: Drivers in a procession -
Each driver in a funeral or other procession shall drive as near to the right hand edge of the roadway as practicable and shall follow the vehicle ahead as closely as is practicable and safe.
- 8-4: Boarding or alighting from vehicles -
No person shall board or alight from any vehicle while such vehicle is in motion.
- 8-5: Unlawful riding -
No person shall ride in any vehicle upon any portion thereof not designated or intended for the use of passengers. This provision shall not apply to any employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.
- 8-6: Leaving unattended vehicle -
No operator or person in charge of a commercial motor vehicle sales or repair operation shall park or cause to be parked any motor vehicle on a new or used car lot or at a repair garage without locking the ignition, removing the ignition key from the vehicle and effectively setting the brake.
- 8-7: Action by police officer -
Whenever a police officer shall find a motor vehicle parked unattended with the ignition key in the vehicle in violation of section 8-6, the police officer is authorized to remove the key from the vehicle and deliver the key to the police station.

Article IX, Pedestrians' rights and duties

- 9-1: Crossing at right angles -
Except where otherwise indicated by a crosswalk or other official traffic-control device, a pedestrian shall cross a roadway at right angles to the curb or by the shortest route to the opposite curb.
- 9-2: Obedience of pedestrians to railroad signals:
A. No pedestrian shall pass through, around, over, or under any flashing signal, crossing gate, or barrier at a railroad grade crossing while such flashing signal is operating or while such gate or barrier is closed or is being opened or closed.
- 9-3: Drivers to exercise due care -
Notwithstanding other provisions of this ordinance, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any obviously confused or incapacitated person upon a roadway.

Article X, Regulations for bicycles

10-1: Effect of regulations -

- A. It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this article.
- B. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this ordinance.
- C. These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or any path set aside for the exclusive use of bicycles subject to those exceptions state herein.

10-2: Traffic ordinances apply to persons riding bicycles -

Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this ordinance, except as to special regulations in this article and except as to those provisions of this ordinance which by their nature can have no application.

10-3: Obedience to traffic-control devices -

- A. Any person operating a bicycle shall obey the instructions of official traffic-control devices applicable to vehicles, unless otherwise directed by a police officer.
- B. Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event, such person shall then obey the regulations applicable to pedestrians.

10-4: Parking -

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

10-5: Riding on sidewalks -

- A. The Chief of Police is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place no person shall disobey the same.

10-6: Penalties -

Every person convicted of a violation of any provision of this article shall be punished by a fine of not more than \$100.00 or by impounding of such person's bicycle for a period not to exceed 15 days or any combination thereof.

Article XI Angle Parking -

11-1: Angle parking shall not be indicated or permitted at any place within the streets, roads, or highways of the Town of Cumberland.

11-2: Permits for loading or unloading at an angle to the curb -

- A. The Chief of Police is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or leasee of real property or to the owner of the vehicle and shall grant leasee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein.
- B. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

Article XII Stopping, standing, or parking prohibited in specified places

12-1: Parking not to obstruct traffic -

No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic.

12-2: Parking for certain purposes prohibited -

No person shall park a vehicle upon any roadway for the principal purposes of:

1. Displaying such vehicle for sale.
2. Washing, greasing or repairing such vehicle except repairs necessitated by an emergency.

12-3: Parking adjacent to schools -

- A. The Chief of Police is hereby authorized, upon vote of the Town Council, to cause the installation of signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would interfere with traffic or create a hazardous situation.
- B. When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place.

12-4: Parking prohibited on narrow streets -

- A. The Chief of Police is hereby authorized, upon vote of the Town Council, to cause the installation of signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed thirty feet.

- B. When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

12-5: No stopping, standing or parking near hazardous or congested places -

- A. The Chief of Police is to determine and recommend to the Town Council for its designation places not exceeding 100 feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic. The Chief of Police shall cause the installation of proper signs in such locations.
- B. When official signs are erected at hazardous or congested places as authorized herein no person shall stop, stand or park a vehicle in any such designated place.

Article XIII Stopping for loading or unloading only

13-1: Chief of Police to designate curb loading zones -

The Chief of Police is to determine and recommend to the Town Council the location of curb loading zones and shall cause to be placed and maintained appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable.

13-2: Permits for curb loading zones -

The Town Council shall not hereafter designate or cause to be signed any curb loading zone upon special request of any person unless such person makes application for a permit for such zone and for installation of two signs to be purchased and installed at his expense to indicate the ends of each such zone. Upon the granting of a permit and issuing authorization for such signed by the Town Council, the Town Clerk shall collect from the applicant and deposit in the municipal treasury a service fee of \$25.00 per year or fraction thereof. The Town Council may by general regulations impose conditions upon the use of such signs and for their replacement in the event of their loss or damage and their removal in the event of misuse or upon expiration of a permit. Every permit removal shall expire at the end of the calendar year.

13-3: Standing in curb loading zone -

No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of freight; materials or passengers in any place marked as a curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed thirty minutes.

13-4: Town Council to designate public carrier stops and stands

The Chief of Police is to recommend to the Town Council the designation and establishment of bus stops, taxi stands and stands for other passenger common-carrier motor vehicles on such public streets in such places and in such number as shall

be determined to be of the greatest benefit and convenience to the public, and every such bus stop, taxicab stand shall be designated by appropriate signs.

13-5: Stopping, standing and parking of buses and taxicabs regulated -

- A. The operator of a bus shall not stand or park such vehicle upon any street.
- B. The operator of a bus, other than a school bus, shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers other than at a bus stop or passenger loading zone so designated as provided herein, except in the case of any emergency.
- C. The operator of a bus shall enter a bus stop or passenger loading zone on a public street in such manner that the bus when stopped to load or unload passengers or baggage shall be in a position so as not to unduly impede the movement of other vehicular traffic.
- D. The operator of a taxicab shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

13-6: Restricted use of taxicab stands -

No person shall stop or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

Article XIV Stopping or parking restricted or prohibited on certain streets

14-1: Application of article -

The provisions of this article prohibiting the parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic-control device.

14-2: Regulations not exclusive -

The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping or parking of vehicles in specified places or at specified times.

14-3: Parking prohibited at all times on certain streets -

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described in

schedule A attached hereto and made a part of this ordinance.

- 14-4: Parking prohibited during certain hours on certain streets -
When signs are erected giving notice thereof, no person shall park a vehicle between the hours specified in schedule "B" of any day except Sundays and public holidays within or upon any of the streets described in said schedule B attached to and made a part of this ordinance.
- 14-5: Parking time limited on certain streets -
When signs are erected giving notice thereof, no person shall park a vehicle for longer than 2 hours at any time between the hours of 7:00 A.M. and 7:00 P.M. of any day except Sundays and public holidays within the district or upon any of the streets described in schedule "C" attached to and made a part of this ordinance.
- 14-6: Parking signs required -
Whenever by this or any other ordinances of this municipality any parking time limit is imposed or parking is prohibited on designated streets it shall be the duty of the Chief of Police with the cooperation of the Highway Department to erect appropriate signs giving notice thereof and no such regulation shall be effective unless said signs are erected and in place at the time of any alleged offense.
- 14-7: Parking when interfering with or hindering the removal of snow -
No vehicle shall be parked at any time on a public way to interfere with snow plowing or snow removal. No vehicle shall be parked on any street in the Town of Cumberland between the hours of 12 o'clock midnight and 7 o'clock A.M. from November 15 to April 1. This regulation shall not apply to physicians on to emergency and professional calls.

Article XV Regulating the kinds and classes of traffic on certain highways

- 15-1: Load restrictions upon vehicles using certain highways -
When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified in schedule "D", at any time upon any of the streets or parts of streets described in said schedule "D", attached to and made a part of this ordinance.
- 15-2: Commercial vehicles prohibited from using certain streets -
When signs are erected giving notice thereof, no person shall operate any commercial vehicle exceeding 18,000 pounds gross weight at any time upon any of the streets or parts of streets described in schedule "E", attached to and made a part of this ordinance, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only be entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no farther than the nearest intersection thereafter.
- 15-3: Size restrictions upon vehicles using certain highways -
A. It is hereby determined upon the basis of an engineering and traffic investigation that the size permitted by State law

promise to appear given to an officer upon the issuance of a traffic citation regardless of the disposition of the charge for which such citation was originally issued.

16-6: Citation on illegally parked vehicle -

Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of this municipality or by State law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the municipality for the driver to answer to the charge against him within five days during the hours and at a place specified in the citation.

16-7: Failure to comply with traffic citation attached to parked vehicle -

If a violator of the restrictions on stopping or parking under the traffic laws or ordinance does not appear in response to a traffic citation affixed to such motor vehicle within a period of five days, the Chief of Police shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five days a warrant of arrest will be issued.

16-8: Presumption in reference to illegal parking -

- A. In any prosecution charging a violation of any law or regulation governing the parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.
- B. The foregoing stated presumption shall apply only when the procedure as prescribed in sections 16-6 and 16-7 has been followed.

16-9: When warrant may be issued -

In the event any person fails to comply with a traffic citation given to such person or attached to a vehicle or fails to make appearance pursuant to a summons directing an appearance in the District Court, the Clerk of the District Court shall secure and issue a warrant for his arrest.

Article XVII Effect of and Short Title of Ordinance

17-1: Application -

The provisions of this ordinance relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except where a different place is specifically referred to in a given section.

17-2: Uniformity of interpretation -

- is greater than physical conditions will allow upon the streets or parts of streets described in schedule "F", attached to and made a part of this ordinance.
- B. When signs are so erected giving notice thereof, no person shall disobey the restrictions stated on such signs.

15-4: State approval -

On state aid and state highways, the installation of signs is subject to Maine Department of Transportation approval.

Article XVI Penalties and procedure on arrest

16-1: Penalties -

Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than \$100.

16-2: Forms and records of traffic citations and arrests under municipal ordinance -

- A. The Town of Cumberland shall provide traffic citation forms for notifying alleged violators to appear and answer to charges of violating municipal traffic laws and ordinances in the District Court. Said forms shall consist of serially numbered sets of citations in quadruplicate in the form prescribed and approved by the Chief of Police.
- B. The Chief of Police shall issue such citation forms to all duly sworn regular and reserve police officers of the Town of Cumberland and shall maintain a record of all citations forms so issued and shall require a written receipt for every such booklet of citation forms.

16-3: Procedure of police officers -

A police officer who halts a person for violation of any municipal traffic laws other than for the purpose of giving him a warning or warning notice and does not take such person into custody under arrest, shall take the name, address, and driver's license number of said person, the registration number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him in writing a traffic citation containing a notice to answer to the charge against him in the District Court at a time at least five days after such alleged violation to be specified in said citation. The officer, upon receiving the written promise of the alleged violator to answer as specified in the citation, shall release such person from custody.

16-4: When copy of citation shall be deemed a lawful complaint -

In the event the form of citation provided under section 16-2 includes information and is sworn to as required under the general laws of this State in respect to a complaint charging commission of the offense alleged in said citation to have been committed, then such citation when filed with a court having jurisdiction shall be deemed to be a lawful complaint for the purpose of prosecution.

16-5: Failure to obey citation -

It shall be unlawful for any person to violate his written

This ordinance shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those local authorities which enact it.

17-3: Effect of headings -

Article and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section hereof.

17-4: Short title:

This ordinance may be known and cited as the Cumberland Traffic Ordinance.

17-5: Ordinance not retroactive -

This ordinance shall not have a retroactive effect and shall not apply to any traffic accident, to any cause of action arising out of a traffic accident or judging arising therefrom, or to any violation of the motor vehicle ordinance of this Town, occurring prior to the effective date of this ordinance.

17-6: Effect of partial invalidity -

If any part or parts of this ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

17-7: Publication of ordinance -


The Town Clerk shall certify to the passage of this ordinance and cause notice of such passage to be published, together with notice of the availability of this ordinance at the Cumberland Town Hall.

17-8: Repeal -

The existing ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

At the regular meeting of the Town Council held on Monday, June 25, 1979 the following parking restrictions on the Stone Pier - Chebeague Island were passed -

- (1) 24 hour parking signs be installed on the stone pier and the restriction be enforced;
- (2) A designated area starting at a northerly point from CMP pole #5-30 running in southerly direction located in front of the float and loading ramp would be lined for no parking, loading and unloading only;
- (3) A wedge shaped area located in the northerly corner and to the righthand side of Varney's Market be lined for no parking;
- (4) The ramp used by the fishermen to the extreme left and side of Varney's Market would be lined and no parking would be indicated in the ramp area.

Council
10-8-02


1 October 2002

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

Dear Bob,

It is only after great consideration that I inform you of my decision to resign my position as Cumberland's town planner, effective immediately.

I have greatly enjoyed my time in the Cumberland Planning Department, and feel that we have made some very positive accomplishments. However I have been presented with an opportunity to continue my career in a private-sector design firm, and after lengthy deliberation I have decided that it is appropriate for me to pursue this opportunity. As I will be working in the Portland area, I look forward to continuing the personal and professional relationships that I have developed while here, and I will observe with great interest the future development of the Town.

I am prepared to see the Planning Board through their October 15 hearing, and am proposing Wednesday October 23 as my last day. This yields notice of 17 business days, thereby satisfying the required 10-day notice specified in the Cumberland Personnel Policy. This will provide me enough time to conclude several projects that are currently underway, and to prepare the planning department for transition to a new steward.

On a personal note, I would like to thank you for a highly rewarding professional experience here in Cumberland, and I am grateful to have held this position during your tenure. My work with you, the Planning Board, the Council, and many talented local professionals over the past twenty months has taught me volumes about local politics, public policy and the complexities of development - lessons that will serve me well in the future. I would also like to wish you a full and gratifying retirement, one that is extremely well deserved. Your legacy in this Town will be an enduring one.

My very best regards,



Andy Fillmore
Cumberland Town Planner

**Jensen Baird
Gardner & Henry**

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

www.jbgh.com

TELEPHONE #(207) 775-7271
TELECOPIER #(207) 775-7935

Deborah M. Mann
e-mail: dmann@jbgh.com

September 25, 2002

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

Donna Damon
c/o Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

James Phipps
Preti Flaherty Beliveau & Pachios
One City Center
PO Box 9546
Portland, ME 04112-9546

John Lambert
Lambert Coffin Rudman & Hochman
477 Congress Street
PO Box 15215
Portland, ME 04112-5215

Stephen Moriarty
Norman Hanson & DeTroy LLC
415 Congress Street
PO Box 4600
Portland, ME 04112-4600

Re: ***Blanchard v. State of Maine Department of Transportation***
Law Docket #CUM-01-353

Dear Bob, Jim, Steve, Donna and John:

The prehearing conference has been set for some time on November 13, 2002, in a place as yet undetermined, but most likely at the Cumberland County Courthouse. The purpose of the conference is to discuss scheduling, stipulating to facts, identifying witnesses, describing testimony, listing exhibits and notifying the Commission of any issues other than the adequacy of the award that will need to be adjudicated. The Commission has sent me a copy of all notices and pleadings in its file, and beyond the above, there is nothing else of note.

I will let you know as soon as DOT schedules a meeting in advance of the prehearing conference.

Very truly yours,


Deborah M. Mann

DMM/ph
Cc: Kenneth M. Cole

council
10-8-02
B

September 29, 2002

Dear Sirs:

We were delighted to see the paving of Route 88 last week, as were all Foreside residents, I'm sure. We have felt for a long time that most of the improvements to the Town of Cumberland occur in the western part of the Town, although Foreside residents pay a good portion, if not the majority, of Cumberland's taxes. I learned from Julie Restuccia that it was the State that paved Route 88, not the Town. That explains the absence of the long awaited bike and walking paths. Julie and her committee worked diligently ten years ago to convince the Town of the need for bike paths along Foreside Road, only to have their proposal defeated.

Foreside Road is probably the busiest and most dangerous road in the Town of Cumberland, other than Route 1. It also has the most bikers, runners and walkers of any area in the town. I challenge you to walk, run or try to ride a bike along the side of the Cumberland section of Foreside Road. The side is often uneven, rocky, sandy and difficult to traverse. In many places, the road is three inches taller than the side areas. Therefore, bikers, walkers and runners must use the road itself, which creates the potential for disaster. Surely you don't intend to wait until someone is hurt or killed before you decide to make our road safer for those who use it.

Falmouth's section of Foreside Road must also be a State road, yet Falmouth found a way to provide residents with bike paths. It would seem that our town is not willing to spend the money on the Foreside.

The road is now newly paved. Wouldn't this be a good time for the Town to take the initiative and install the bike paths that we should have had long ago? We think so and hope that you will take this problem into consideration immediately.

Sincerely,

Catherine Sanders

Charles Sanders

Charles and Catherine Sanders

16 Island Pond Rd.

Cumberland Foreside, ME 0411

September 27, 2002

*Cumberland Town Council
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021*

Dear Members of the Council,


On behalf of the National Kidney Foundation of Maine, I would like to thank you for your recent contribution of \$ 50.00 sent in memory of Dr. Paul Cox.

The National Kidney Foundation of Maine is dedicated to improving the quality of life for Maine kidney patients and their families. We do this through patient assistance grants, a wide array of patient and public education, patient programs, and research. All of our money is raised through special events and private donations. Your efforts make a difference in the lives of patients and families in this state. For tax purposes you have received no goods or services for this contribution. It is totally tax deductible. Our Tax ID # is 01-0318150.

The National Kidney Foundation of Maine faces a real challenge in raising the funds needed to maintain an excellent level of service, programs, advocacy and referral for our Maine friends and neighbors coping with kidney and urological diseases. Perhaps someday there won't be a need for our services, as a cure for all kidney disease is found. Until then we greatly appreciate the efforts of people like you who care and are willing to help make a difference in the lives of others.

Many thanks for thinking of us. We very much appreciate your support.

Sincerely,


Steve Mayberry
Executive Director



**CUMBERLAND-NORTH YARMOUTH LIONS
SCHOLARSHIP FUND**

(Fed ID # 01-0427717)
105 Tuttle Road, Cumberland, ME 04021

***Our 15th Year of Providing
Greely High Scholarships***

September 24, 2002

Cumberland Town Council
290 Tuttle Road
Cumberland, ME 04021


Dear Councilors:

Thank you for your recent donation of \$50.00 to the Cumberland-North Yarmouth Lions Club Scholarship Fund in memory of Greg Geier, a 17-year member and Past President of our Club.

On behalf of all of the members of the Club and the students that benefit from the scholarship grants awarded at graduations, we would like to extend our sincere thanks for your donation. This year the Fund was able to award \$8,750 in scholarship grants to graduates of Greely High School.

This gift is tax deductible under current IRS guidelines as the Fund is recognized as an IRS 501(c)(3) organization. The Scholarship Fund provides no goods or services in consideration of your gift.

Sincerely,


Kenneth E. Snitger
Fund Administrator

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

P. O. Box 6A

Cumberland Center, ME 04021

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

Board of Directors

Minutes

Monday

September 16, 2002

7:00 PM

Mabel I. Wilson School

Multipurpose Room

1. Call To Order - by MSAD #51 Board of Directors Vice-Chairperson, John Aromando at 7:00 PM.

Attendance:

Board of Directors: John Aromando, Peter Bingham, Polly Haight Frawley, Henry Kennedy, Betts Gorsky, Audrey Lones, Jim Moulton, Bob Vail

Administrators: Becky Foley, Wayne Fordham, Don Foster, Suzanne Godin, Jack Hardy, Robert Hasson, Chris Mosca, Pat Palmer, Scott Poulin, Scott Smith, Judy True, Penny Wheeler-Abbott

2. Approval of the Minutes – of the Board of Directors meetings held on June 26, 2002, August 8, 2002 and August 9, 2002.

Motioned 2nd ed

Voted: To approve the minutes of the Board of Directors meeting held on June 26, 2002. (Voted: 5-0)

Motioned 2nd ed

Voted: To approve the minutes of the Board of Directors meeting held on August 8, 2002. (Voted: 8-0)

Motioned 2nd ed

Voted: To approve the minutes of the Board of Directors meeting held on August 9, 2002. (Voted: 8-0)

3. Superintendent's Report – Opening of Schools

4. Presentations

- a) BOD Retreat – Polly Haight Frawley
- b) Greely Middle School Site Work Update – John Aromando

5. Committee Report

- a) Math Committee – Betts Gorsky

6. Items for Action

- a) Appointment of individuals to teaching positions for the 2002-2003 school year

Motioned 2nd ed

Voted: To appoint individuals to teaching positions for the 2002-2003 school year. (Voted: 8-0)

MIW

Kathleen Hardy – Kindergarten 1/2 time

Tracy Lawwill – Gr. 1 job share

Sharon Grossman – 1/5th Music

GJHS

Blair Atherton – 5/6 multiage

Michelle Dubey – Computer 3/5ths

Alisha Goldblatt – Gr. 7 Language Arts

Dennis Levandoski – Gr. 8 Science/Soc. Studies

b) Vote to authorize the Superintendent to retain SYT Design Consultants to serve as the District's Owner's Representative for the District's middle school construction project and to execute a contract with SYT Design Consultants.

Recommendation

Motioned 2nd ed

Voted:

That pursuant to 20-A M.R.S.A. §§ 1001, 1055 and 4001 and Title 5 § 1753, the MSAD #51 Board of Directors hereby authorizes the Superintendent to retain Construction Services Associates to serve as the District's Owner's Representative for the District's middle school construction project, and to execute a contract with Construction Services Associates provided that such contract is in a form satisfactory to the Superintendent. (Voted: 8-0)

c) Elect a board member as voting delegate for the MSBA delegate assembly.

Motioned 2nd ed

Voted: To elect a board member as voting delegate for the MSBA delegate assembly. (Voted: 8-0)

d) Vote to appoint non-athletic co-curricular stipend positions for the 2002-2003 school year

Motioned 2nd ed

Voted: To appoint non-athletic co-curricular stipend positions for the 2002-2003 school year.
(Voted: 7-0-1, abstain)

GHS

Natural Helpers

Student Council

Debate Advisor

Social Studies Department Head

Literary Magazine

Fine Arts Department Head

Anthoine

Bickard

Curry

Day

Dexter

Franklin

Bob

Joe

Jason

John

Katie

Wes

| | | |
|---|------------|----------|
| High School Shop Maintenance | Hasch | Kelvin |
| Industrial Tech. Teacher Leader | Hasch | Kelvin |
| Business Teacher Leader | Holt | Ozzie |
| Year Book | Holt | Ozzie |
| PET Process Support | Hunt | Sue |
| Literary Magazine | Kreider | Linda |
| Foreign Language Department Head | Leavitt | Grace |
| Spanish Honor Society | Leavitt | Grace |
| Specials Department Head | Livingston | Todd |
| Math Department Head - GHS | McKeone | Dan |
| Math Team Adviser | Rosen | David |
| Greely Times | Mothes | Barry |
| Band Director | Rollins | Kevin |
| Director, Fall Drama Production | Northway | Audrey |
| Director, Spring Drama Production | Northway | Audrey |
| Technical Director, Fall Drama Production | Northway | Dane |
| Technical Director, Spring Drama Production | Northway | Dane |
| Science Fair Advisor | O'Neill | Bob |
| N.H.S. | Pascarella | Tom |
| Science Department Head | Pascarella | Tom |
| Junior Class Advisor | Yager | Rick |
| Life Skills Teacher Leader | Richardson | Beth |
| French Honor Society | Ryder | Mary |
| English Department Head | Stone | Frankie |
| Senior Class Advisor | Thibault | Pat |
| Choral Director | Thomas | Jan |
| Investment Club | Tracey | Glenn |
| Envirothon Advisor | Treadwell | Jan |
| Sophomore Class Advisor | Yenco | Margaret |
| Senior Class Advisor | Zipper | Jessica |

MSAD #51 Web Master/Email Assistant Admin Hopkinson Richard

CSRD Grant

| | | |
|---|---------|----------|
| Extra Academic Support Coordinator | McKeone | Dan |
| Data Management Coordinator | Bickard | Joe |
| Professional Learning Community Coordinator | Leavitt | Grace |
| Advisor/Advisee Coordinator | Yager | Rick |
| CSRD Co-Chair | Drew | Doug |
| Critical Friends Coach | Yenco | Margaret |

NYMS

| | |
|------------------------|-----------------|
| Teacher Leadership | Ann Bilodeau |
| Grade 4 Co-Team Leader | Dixie Hayes |
| Grade 4 Co-Team Leader | Sheila Mayberry |
| Grade 5 Team Leader | Carol Pappas |
| Team Leader Specialist | David Brown |

e) Vote to appoint mentor/support team co-curricular stipend positions for the 2002-2003 school year

Motioned 2nd ed

Voted: To appoint mentor/support team co-curricular stipend positions for the 2002-2003 school year.

(Voted: 8-0)

| New Teacher | Mentor | Support |
|---------------------|-----------------|----------------|
| Atherton, Blair | Andrea Powell | |
| Dresnok, Katy | Grace Leavitt | Julie Kingsley |
| Dubey, Michelle | David Brown | |
| Geesaman, Kimberly | Nancy O'Rourke | |
| Goldblatt, Alisha | Doreen Thompson | |
| Groom, Holly | Mary Hinman | |
| Lawwill, Tracy | Ruth White | |
| Levandowski, Dennis | Morgan Cuthbert | Rick Hogan |
| Manion, Allison | Scott Thurston | |
| McDonough, Joseph | Grace Leavitt | |
| McGovern, Kathy | Nancy Terison | |
| Moore, Dianne | Jean West | Martyn Keen |
| Peters, Dianne | Ann Smith | Martyn Keen |
| Rackley, Linda | Beth Fenwick | |
| Rollins, Kevin | Jan Thomas | |
| Rosen, David | Dan McKeone | |
| Simmons, Monica | Dena McFarland | Julie Kingsley |
| Trebilcock, Mar-E | Bill Wise | |

f) Election of Officers

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

I, Peter Bingham nominate John Aromando for appointment to the position of Chairperson of the Board of Directors.

Motioned: Audrey Lones

Seconded: Polly Haight Frawley

Voted: to appoint John Aromando as Chairperson of the MSAD #51 Board of Directors, to become effective at 12:01 A.M., September 17, 2002. (Voted: 8-0)

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

I, Bob Vail nominate Polly Haight Frawley for appointment to the position of Vice-Chairperson of the Board of Directors.

Motioned: Peter Bingham Seconded: Henry Kennedy

Voted: to appoint Polly Haight Frawley as Vice Chairperson of the MSAD #51 Board of Directors, to become effective at 12:01 A.M., September 17, 2002. (Voted: 8-0)

g) Confirm Committee appointments

Motioned 2nd ed

Voted: To confirm committee appointments as presented by John Aromando. (Voted: 8-0)

6. Adjourn Meeting 9:30 PM

Upcoming Meetings/Events

9/16/02 – PTO Business Meeting
9/17/02 – Grade 1 Open House Mabel I. Wilson School, 6:30 – 8:00 p.m.
9/18/02 – Early Release: Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
9/18/02 – Grade 3 Open House Mabel I. Wilson School, 6:30 – 8:00 p.m.
9/19/02 – Greely High School Open House, 6:30 0.m.
9/19/02 – Mabel I. Wilson School Pictures
9/20/02 – Succoth begins at sunset
9/21/02 – Succoth
9/22/02 – Succoth ends at sunset
9/23/02 – 2nd Grade/Multiyear Open house, Mabel I. Wilson School, 6:30 – 8:00 p.m.
9/24/02 – Senior College Night, Greely High School, 6:00 PM
9/25/02 - Early Release: Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
9/26/02 – Greely Jr. High School Open House, 6:30 – 8:00 p.m.
9/30/02 – Student ID Pictures for Freshmen, Sophomores and Juniors
10/1/02 – NYMS photo day

Next Board Meeting:

October 7, 2002 – Cumberland Town Hall Council Chambers, 7:00 p.m.

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

P. O. Box 6A

Cumberland Center, ME 04021

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

Board of Directors

Agenda

Monday

7:00 PM

Cumberland Town Hall

October 7, 2002

Council Chambers

-
1. Call To Order - by MSAD #51 Board of Directors Chairperson, John Aromando.
 2. Approval of Minutes
 3. Superintendent's Report
 4. Presentations
 - a) MSAD #51 Arts Alliance
 - b) Dropout Prevention Report – Wayne Fordham
 5. Committee Report
 - a) Finance
 - b) Steering
 - c) Drowne Road School Lease Purchase
 6. Items for Action
 - a) Appointment of individual to teaching position for the 2002-2003 school year
 - b) Vote to appoint non-athletic co-curricular stipend positions for the 2002-2003 school year
 7. Communications
 - a) Spring Athletic Results – Jack Hardy
 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 2002-2003

1. Effectively engage students in learning to ensure that each student meets or exceeds the District's benchmarks and outcomes and progresses towards attaining his/her personal best. In support of this goal, the Board will:
 - Support the District's ongoing work in curriculum, assessment, instruction and professional development;
 - Measure the District's progress towards attaining its mission by collecting, analyzing and sharing data on student performance;
 - Establish measurable goals for improving student achievement; and
 - Develop and evaluate the structures and policies necessary to ensure all students meet the district's benchmarks and outcomes.
2. Implement accountability systems for providing, assessing and supporting student learning. In support of this goal, the District will:
 - Recruit, retain and develop quality staff;
 - Encourage the ongoing development of instructional and administrative leadership;
 - Develop and use a system of data analysis for decision making; and
 - Develop 3-year budgetary goals and strategies to provide greater financial stability.
3. Promote community involvement in education by:
 - Establishing an ongoing dialogue with community members; and
 - Collaborating with the community to meet student needs.
4. Provide a quality learning and work environment to support our educational mission by:
 - Constructing a new middle school to open in fall of 2004;
 - Renovating Greely Junior High into high school space for use beginning in fall of 2005; and
 - Securing funds from the State to renovate and construct an addition to Greely High School.

MSAD #51 Board of Directors

| | | |
|----------------------------------|----------|----------------------------|
| John Aromando, Chair | 829-6861 | jaromando@pierceatwood.com |
| Peter Bingham | 829-5713 | pbingham@acornearth.com |
| Betts Gorsky | 781-2234 | bjgorsky@hotmail.com |
| Polly Haight Frawley, Vice-Chair | 657-2373 | PHFraw@aol.com |
| Audrey Lones | 829-4171 | audrey@alum.mit.edu |
| Henry Kennedy | 829-6979 | hrk@kieve.org |
| Jim Moulton | 657-3803 | |
| Bob Vall | 829-5393 | |

Upcoming Meetings/Events

10/1/02 – NYMS photo day
10/1/02 – Student ID Pictures for Freshmen, Sophomores and Juniors
10/2/02 – Early Release: Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/4/02 – GHS Mid-Quarter Reports
10/7 through 10/11/02 – Friends to Lunch Week – Mabel I. Wilson School
10/8/02 - PTO Business Meeting, 7:00 PM, MIW
10/9/02 - Early Release: Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/11/02 – GJHS Progress Reports
10/14/02 – Columbus Day, no school
10/16/02 – Full day of school
10/16/02 – Performance Indicators, GHS Conference Room, 5:00 PM
10/16/02 – MIW Family Math Night, 6:30 – 8PM
10/17/02 – Bus Driver/Custodian Appreciation Day
10/17/02 – Chebeague Island Photos
10/18/02 – Drowne Rd./Greely Jr. High Photos
10/19/02 – PSAT Exams – GHS
10/23/02 - Early Release: Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/23/02 – Multiage Open House, DRS
10/24/02 – Food Service Appreciation Day
10/25/02 – Pumpkinfest, 5:30-7:30 PM, GHS Gym
10/27/02 - Daylight Savings Time – Set clocks back one hour
10/30/02 - Early Release: Grades 7-12 @ 1:12 PM, Grades K-6 @ 12:15 PM
10/31/02 - Halloween

Next Board Meeting:

October 21, 2002 – Chebeague Island School, Chebeague Island, 7:00 p.m.

From the desk of Robert Hasson, Jr., Ed.D.
Superintendent, MSAD #51

Council
10/2/02
VJ
FYI

Date: September 19, 2002

To: Bob Benson

Subject: Maine School Management Association Legislative Bulletin

FYI. Please see attached.

REC'D SEP 10 2002



LEGISLATIVE BULLETIN



TO: Superintendents, School Board Chairs, and Legislative Contact People

FROM: Dale A. Douglass, Executive Director
Ronald T. Barker, Associate Executive Director

DATE: September 9, 2002

RE: MMA Tax Reform Initiative

As many of you are aware, the Maine Municipal Association (MMA) has crafted a proposal calling for a citizen's initiative referendum to go before the voters at the November election in 2003. The MMA proposal is an attempt to accomplish, through voter referendum, what has not been accomplished through legislative action since 1985, namely, providing 55% of the cost of the total state/local General Purpose Aid allocation from State general fund revenues. Such an endeavor is a major undertaking. MMA has requested that MSBA and MSSA, among others, join them in supporting the initiative proposal. Both of our organizations will, at their respective business meetings held in conjunction with the annual fall conference, consider appropriate action on this request.

MMA reported to us on Friday, September 6, that they have filed their initial proposal for the referendum question with the Secretary of State's office. The Secretary of State's office now has to review that language and work with MMA to arrive at language that the Secretary of State's office will finally approve for inclusion on the ballot.

MMA has also scheduled a series of regional informational meetings across the state to bring municipal officials up to speed on the proposal. MMA has indicated that it will encourage municipal officials to invite local board members and superintendents to attend these informational meetings, but a specific invitation is not necessary to attend. We hope that school officials will attend and have included the schedule for these meetings with this bulletin.

MMA has also supplied us with a document titled "Proposal Summary Sheet" that outlines the basics of the initiative, and we are also including that document with this mailing. This initiative proposal could have a major impact on how schools across the State of Maine are funded and is sure to bring about serious discussion of Maine's entire tax structure. It also comes at a time when another petition is again being circulated by the Maine Taxpayers Association Network, headed by Carol Palesky, which would impose severe restrictions on both school and municipal budgets. We urge you to pay close attention to these initiative efforts, and we will continue to provide you with additional information as it becomes available.

MMA Regional Information Meetings Tax Reform Initiative

SCHEDULE

(Finalized 8-27-02)

Tuesday, September 10, 2002

7:00 p.m. – 8:30 p.m.
Washington County Technical College
Assembly Room
Calais, Maine
Tel: Technical College - 454-1000

Thursday, September 12, 2002

6:30 p.m. – 8:00 p.m.
AVCOG Building
125 Manley Road, Auburn, Maine
Tel: AVCOG - 783-9186

Thursday, September 12, 2002

7:00 p.m. – 8:30 p.m.
Norway Fire Station
26 Danforth Street, Norway, Maine
Tel: Norway Town Office - 743-6651

Monday, September 16, 2002

7:00 p.m. – 8:30 p.m.
Freeport Town Office – Council Chambers
30 Main Street, Freeport, Maine
Tel: Freeport Town Office – 865-4743

Tuesday, September 17, 2002

6:30 p.m. – 8:30 p.m. – Meeting
Westport Town Hall
6 Fowles Point Road, Westport, Maine
Tel: Westport Town Office - 882-8477
*(In conjunction with the Lincoln
County Municipal Association meeting)*

Tuesday, September 17, 2002

7:00 p.m. – 8:30 p.m.
Ellsworth City Hall
1 City Hall Plaza, Ellsworth, Maine
Tel: Ellsworth City Hall - 667-2563

Wednesday, September 18, 2002

7:00 p.m. – 8:30 p.m.
Maine Municipal Association
60 Community Drive, Augusta, Maine
Tel: MMA - 623-8428 or 1-800-452-8786

Thursday, September 19, 2002

7:00 p.m. – 8:30 p.m.
Community Center at Hampden Town Office
106 Western Avenue, Hampden, Maine
Tel: Hampden Town Office - 862-3034

Thursday, September 19, 2002

6:00 p.m. – 9:00 p.m.
Leedy's Restaurant, Alfred Square
Alfred, Maine
Tel: Leedy's Restaurant - 324-5856
*(In conjunction with the York County
Municipal Officers Association meeting)*

Monday, September 23, 2002

7:00 p.m. – 8:30 p.m.
Winslow Town Hall – Council Chambers
16 Benton Avenue, Winslow, Maine
Tel: Winslow Town Office - 872-2776

Tuesday, September 24, 2002

7:00 p.m. – 8:30 p.m.
Scarborough Town Office
259 US Route 1, Scarborough, Maine
Tel: Scarborough Town Office 883-4315

Wednesday, September 25, 2002

7:00 p.m. – 8:30 p.m.
Farmington Town Hall
153 Farmington Falls Rd, Farmington, Maine
Tel: Farmington Town Office - 778-6538

Monday, September 30, 2002

7:00 p.m. – 8:30 p.m.

Monson Elementary School

All Purpose Room

35 Greenville Road, Monson, Maine

Tel: Monson Elementary School - 997-3737

Tuesday, October 1, 2002

11:00 a.m. – 2:00 p.m.

Washburn Snowmobile Clubhouse

48 Station Road, Washburn, Maine

Tel: Washburn Town Office – 455-8485

*(In conjunction with the Aroostook
County Managers Association Meeting)*

Wednesday, October 2, 2002

6:30 p.m. – Dinner

7:00 p.m. – 8:30 p.m. – Meeting

Solon Town Office

South Main Street, Solon, Maine

Tel: Solon Town Office - 643-2812

*(In conjunction with the Somerset
County Municipal Association meeting)*

Thursday, October 3, 2002

7:00 p.m. – 8:30 p.m.

University of Maine at Machias

Room 102 – Science Building

9 O'Brien Avenue, Machias, Maine

Tel: UMM – 255-1200

Monday, October 7, 2002

7:00 p.m. – 8:30 p.m.

Waldo Town Office

Waldo Station Road, Waldo, Maine

Tel: Waldo Town Office - 342-5348

**Maine Municipal Association
Property Tax Reform
“Proposal Summary Sheet”**

On Tuesday, August 13th, MMA’s Tax Reform Steering Committee finalized its recommendation for citizen-initiated tax reform.

There are more steps in the process before all the details of the initiative itself and the initiative effort are finalized.

On August 22, the Association’s Legislative Policy Committee is scheduled to meet to review the Steering Committee recommendation. If the LPC supports the recommendation, the initiative will be referred to MMA’s governing body, the Executive Committee, for further advancement. Ultimately, the proposal is scheduled to be the subject of full membership review and endorsement at the October MMA Convention.

In a nutshell, this initiative would compel tax reform, create investments in structural changes to achieve efficiencies in the delivery of governmental services, and accomplish the development of a comprehensive plan to address Maine’s overall tax burden. This plan would:

- **Require the state to provide \$200 million more per year in financial support for public education**, thus compelling a restructuring of the state tax code. The specific details of tax reform would be left to the Legislature, although the municipalities have submitted many proposals to the Legislature in the past regarding comprehensive tax reform and will continue to offer their ideas about accomplishing quality tax reform.
- **Create two parallel funds designed to obtain long-term efficiencies in the delivery of educational, local and regional services.**
- **Direct the Legislature to develop a comprehensive plan** that integrates the efforts of state, county, local governments and schools to reduce unnecessary spending, identifies cost savings in the delivery of governmental services and otherwise addresses the issue of Maine’s overall tax burden.

Elements of the recommended initiative:

- **Require the state to increase its financial support for elementary and secondary public school education.** Specifically, require the state to fulfill the long-neglected legislative “intention” to pay 55% of the cost of K-12 education.

- Currently (in FY 02) the state paid \$702 million in General Purpose Aid to Education (GPA), or 43.6% of the total. The property tax contribution was \$909 million, or 56.4% of the total.
 - To bring the state from the 43% to 55% level represents a shift of approximately \$200 million off the property tax.
 - In 2002, the property tax generated \$1.4 billion of revenue. \$200 million in reduced property taxes represents statewide property tax relief of nearly 15%.
- As part of the state obligation to provide 55% of the cost of K-12 education, the state would also be obligated to pay 100% of the costs of special education services mandated by state or federal law.
- Special education services are extremely expensive, unevenly provided across the state, and seriously underfunded, especially by the federal government that initiated the mandates.
 - In FY 01, approximately \$95 million worth of unreimbursed, mandated special education services were provided with property tax dollars.
 - Requiring 100% reimbursement for special education mandates serves to provide property tax relief even in those “low receiver” municipalities that do not get much financial support for education through the GPA formula.
- **Fund for the Efficient Delivery of Educational Services.** 2% of the total annual appropriation for K-12 education required by this initiative (approximately \$18 million) would be dedicated to a fund that would provide incentive-based support to school administrative units that make changes in structure or policy that deliver significant and sustained cost savings in the delivery of educational services.
- **Fund for the Efficient Delivery of Local and Regional Services.** A parallel fund would be established in the municipal revenue sharing system whereby 2% of that existing funding would be dedicated to an incentive-based fund to stimulate intermunicipal, and municipal-county collaborations.
- **Comprehensive tax burden management plan.** The Legislature would be directed to develop a comprehensive tax burden management plan that would integrate the efforts at tax burden reduction across all lines of state, regional and local government.

Please feel free to refer questions or seek further information by contacting the Tax Reform Steering Committee Chair Dana Lee at 207-345-2871 or MMA staff Chris Lockwood, Jeff Nevins, Geoff Herman or Mike Starn at 1-800-452-8786.

**You are invited to your
Membership Meeting
Falmouth/Cumberland Chamber of Commerce**

-----◆-----
Tuesday, October 15, 7:30 – 9:00 a.m.

**Falmouth Memorial Library
5 Lunt Road
Falmouth**

SPEAKER: Aaron Rugh of Edward Jones.

“Market Frustrations”

Aaron will take a look at what people see as difficulties in today's stock market, and pitfalls to avoid as we find ourselves in the next cycle.

Aaron Rugh is a graduate of Portland High School and Brown University. After college he served as an Intelligence Officer in the U.S. Navy, and was aboard the aircraft carrier USS Theodore Roosevelt during Desert Storm in the northern Persian Gulf. Upon leaving active duty and undergoing financial training in Chicago and St. Louis, he opened the fourth Maine office for the investment firm Edward Jones in 1993. Since that time, Aaron has helped individual investors and small business owners formulate and accomplish their financial goals. Edward Jones, which traces its roots to 1871, has over 8,600 offices in the United States, Canada, and United Kingdom. It now boasts 37 offices in the state of Maine. Aaron's clients are located from Maine to Alaska. He is a limited partner in the firm, in charge of sales hiring for the region, and designated an Accredited Asset Management Specialist (AAMS).

SPONSOR:

Hors d'oeuvres & Catered Events

AGENDA

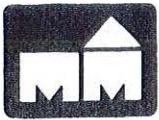
**7:30 a.m. Networking
7:45 a.m. Introductions/Committee Updates
8:10 a.m. Guest Speaker: Aaron Rugh of Edward Jones
9:00 a.m. Adjourn**

**Bring your business cards and join other Falmouth/Cumberland business people as you network and learn.
This is a free service of your local Chamber.**

Special Community Partners



Maine Medical Center



Maine Municipal Association

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

comm
10/10/02
B

To: Town and City Managers

From: Chris Lockwood
Executive Director

Re: Important Tax Reform Information

Date: September 25, 2002

MMA recently completed drafting a citizen-initiated petition proposal to reduce the property tax burden on Maine residents. Over the past three months a special steering committee worked to put together a thoughtful and well-designed proposal.

The proposal – *“An Act to Reduce Local Property Taxes Statewide”* - was recently filed with the Secretary of State’s office and a political action committee was formed. The political action committee, “Citizens to Reduce Local Property Taxes Statewide,” will be made up of municipal officials, citizens of Maine and organizations dedicated to securing passage of the tax reform proposal through a citizen initiated petition.

As we have mentioned in previous mailings, MMA is undertaking a major effort that will require a significant commitment from our membership to be successful. We hope to gather the vast majority, if not all the necessary signatures, in the polling places on November 5, 2002. This will require hundreds of volunteers around the state who are willing to spend time at their polling places gathering signatures on Election Day.

We have received a number of questions from town and city managers about the proposal and their participation in the process. This mailing provides background information for your review that should answer many of the questions. The following is a review of the materials included in this mailing

- ✓ **A letter from the International City/County Management Association** outlining the “ground rules” for managers’ participation in the process.
- ✓ **A draft resolution supporting the proposal for councils and board of selectmen.**
- ✓ **Instructions for people who will be involved in the signature gathering process.** This information includes instruction for those collecting signatures and guidelines for recruiting signature gatherers in your municipality.
- ✓ **A list of key contacts and the political action committee’s website at www.mainetaxreform.com.** We encourage you to visit the website to find out more about the proposal

Lastly, please volunteer to participate in the signature gathering effort. We need 1-2 coordinators in each town and city to help us recruit and schedule volunteers to collect signatures in the polling places on November 5, 2002. Please contact Jeff Nevins at MMA at 1-800-452-8786 x220 or volunteer through the website if you are interested in helping out.

REMEMBER

- 1. It is absolutely imperative that we get the active support and involvement of the MMA membership.**
- 2. We need to mobilize the membership to volunteer to be at the polls on November 5, 2002.**
- 3. Ultimately, the chance of the success of this effort will be dependent upon the active participation of the MMA membership.**

Let's all pitch in and do our part to move tax reform ahead.

SAMPLE RESOLUTION

Resolution Supporting An Act to Reduce Property Taxes Statewide

WHEREAS, Maine relies too heavily on the property tax to pay for Kindergarten through Grade 12 education; and

WHEREAS, the State's tax structure is too "volatile", resulting in an unpredictability of state tax revenues that significantly disrupts both state and local efforts to budget governmental resources; and

WHEREAS, the alignment of tax burden among the property tax, sales tax and income taxes is seriously out of balance; and

WHEREAS, Maine's overall tax burden is a matter of great concern to residents and businesses; and

WHEREAS, Maine's tax structure should be changed to reduce the State's reliance on the local property tax to fund K-12 education and special education costs, reduce the volatility of Maine's tax code, more equitably re-align the tax burden among the state's three major tax revenue sources, and allow the Legislature to develop a plan to reduce Maine's overall tax burden; and

WHEREAS, municipalities have tried for many years to get the Legislature to engage in tax reform to address Maine's flawed tax code and the Legislature has rejected these efforts and failed to enact meaningful tax reform; and

WHEREAS, we believe it is time to directly provide the citizens of Maine the opportunity to vote on proposed changes to Maine's tax structure that will reduce property taxes statewide:

NOW, THEREFORE BE IT RESOLVED: THAT the Town/City of _____ Board of Selectmen/City Council hereby supports the proposed tax reform initiative of the "Citizens to Reduce Local Property Taxes Statewide" entitled "An Act To Reduce Local Property Taxes Statewide."

Signatures:

GUIDELINES FOR RECRUITING SIGNATURE GATHERERS IN MUNICIPALITIES*

Under Maine's election law, a signature gatherer must be

- (1) A Maine resident,
- (2) who is registered to vote in Maine, and
- (3) whose name appears on the voting list of his/her place of residence before gathering signatures for a citizen initiated ballot question.

There are other laws that further disqualify some Maine registered voters from serving as signature gatherers.

The Maine Municipal Association is one of the sponsors of this referendum campaign for tax reform. Its natural pool of volunteers to serve as signature gatherers to obtain enough signatures to place a tax reform question on the statewide ballot, includes municipal officials and school board members, as well as municipal and school employees. However, not all of these officials, board members and employees, may serve as signature gatherers. Many are prohibited from participating in a political campaign, either by federal or state law, municipal charter, or a code of ethics. Below is a list of those municipal officials, board members and employees eligible to serve as signature gatherers, and those prohibited from serving as signature gatherers.

Eligible Municipal Officials, Board members and Employees to serve as Signature Gatherers**

- Members of municipal boards. (A board member may not solicit the signature of anyone with personal business pending before the board.)
- Relatives of municipal employees, officials, and board members.
- Any elected official who is not running for reelection in November, 2002.
- Municipal employees who do not interact with the public as part of their work. (Examples are public works employees and secretaries who do not typically interact with the public.)
- Teachers.

Each Signature Gatherer Coordinator should check with the municipal clerk to determine if the municipality's charter, ordinance, or code of ethics imposes any further restrictions on participation in political campaigns and petition signature gathering.

Municipal Officials, Board members and Employees who are Prohibited from serving as Signature Gatherers

- Municipal Clerks and Deputies.
- Town and City Managers.***
- Tax Assessors.
- Anyone running for office in the November 2002 election.

- Police Officers.
- Election officials.

*** NOTE:** Although these Guidelines do not specifically address state and federal employees, officials and board members, the same guidelines outlined above apply to them—substituting the word “municipal” with the word “state” or “federal”, as appropriate.

**** NOTE:** Signature gatherers who are municipal employees, officials or board members cannot do any of the following:

- use their official authority or influence to obtain a voter’s signature;
- solicit the signature of anyone the circulator knows has personal business before their employer (the municipality) (Examples of such personal business are: the voter has a bid proposal before the town and the town has not yet made a decision, or the voter has applied for a liquor license and the selectmen have not yet voted on the application.)
- solicit the signature of anyone the circulator knows has personal business before a municipal board on which the circulator serves. (Examples of such personal business are: a voter has an appeal pending before the zoning board of appeals, or a voter has a tax abatement petition pending before the town selectmen);
- solicit or collect signatures while “on duty”, during the employee’s normal work hours, in the municipal office, or otherwise while on town business;
- wear an official municipal uniform or official insignia indicating office while collecting signatures;
- use a municipal vehicle while collecting signatures;

*****NOTE:** Pursuant to a September 2002 ethics advisory from the ICMA, once a municipal council or board has passed a resolution in support of the referendum, it is allowable and appropriate for the municipal manager to represent that position of support to the public, on behalf of the council or board. However, the ICMA prefers that no manager be directed by his or her council or board to actually collect signatures.

IF YOU HAVE ANY QUESTIONS OR CONCERNS, CALL JILL DUSON OR PEGGY MCGEHEE AT PERKINS, THOMPSON CONSULTING, TEL. NO. 207-774-2635 (e-mail address: jduson@perkinsthompson.com; pmcgehee@perkinsthompson.com), or JEFF NEVINS AT THE MAINE MUNICIPAL ASSOCIATION, TEL NO. 207-623-8428 (e-mail address: jnevins@memun.org).

INSTRUCTIONS FOR SIGNATURE GATHERERS

Thank you for your active support and involvement in this signature gathering effort. With your help and that of many others all around the state, we are confident that this effort to finally address Maine's property tax burden will be successful. Below are instructions for your guidance in gathering signatures that are required by State law. Failure to follow these instructions may invalidate individual signatures, or even whole petition sheets. So thank you for following these instructions closely.

START WITH A CLEAN PETITION SHEET (ONLY ONE SIGNATURE GATHERER PER PETITION).

WHEN EACH PETITION PAGE IS COMPLETED IT MUST BE NOTARIZED FOR SUBMISSION. YOU WILL BE REQUIRED TO SIGN AN OATH THAT:

ALL OF THE SIGNATURES ON THE PETITION WERE MADE IN YOUR PRESENCE AND, TO THE BEST OF YOUR KNOWLEDGE AND BELIEF, EACH SIGNATURE IS THE SIGNATURE OF THE PERSON WHOSE NAME IT PURPORTS TO BE.

DO NOT ADD SIGNATURES TO A PETITION SHEET AFTER FILLING IN THE OFFICIAL COUNT AND TAKING THE OATH.

THE LOCAL VOLUNTEER COORDINATOR SHOULD CONTACT THE MUNICIPAL ELECTIONS CLERK PRIOR TO NOVEMBER 5, 2002, TO FIND OUT IF THERE IS A DESIGNATED SET-UP AREA FOR SIGNATURE GATHERERS. YOUR PRE-ELECTION PACKET WILL INCLUDE SPECIFIC INSTRUCTIONS REGARDING WHAT YOU WILL NEED TO SET-UP AT EACH POLLING LOCATION.

ATTENTION

**Signature Gatherers who are municipal employees,
officials or board members.**

**STATE LAW PROHIBITS THE USE OF OFFICIAL AUTHORITY OR
INFLUENCE TO OBTAIN A VOTER'S SIGNATURE.**

- **This prohibition means that you may not do the following:**

- 1. Solicit the signature of anyone whom you know has personal business pending before your municipal employer. (Examples of such personal business are: the voter has a bid proposal before the town and the town has not yet made a decision, or the voter has applied for a liquor license and the council/board have not yet voted on the application.)**
- 2. Solicit the signature of anyone whom you know has personal business pending before a municipal board on which you serve. (Examples of such personal business are: a voter has an appeal pending before the zoning board of appeals, or a tax abatement petition pending before the town selectmen.);**
- 3. Solicit signatures while you are “on duty” or in the municipal office;**
- 4. Wear an official uniform while collecting signatures;**
- 5. Use a municipal vehicle while collecting signatures.**

GUIDELINES FOR SIGNATURE GATHERING

Signature gatherers may not interfere with voters on their way into the polls. As each voter exits the polls you may respectfully invite them to sign:

“... this petition is to put a question on the next statewide ballot that would lower property taxes and require the legislature to overhaul Maine’s tax and spending systems. Would you be willing to sign the petition?”

Before the voter signs:

- Offer the voter a copy of the designated information sheet about the proposed tax reform referendum.
- Ask if he/she is a registered Maine voter.
- Ask if the voter has already signed the petition at another time or place. If the answer is yes, do not have the voter sign.

When the voter signs:

- Remind the voter:

SIGNATURE 1ST – the voter must place his/her signature in the first box.

PRINT HIS/HER ADDRESS - street address & municipality of residence,
The street address must match the street address of the voter on the registered voter list.

PRINT HIS/HER NAME – exactly as it appears on the municipal voter list.
The voter’s name must match his or her name as it appears on the voter list.

- Verify that the voter has signed only once.
- The voter may not sign anyone else’s name. They may not sign for a spouse, partner, etc.
- Reminder: When you arrive at the polls use a fresh petition form. Do not add signatures to a petition form started by someone else. Do not leave the petition forms unattended. Each form needs a signature gatherer to verify that he/she personally witnessed every signature on that form.

HANDLING COMPLETED PETITION FORMS

Thank you again for your important work as a signature gatherer in this statewide effort to address the property tax burden of Maine's citizens. Following are instructions for returning completed petitions forms to the campaign, which must be followed to comply with State law.

Now that you have finished gathering signatures, these are the steps to follow to process each petition form, to insure that the signatures will be valid.

- Count the number of signatures you have gathered on an individual petition form and place that tally in the appropriate space on the back of that form. (For example: if the petition has space for 50 names and you have gathered 36 signatures on that form, enter 36 in the designated space.)
- Present the petition sheets to a notary public designated by the campaign. Complete the statement verifying that you personally collected the signatures on the form and that to the best of your knowledge each signature is that of the person it purports to be. Sign your name in the presence of the notary. (The notary may not be an immediate family member.)
- Deliver the notarized petition sheets to your local coordinator. The coordinator will present the petition sheets to the Municipal Registrar for certification that the names on the sheets are on the municipality's voting list.

The Coordinator will deliver or mail the certified petition sheets to the petition gathering consultant, Perkins Thompson Consulting, at One Canal Plaza, P.O. Box 426, Portland, ME, 04112-0426 (tel. no. 207-774-2635, attention Jill Duson).

Perkins Thompson Consulting will collect all certified petitions for filing with the Secretary of State.

IF YOU HAVE ANY QUESTIONS OR CONCERNS, CALL JILL DUSON OR PEGGY MCGEHEE AT PERKINS, THOMPSON CONSULTING, TEL. NO. 207-774-2635 (e-mail address: jduson@perkinsthompson.com; pmcgehee@perkinsthompson.com), or JEFF NEVINS AT THE MAINE MUNICIPAL ASSOCIATION. TEL NO. 207-623-8428 (e-mail address: jnevins@memun.org).

Citizens to Reduce Local Property Taxes Statewide

QUESTIONS ABOUT TAX REFORM?

Please feel free to refer questions or seek further
information by contacting

Dana Lee, President, Citizens to Reduce Local Property
Taxes Statewide at **207-345-2871**, or

The Maine Municipal Association, the original sponsor of
the tax reform initiative, at:

1-800-452-8786.

Feel free to call the following MMA staff members:

| | |
|-----------------------|-------------|
| Chris Lockwood | x214 |
| Geoff Herman | x201 |
| Mike Starn | x221 |
| Jeff Nevins | x220 |
| Kate Dufour | x213 |
| Kirsten Hebert | x208 |

Or check out the following web site:

www.MaineTaxReform.com

Office of the Town Manager
Yarmouth, Maine

Memo

To: Dale Olmsted, Freeport
✓ Bob Benson, Cumberland
Doug Harris, Falmouth
Scott Seaver, North Yarmouth
From: Nathaniel J. Tupper
Date: August 27, 2002
Re: Joint Meeting: October 10, 2002

Enclosed please find enough invitations for you and your Town Council (Selectmen) for the October 10 meeting at Pineland. I'm hoping for a good turnout.

Tentative plans are for coffee and a cash bar from 6:00-7:00 P.M. and Dinner at 7:00 P.M. – Roast turkey, Potatoes, Vegetables, salad, dessert.

Discussions after dinner until about 9:00 P.M.

Would you please distribute these invitations and give us an idea of a head count by September 19?

Invitation

The Yarmouth Town Council is pleased to host a meeting of the municipal officers and town managers from Yarmouth, Falmouth, Cumberland, Freeport and North Yarmouth. This is a follow-up to a dinner meeting hosted at the Stone House Conference Center last fall that the elected officials all agreed was both productive and enjoyable.

Please join us this year for dinner and discussions on Thursday, October 10, 2002 at 6:00 P.M. at the Pineland Farms Conference Center in New Gloucester. If you have not had a chance to tour the Pineland Farms complex, we would encourage you to come early for a self-guided walk or driving tour, it's really quite impressive.

We look forward to another evening to socialize, share concerns and aspirations for our communities, and to look for ways to better serve our citizens through sharing, cooperation and coordination.

So that we may plan properly for the meal, would you please call us with the attendance plan count from your town by September 19?

Contact Sandra McCatherin, Yarmouth Town Clerk, at 846-9036 or smccatherin@yarmouth.me.us.



777 North Capitol Street, NE
Suite 500
Washington, DC 20002-4201

May 23, 2002

Mr. Gary Brown, President
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330

Re: Ethics Question

Dear Gary:

You asked for advice on how members in Maine should address the ethical component of an initiative proposed by the Maine Municipal Association. As I understand the issue, MMA is initiating the process to place a tax issue on a statewide referendum and plans to create a PAC to manage the campaign. In order to obtain the signatures necessary to get the referendum on the ballot, MMA plans to contact their member towns and cities to obtain their support.

The purpose of Tenet 7 and its guidelines is to help the manager differentiate between political activity that would violate the Code of Ethics and conduct that would be consistent with the professionalism expected of an appointed administrator. Certainly there is a role for members to play when a policy issue is in play.

Tenet 7 of the ICMA Code of Ethics does have a guideline which offers advice to members in dealing with ballot issues and referendums. Tenet 7 advises member to : Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

The guideline on Presentation of Issues states: Members may assist the governing body in presenting issues involved in referenda such as bond issues, annexations, and similar matters.

In keeping with Tenet 7 and the guideline, it is appropriate for a member to represent their local government's position on this issue to the public. Members whose governing bodies have taken a position in support of this measure can be confident in representing the views of their governing body. For example, the governing body may want the manager to appear at public forums to present information on the referendum and explain why the council supports the issue. The manager will want to make it clear that they are there to represent the council. On the specific question of handling the petitions, I would hope that no manager is directed by their council to circulate the petition. In the circumstance where that actually happens, then the manager will want to make it clear that they were directed by council to make the petition available to the public for their consideration.

Mr. Brown
May 23, 2002
Page 2 of 2

If the member's governing body opposes a ballot measure, the manager should respect the position of the council and avoid any advocacy activity. If the governing body is divided on the issue then of course the most reasonable course of the manager is not to get involved with the issue.

Since the circulating petition is not for a candidate or election but rather for an issue, a member should feel free to sign the petition as a private citizen if he or she wishes to do so.

Please do not hesitate to contact me should you have any questions or concerns regarding this matter.

Sincerely,

Martha L. Perego
Ethics Advisor
ICMA
Mperego@icma.org
(202) 962-3668

Council
10/5/02
M

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

COMMISSIONERS' MEETING

MINUTES

September 9, 2002

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

Chairperson Plummer called the meeting to order at 7:02 PM and the following business was conducted.

Minutes of the regular meeting of August 26 and special meetings of August 26 and September 4, 2002 approved as written.

Commissioner Feeney commended Peter Crichton, County Manager, on his recent editorial article in the Portland Press Herald.

Commissioner Clenott reported that the MCCA convention was coming together nicely, with over 300 registrants, on September 13-15 at the Holiday Inn by the Bay in Portland.

Chairperson Plummer commended Commissioner Clenott and the staff on their hard work for the convention, and was sure it would be a great success.

02-87 Contract Amendment, Correctional Medical Services

Genie Beaulieu, Business Manager for the Sheriff's Office, reported that the current contract with CMS runs from November to October of each year. After consultation with CMS, they decided that it would be easier if the contract dates ran the same time as the County's fiscal year. Therefore, the proposed amendment would extend the first year of the contract from October 30, through December 31, 2002. The base rate for the first year would be adjusted accordingly to include the additional two months, and the contract would now run through December 31, 2004. Mr. Crichton concurred with the recommendation to approve the amended contract as presented.

Motion by Commissioner Clenott to authorize the Chairperson to sign the contract amendment. Second by Commissioner Feeney, so voted.

02-88 Contract Amendment, Police Services, Town of Long Island

Ms. Beaulieu reported that as a result of Deputy Schnupp's illness, during the first nine weeks of the contract he was replaced by Deputy Barter at a lower payroll and benefit cost than was anticipated in the original contract. Deputy Schnupp returned to work on August 19, and will work the rest of the contracted period. The Town of Long Island requested that the contract be amended to account for the adjustment. She noted that there was no fiscal impact; the amended contract would simply reflect the actual cost of providing law enforcement services at \$12,800.15 instead of the originally contracted \$14,350.07. Mr. Crichton concurred with the recommendation to approve the contract as amended.

Motion by Commissioner Feeney to authorize the Chairperson to sign the contract amendment as presented. Second by Commissioner Clenott, so voted.

02-89 Contract, Communications Services, Town of Baldwin

Mr. Crichton reviewed the proposed contract for communications services to the Town of Baldwin. He noted that the current contract expired on June 1, 2002 and the amount had been adjusted to \$2,580 which reflects a decrease in population of 56 people since the last contract, resulting in a loss of \$112. The new contract would run from June 1, 2002 through May 31, 2003. Commissioner Clenott noted that the contract that expired on June 1, 2002 stated that "the contract shall be automatically renewed without affirmative action by the parties for successive one-year periods on its anniversary date, until notice of termination is given". Therefore, the Commissioners did not actually have to approve the new contract.

Motion by Commissioner Clenott to authorize the Chairperson to sign the contract, adjusted to reflect a decrease in population, in the amount of \$2,580. Second by Commissioner Feeney, so voted.

02-90 Approval, Rural Enforcement Partnerships Grant, CCSO

Captain Royce Bartlett reported that the Sheriff's Office had been approached to participate, along with 4 other Maine counties, in the US Office of Juvenile Justice and Delinquency Program initiative to combat underage drinking. The grant is authorized and administered by the Maine Office of Substance Abuse, for a period of 2 years, and the total amount for Cumberland County would be \$76,000 to hire a part time local coordinator to establish and direct a Cumberland County Task Force on Underage Drinking Enforcement. The coordinator would work closely with the Office of Substance Abuse and Maine Liquor Enforcement Agency, as well as various police departments, the DA's office, juvenile probation, etc.

Mr. Crichton concurred with the recommendation to approve the grant funds, and commended Captain Bartlett on his initiative as Director of CID in obtaining funding for new projects.

Motion by Commissioner Feeney to approve of the acceptance of the grant funds. Second by Commissioner Clenott, so voted.

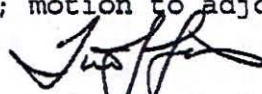
02-91 Request for Deputy Sheriff Commissions

The following request for deputy sheriff commissions was received from Sheriff Mark Dion: Robert Lane, Brunswick PD; David Stailings, Freeport PD; Steven Butts, Keith Cook, Lawrence LaPointe, Stephen Lathrop, Gregory Mears, Jeffery Newton, Joshua Potvin, Benjamin Smith, and Stephen Welsh, CCSO.

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

No further business conducted; motion to adjourn at 7:19 PM.

ATTEST:



Timothy J. Jarvis
Deputy Clerk

Next regular meeting: Monday, September 23, 2002 at 7:00 PM.

FORUM

JUST SIGN HERE

Petition drives aim at restoring fiscal sanity, but only one would

● Slash property taxes?
 Spend more on schools?
 Or finally fix things?

If there's a big puddle of water in the middle of the basement, a homeowner checks for leaking pipes and calls the plumber.

If there's a pool of oil in the garage, a driver gets a mechanic to inspect the car's plugs and seals right away.

And when three different groups, two of them grass-roots and one a statewide governmental association, say they're holding petition drives for referendums on tax reform, voters could justly conclude that something's broken in the way the state collects and disburses its revenues.

OK, so that's not exactly a secret. The state is \$240 million short of paying its bills in the current biennium, and as much as \$900 million to \$1 billion behind in the next. But it's not because revenues have fallen short.

It is instead an overspending problem, which is easily seen from the

M.D. Harmon



fact that state spending grew from \$3.6 billion a year in 1996 to \$5.3 billion today. That's a 67 percent increase in six years, while inflation and average incomes ran about 20 percent. Spending dug the hole we're in.

Back to the initiatives: You can differ about the wisdom of the various proposals, and I have my own views of each of them, but when voters see signature gatherers from the Maine Municipal Association elbowing for space at the polls Nov. 5 with people seeking names for Carol Palesky's third try at a property tax cap, people who haven't paid attention to the creaks and wheezes of the current system might get interested.

To recap: Palesky's group, the Maine Taxpayers Action Network, wants strict limits on what towns and cities can raise from local real property. Their proposal has been discarded twice by the Secretary of State's Office for problems with signatures (which Palesky strongly disputed, but the courts disagreed).

It would cap property taxes at 1 percent of full valuation. That is, a house valued at \$150,000 could not be taxed more than \$1,500. Such a rate would be quite low for Maine, where tax rates grew by 8 percent in 2000 and likely by the same percentage or more last year and this.

There's more: Palesky's plan would only allow annual increases of 2 percent – that is, \$30 on that \$1,500 bill mentioned above – and only permit revaluation when the property was sold to a non-family member. If it passes, some small towns might not notice, but many towns would see a revenue drop of up to 50 percent – even more in some large cities.

You say that's a bad thing? Municipal

officials would agree, for sure.

So, the MMA devised a different plan, one with substantial fiscal implications that have nothing to do with lowering tax rates. As noted in the Sept. 19 issue of the association's newsletter, "Impact," the initiative "directs the Legislature in statute to pay 55 percent of all defined K-12 education costs, as well as 100 percent of all special education costs" (the latter is an unfunded federal requirement).

The 55 percent figure conforms to a state pledge to fund local education costs at that level, a goal the Legislature has never met. Though the percentage has been higher in the past, it's now running about 42 percent.

Ah, but there's more: "MMA's proposal is notable not only for what it suggests, but for what it omits. ... MMA's petition does not identify new revenue sources sufficient to meet additional state education funding requirements (estimated to exceed \$200 million a year)."

That's OK, though, because "the petition directs the Legislature to

examine a variety of 'revenue-neutral' options sufficient to pay for increased educational funding."

Hmmm. Might there be a tiny problem here?

The MMA plan demands \$200 million more be spent on education while offering only *encouragement* not to raise taxes. Who at the MMA thinks legislators will cut other spending that much? Right. I guess that's an "impact," sure enough.

Finally, a group called Citizens for a Strong Maine Economy (linked with the "Billion-Dollar March" that drew about 350 people to the State House Sept. 14) wants to start gathering signatures for a measure that would copy a Colorado law.

There, a Republican governor has achieved what many might think of as a fiscal nirvana: a balanced budget, surpluses returned to the taxpayers in billion-dollar lots, and high ratings for efficiency and planning – all at a time when Maine and many other states are scraping by.

You see, Colorado has a limit not

on *taxes* but on *spending*: Outlays can only rise in proportion to increases in the state's population and citizen income. Some folks here are saying it would put a lid on the overspending that has left Maine in the fiscal lurch.

What happens if the first two pass? Communities get a lot less money, and while some of it would be returned in additional educational aid, Mainers would likely see sales and income taxes climb by as much or more than their property taxes fell.

If only the MMA proposal passes, the upward ratchet would be intense, because there is no way our Legislature, at least as it is currently configured, would cut other programs by anything near \$200 million.

But the spending cap? Ah, there's a petition fiscally responsible people can hug like a cuddly kitten.

— M.D. Harmon, an editorial writer and editor, can be reached at mharmon@pressherald.com or 791-6482.

MAINE VOICES

Jensen Baird
Gardner & Henry

ATTORNEYS AT LAW

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

www.jbgh.com

Deborah M. Mann
e-mail: dmann@jbgh.com

TELEPHONE #(207) 775-7271
TELECOPIER #(207) 775-7935

October 4, 2002

Stephen Moriarty
Norman Hanson & DeTroy LLC
415 Congress Street
PO Box 4600
Portland, ME 04112-4600


Re: Blanchard v. State of Maine
Docket No. CV-99-599

Dear Steve:

The pre-hearing conference before the State Claims Commission in this matter has been set for 10:00 a.m. on November 13, 2002, in court room 9 of the Cumberland County Courthouse. We will be asked to identify witnesses, describe briefly the anticipated testimony, provide a list of exhibits and describe any issues, other than the adequacy of the award. You and/or any other representative(s) of the Town are welcome to attend.

I have not had a response to my request to attend DOT's meeting to prepare for this conference, and I will follow up with Becky.

Very truly yours,



Deborah M. Mann

DMM/ph

Cc: Robert Benson
Donna Damon
James Phipps
John Lambert
Kenneth Cole

PLANNING BOARD HEARING TOWN OF CUMBERLAND

**Tuesday – October 15, 2002 - 7:00 p.m.
Council Chambers of the Town Offices,
290 Tuttle Road, Cumberland Center**

- A. Call to Order**
- B. Roll Call**
- C. Approval of Minutes of Prior Meetings**
- D. Consent Calendar**
- E. Hearings and Presentations**
 - 1. Public Hearing, Shoreland Zone Permit** – To construct a 4' x 225' private pier at 15 Broad Reach Road, Division Point, Chebeague Island, Map I07-Lot 59. Robert White applicant, Custom Float Services, representative.
 - 2. Public Hearing, Zoning Amendment** – To review and make recommendations to the Town Council regarding a proposed amendment to Section 204.6.2 (Local Business zone) of the Cumberland Zoning Ordinance that would add duplex dwellings with 40,000 s.f. per unit to the LB zone as a special exception use.
 - 3. Public Hearing, Minor Site Plan Review** – To construct a 64'x 40' structure to accommodate a landscaping business at 17 Wilson Road, Tax Assessor Map R07C, Lot 16. William Dalton and Scott Smart applicants, Bob Farthing, Survey Inc. representative.
 - 4. Public Hearing, Zoning Amendments** – To review and make recommendations to the Town Council regarding typographical corrections to the Zoning Ordinance.
- F. Administrative Matters**
 - 1.** The Town Council has requested that the Planning Board identify three possible dates in November for a joint workshop to discuss open space, roads, sidewalks and other similar issues. The Council will then review these dates at their 28 October meeting and choose one.
- G. Adjournment**



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

19 September 2002

MEMORANDUM

For: Mr. Robert B. Benson, Town Manager

From: Daniel R. Small, Fire Chief *DRS*
Joseph Charron, Chief of Police

Subject: No Parking – Amendments to Traffic Ordinance

Due to the limited parking available at the Greely Campus, under classmen are parking on surrounding local streets, which is now causing a public safety concern. This includes, but is not limited to, access for emergency vehicles and hazards to pedestrians, bicycles and vehicular traffic, etc. It is our recommendation that these area streets be posted for no parking during the hours between 7 am and 4 pm except weekends and holidays.

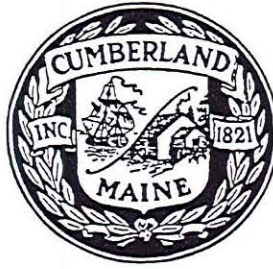
Specifically, the following streets should be considered:

Lawn Avenue, Maple Street, Main Street (Farwell Avenue to Tuttle Road), Tuttle Road (Main Street to Meadow Way) and Farwell Avenue (Easterly of the Post Office).

You may want to consider additional Streets such as Willow Lane, Broadmoor Drive and Meadowview Road.

Another issue to consider is additional no parking hours during special events that occur at the campus, i.e. sporting events, graduations, etc.

If you have any questions or require additional information please call us.



MEMO

Date: 9/20/02
To: Robert Benson, Town Manager
From: Joseph Charron, Chief of Police
RE: Student Parking Situation

Bob,

My only question would be if the town is going to provide satellite parking at Twin brooks, would the posting be necessary? The only other issue would be special events parking (ie. Open House, sporting events, drama productions, graduation, etc.) Although this may be a mute point since these activities take place after 4:00 pm, a time in which parking would be allowed. Perhaps a 'No Parking This Side' would be more appropriate.

If you have any further questions, please don't hesitate to call me.

Chief Joseph Charron

Incumbent Democrat faces two challengers

Senate District 32, long a Democratic stronghold, lures two political newcomers to the race.

By TED COHEN
Staff Writer

Two political newcomers are attempting to unseat a veteran state senator in Senate District 32, a Democratic stronghold.

Democrat Lloyd LaFountain III has held the Senate seat since 1997. With the exception of John Hathaway of Kennebunkport, a single-term Republican who preceded LaFountain, the seat has mostly been held by Democrats.

Republican Robert D. Haggett and Green Independent Dorothy LaFortune are out to change all that in their first State House bids.

Haggett, whose top legislative priority would be business development, said he wouldn't raise taxes to cover the state deficit.

"I would go over spending with a fine-tooth comb and look at areas for possible cuts," he said.

He also sees no immediate need to change the state's tax system.

"In view of the deficit, reducing taxes isn't a reality, but I favor long-term tax reduction."

He's undecided on whether the school-funding formula needs changing, but supports more funding for schools.

SENATE DISTRICT 32

A casino in Maine would not win Haggett's support.

"It would create traffic congestion, housing problems and possibly damage other local small businesses."

LaFortune would cut the deficit by reducing the size of government.

"We need to eliminate duplicate programs and agencies that aren't of any help to the public," she said.

It will be important to be accessible to her constituents, her top legislative priority, when dealing with topics such as overhauling the state's tax system. She said she would "sit down and listen to the comments of the average person."

She supports increasing funding for higher education and is opposed to a casino being built in Maine.

"It would just ruin the quality of life in Maine and add problems to a state that already has problems."

LaFountain sees the looming state budget deficit as requiring a "need to streamline state government in all areas."

He said he sees no immediate solution to overhauling Maine's tax system but the issue is being explored in Augusta.

"We continue to try to find a solution," he said.

He would increase funding for schools and rewrite the school-funding formula because it penalizes communities with pricey coastal property.

LLOYD LaFOUNTAIN III

Democrat

Age: 40

Address: 27
Sokokis Road,
Biddeford

Personal:
Married, three
children

Education:
College of the
Holy Cross
and Suffolk
University Law School

Occupation: Lawyer

Political experience: Biddeford
School Board, 1991-93; Maine House,
1995-97; Maine Senate, 1997 to
present



A casino would not be a good stimulator of the economy, LaFountain said.

"If we're looking for economic development, I don't think these are the types of jobs we're looking for," he said.

His top legislative priority is economic development for Maine.

District 34 includes Arundel, Biddeford, Kennebunk and Kennebunkport.

Staff Writer Ted Cohen can be contacted at 282-8225 or at:
tcohen@pressherald.com

DOROTHY LAFORTUNE

Green Independent

Age: 54

Address: 22
Graham St.,
Biddeford

Personal: Single
Education: St.
Louis High
School

Occupation:
Self-employed
Political

experience: None



ROBERT D. HAGGETT

Republican

Age: 65

Address: 18
Crestwood
Drive,
Biddeford

Personal:
Married, three
children

Education:
Colby College

Occupation:
Semi-retired human-resource
director; substitute teacher

Political experience: None



FIVE QUESTIONS: Senate District 32

| | Robert Haggett (Republican) | Dorothy LaFortune (Green) | Lloyd LaFountain III (Democrat) |
|--|--------------------------------|------------------------------|------------------------------------|
| 1. Would you raise taxes to cover the state budget deficit? | NO | NO | NO |
| 2. Do you support a property tax cap? | NO | YES | NO |
| 3. Would you increase funding to local schools and higher education? | YES | YES | YES |
| 4. Would you continue the school laptop program? | NO | NO | YES |
| 5. Do you support casino gambling in Maine? | NO | NO | NO |

Newcomer challenges two-term incumbent Clough

● Edward Needham favors some tax hikes to cut the deficit; Harold Clough would cut spending.

By DAVID CONNERTY-MARIN
Staff Writer

In a year when taxes and tax reform loom largest in the minds of most voters, Ed Needham dares to admit he might vote for an increased cigarette tax or a broader sales tax as a way "to help us get by this year."

Needham, a Democrat from Gorham, is challenging two-term incumbent Harold Clough, R-Scarborough, for the House District 22 seat. The district includes parts of Gorham and Scarborough.

Both candidates say they support tax reforms, but their approaches are very different.

Clough eyes tax reform suspiciously. "The problem with these proposals is they're thinly veiled attempts to raise more revenue," he said. If the state broadens the sales tax, for example, but is not able to ensure that municipalities will reduce their property taxes correspondingly, the end result will be homeowners

HOUSE DISTRICT 22

paying more taxes.

Needham wants the state to put up more money for schools so that cities and towns will not have to rely so heavily on the property tax. He also thinks the state should raise the income levels at which income taxes kick in. By doing that, he said, many retirees who claim residency elsewhere for tax reasons would claim Maine as their residence. As a result, Maine would get more income tax, not less.

Both candidates see a need for the state to cut expenses in order to meet a projected \$900 million deficit for next year.

Most of that could be saved by freezing spending at current levels, according to Clough. Almost all of the \$900 million, he said, will be spent on programs that were approved this year and have only just gone into effect. By eliminating or freezing those new programs, the deficit will drop to \$54 million, he said. That amount could be saved by across-the-board cuts in all agencies.

Needham, a self-employed business consultant, said he thinks the state can save money by consolidating many of its services. "Maine has

HAROLD CLOUGH

Republican

Age: 74
Home: Ottawa Woods Road, Scarborough
Personal: Married, four grown children
Education: Kennebunkport High School

Occupation: Retired business executive for auto parts companies
Political experience: State representative, 1998-present



approximately the same number of schoolchildren as Tampa," he said. "We have 173 superintendents and they have one." While Maine has a rich tradition of home rule, it has changed a lot, with towns and cities working together much more than before, but the funding mechanisms do not reflect that, he said.

Clough, a retired auto parts company executive, said the state needs to be more business-friendly. "We

EDWARD M. NEEDHAM

Democrat

Age: 34
Home: Lower Main Street, Gorham
Personal: Married, baby girl
Education: Gorham High School; BA from Bennington College; MA/MBA from U.S. International University
Occupation: Self-employed management consultant
Political experience: None



have a tradition of changing the rules with every Legislature," he said. Businesses are afraid to invest and make long-term plans as a result. More business would create more revenue for the state and help prevent the kind of deficit it is facing now.

A priority for Needham, besides tax reform, is for the state to partner with private companies and ensure that

FIVE QUESTIONS: House District 22

| | Harold Clough (Republican) | Ed Needham (Democrat) |
|--|-------------------------------|--------------------------|
| 1. Would you raise taxes to cover the state budget deficit? | NO | YES |
| 2. Do you support a property tax cap? | YES | UNDECIDED |
| 3. Would you increase funding to local schools and higher education? | YES | YES |
| 4. Would you continue the school laptop program? | NO | UNDECIDED |
| 5. Do you support casino gambling in Maine? | NO | NO |

all Mainers have health care. "We can use the state's bargaining power to bring rates on premiums down," he said.

Both candidates oppose casino

gambling in Maine.
David Connerty-Marin can be contacted at 791-6325 or at: dconnerty-marin@pressherald.com

Veteran, challenger make differences clear

● Voters won't have trouble confusing Ed Symbol and Ronald Usher.

By C. KALIMAH REDD
Staff Writer

WESTBROOK— Longtime state legislator Ronald Usher is hoping to serve under his fifth governor, while Ed Symbol, a local business owner and school board member, is looking to break into state politics to represent Westbrook's House District 28.

Usher, a Democrat who would like to serve his 20th year in the Legislature, said lawmakers should explore options to increase meals and lodging taxes, which are based largely on

HOUSE DISTRICT 28

tourists' dollars, to cover a projected \$900 million budget deficit. He said that, based on what he knows now, he would not favor increasing other taxes.

Usher also said he would be cautious about dealing with the deficit until new figures are in.

Symbol, a Republican, supports capping state spending to address the budget shortfall. He proposes that an independent audit team identify areas in need of cuts, for example assessing whether departments duplicate services. He recommends cutting the statewide school laptop program immediately.

"We can't afford it," he said.

To address the mounting pressure to overhaul the tax system, Usher suggests that a blue ribbon committee analyze the issue and make changes. He noted the challenges that face a part-time Legislature in trying to make system-wide changes in the tax structure.

Symbol said the state might learn from several successful tax system reforms that have been proposed nationally and locally. He wants to give some relief in property taxes.

Both candidates believe the state should maintain its 55 percent commitment to education spending. Both estimate the current state share of the costs at just under 50 percent.

Usher said he would vote for a statewide referendum on gambling in Maine. Symbol said he is leaning

toward opposing the idea but would like more information.

Both said they are awaiting the soon-to-be-released findings of the task force designated to research the matter.

Symbol said his top priority is tackling the deficit. He questioned why previous legislators did not address the shortfall. He said he is willing to make tough cuts in departments such as Human Services and Education to get the state economy in order.

Usher said his top priority is serving the people of Westbrook. He wants to continue his work on a bill to cap property taxes for seniors.

Staff Writer Kalimah Redd can be contacted at 791-6335 or at: kredd@pressherald.com

EDWARD SYMBOL

Republican

Age: 36

Personal:
Married, three children

Education:

Westbrook High School; University of Southern Maine, economics degree; Air Force Community College, associate's degree in criminal justice

Occupation: Owns printing business

Political experience: Westbrook School Committee 1999-2002



RONALD USHER

Democrat

Age: 64

Personal:
Married, three grown children, five grandchildren

Education:

Westbrook High School; attended the University of Southern Maine

Occupation: Retired paper mill worker

Political experience: Maine Senate District 28, 1976-88; Maine House District 28, 1996-2002; Westbrook City Council, 1971-76



FIVE QUESTIONS: House District 28

| | Edward Symbol (Republican) | Ronald Usher (Democrat) |
|--|-------------------------------|----------------------------|
| 1. Would you raise taxes to cover the state budget deficit? | NO | NO |
| 2. Do you support a property tax cap? | NO | YES |
| 3. Would you increase funding to local schools and higher education? | YES | YES |
| 4. Would you continue the school laptop program? | NO | YES |
| 5. Do you support casino gambling in Maine? | UNDECIDED | UNDECIDED |

SENATE

Continued from Page 1B

Orchard Beach and Saco.

Pendleton said she is not sure where the Legislature can find \$900 million in savings—the amount of the projected shortfall for the two-year budget beginning next July. But she won't add taxes, she said.

She said some of the last programs approved in the latest legislative session should be the first ones to be cut, especially since some are not yet in operation. "Some of those aren't going to affect people's lives because they're not using them yet," she said.

Dell'Olio says the state should look to consolidate some services to save money. There are almost 500 local governments and 287 school districts, he noted.

If the Legislature has to cut, Dolgon said, those cuts should include the handouts to corporations from the Business Equipment Tax Reimbursement program.

Dell'Olio says the way to reduce taxes for everyone is to stimulate the economy by encouraging businesses to locate in Maine. "We need to reduce taxes to give incentive for private investment," he said.

Dolgon is more focused on workers and the poor. He said company executives in the 1970s made about 40 times the wages of the average worker in their company. Now, they make 500 times the average.

"Where does all that wealth come from?" he asked. "From all the people at the bottom."

Pendleton said the need is to establish a more stable tax base. "There are a few people paying a lot of

PEGGY A. PENDLETON

Democrat

Age: 56

Home: 110 Holmes Road, Scarborough

Personal:

Married, two grown children

Education: High school in Hamburg, N.Y.;

bachelor's degree in applied technology education, University of Southern Maine; Eastern Maine General Hospital School of Nursing

Occupation: Formerly a nurse educator; developing custom sewing and sewing machine sales business

Political experience: House District 19, 1988-94; Senate District 31, 1996-present



money," she said.

Perhaps the sales tax should be broadened to include items not now taxed, she said, and then the rate could be dropped from 5 percent to something lower.

But all the state's taxes are intertwined, she said, and it will take some work to sort it out. "We repealed the snack tax," she said, "but some of that went back to municipalities in revenue sharing."

All three candidates say they would oppose continuing the state laptop program, at least in its current format.

David Connerty-Marín can be contacted at 791-6325 or at: dconnerty-marín@pressherald.com

FREDERICK DOLGON

Green

Age: 73

Home: Ryefield Drive, Old Orchard Beach

Personal:

Married, three grown children

Education: High school in Brooklyn, N.Y.;

four years in engineering at Cooper Union

Occupation: Retired machinist, railroad worker, ad copywriter

Political experience: None



MICHAEL J. DELL'OLIO

Republican

Age: 47

Address: Scottow Hill Road, Scarborough

Personal: Married, two children

Education: Old Orchard Beach High School; associate's degree, Westbrook College; bachelor's degree, University of Maine Portland; master's in business administration, New Hampshire College; law degree from Massachusetts School of Law

Occupation: Owner of an investment management firm

Political experience: Ran for Scarborough Town Council in 2000

FIVE QUESTIONS: Senate District 31

| | Michael Dell'Olio (Republican) | Frederick Dolgon (Green) | Peggy Pendleton (Democrat) |
|--|-----------------------------------|-----------------------------|-------------------------------|
| 1. Would you raise taxes to cover the state budget deficit? | NO | UNDECIDED | NO |
| 2. Do you support a property tax cap? | UNDECIDED | YES | NO |
| 3. Would you increase funding to local schools and higher education? | UNDECIDED | YES | YES |
| 4. Would you continue the school laptop program? | NO | NO | NO |
| 5. Do you support casino gambling in Maine? | UNDECIDED | NO | NO |