

**A G E N D A**  
**CUMBERLAND TOWN COUNCIL MEETING**  
**Town Hall, 290 Tuttle Road**

**Monday, December 13, 2004**

**6:00 p.m. - WORKSHOP** with Val Halla Board of Trustees re: Alcohol Policy

**7:00 p.m. - CALL TO ORDER**

**I. APPROVAL OF MINUTES**

- a) November 22, 2004

**II. MANAGER'S REPORT**

- a. Chebeague Island Library Trustees funding request
- b. Historical Society repairs funding request

**III. PUBLIC DISCUSSION**

**IV. LEGISLATION AND POLICY**

- 04 – 151.** To hear a report from the CEO re: the 2003 BOCA Codes and to set a public hearing date to adopt same.
- 04 – 152.** To hear a report from the Appointments Committee regarding the 2005 board/committee appointments.
- 04 – 153.** To hold a public hearing to consider and act on the 2005 Automobile Graveyard and/or Junkyard Permit for Greenlaw's Salvage, Longwoods Road. ***TABLED***
- 04 – 154.** To hold a public hearing to consider and act on the 2005 Automobile Graveyard and/or Junkyard Permit for Cumberland Salvage, 40 Blackstrap Road.
- 04 – 155.** To hold a public hearing to consider and act on the 2005 Shellfish allocations.
- 04 – 156.** To issue the Municipal Warrant for Prosecuting Unlicensed Dog Owners/Keepers.
- 04 – 157.** To set a public hearing date to consider and act on amendments to the Twin Brook Recreation Area Policies and Rules.
- 04 – 158.** To set a public hearing date to institute a universal waste collection program and set fees for same.

**CONTINUED ON REVERSE SIDE**

- 04 – 159. To set a public hearing date to consider and act on the Golf Club/Restaurant Liquor License and Special Amusement Permit for Val Halla Golf Course, for the period January 2005 through January 2006.
- 04 – 160. To set a public hearing date to consider and act on a Class I Restaurant License for Reynold Michaud, d/b/a Rey's Cumberland Café Inc, 172 Gray Road, for the period February 2005 through February 2006.
- 04 – 161. To set a public hearing date to adopt updated maximums to the MMA General Assistance Ordinance for 2005.
- 04 – 162. To set a public hearing date to consider and act on the Greely High School swimming pool license for 2005.
- 04 – 163. To set a public hearing date to consider and act on acceptance of Rock Ridge Run. **TABLED**
- 04 – 164. To set a public hearing date to consider and act on redistribution of sewer units.
- 04 – 165. To set a public hearing date to consider and act upon an easement with CMIT for the Chebeague Island Curit Property.

V. **NEW BUSINESS**

- Bruce Hill Road update

VII. **ADJOURN**

MEMBERS OF THE TOWN COUNCIL			
William Stiles, Chairman	829-6679	<a href="mailto:wstiles@maine.rr.com">wstiles@maine.rr.com</a>	Donna Damon
Mark Kuntz	829-8127	<a href="mailto:mkuntz1@maine.rr.com">mkuntz1@maine.rr.com</a>	Harland Storey
Michael Savasuk	781-3061	<a href="mailto:mxslaw@maine.rr.com">mxslaw@maine.rr.com</a>	Jeffrey Porter
Stephen Moriarty	829-5095	<a href="mailto:smoriarty@nhdlaw.com">smoriarty@nhdlaw.com</a>	web: <a href="http://www.cumberlandmaine.com">www.cumberlandmaine.com</a>
			846-5140 <a href="mailto:publicservant1@aol.com">publicservant1@aol.com</a>
			829-3939 <a href="mailto:cstorey@zwi.net">cstorey@zwi.net</a>
			829-4129 <a href="mailto:mesit5@maine.rr.com">mesit5@maine.rr.com</a>



**M I N U T E S**  
**CUMBERLAND TOWN COUNCIL MEETING**  
**Town Hall, 290 Tuttle Road**  
**Monday, November 22, 2004**

**6:00 p.m. – WORKSHOP – re: Tuttle Road drainage issues from the Commons**

**7:00 p.m. – CALL TO ORDER**

**Present:** Chairman Stiles, Councilors Damon, Storey, Moriarty and Porter.

**Excused:** Councilors Savasuk and Kuntz.

**I. APPROVAL OF MINUTES**

a) October 25, 2004

Motion by Councilor Porter to accept the 10/15/04 minutes;

Seconded by Councilor Storey.

VOTE: UNANIMOUS 5-0

**II. MANAGER'S REPORT**

Manager Shane reviewed several items. The traffic signals at the Tuttle Road intersection have been independently evaluated by a traffic engineer whose opinion is that one light can be eliminated. The council should provide guidance if they wish for him to contact the MDOT to seek removal of this light; the "furthest signal as you approach the intersection from Food Stop heading down Main Street toward the church." The engineer also recommended "additional shield lengths" on the remaining lights. The council was provided information related to universal waste disposal; i.e. computers, televisions, batteries, etcetera. He recommended a collection area be established during the same period of disposal as the compost waste disposal. Without this new program, our citizens would be required to haul and pay a fee to Gorham for disposal. Under this proposal, the town will pay a small transportation fee and disposal charge on behalf of our citizens. Councilor Damon requested and the Manager confirmed the inclusion of Chebeague Island in the program. The Town Manager provided the council with a draft Right of First Refusal document for the Curit property on Chebeague Island. He recommended a workshop toward the end of December. The town has determined the need to create fireproof safety measures for safekeeping of its vital records. The Town Manager, Town Clerk and Fire Chief will work to comply with the standards set in state law.

**III. PUBLIC DISCUSSION**

None.

**IV. LEGISLATION AND POLICY**

**04 – 143. To receive the annual report from the Tax Assessor regarding town wide values and quality ratio.**

The Town Manager introduced Tax Assessor, William Healey, who was present to provide a report of the town's assessment status two years post-revaluation. Mr. Healey gave a brief PowerPoint presentation, after which he responded to questions from councilors. Highlights of his presentation included an explanation of assessing standards and requirements. Maine law requires "all taxes upon real and person estate (to) be apportioned and assessed equally according to the just value thereof." Assessing standards dictate a



70% minimum assessment ratio. Cumberland's average ratio is at 76% currently, with an 18% "coefficient of dispersion;" a quality rating established by the Bureau of Revenue Services. The average ratio and COD is broken down respectively as follows: Cumberland Center, 77% and 14%; Cumberland Foreside, 82% and 16%; West Cumberland, 72% and 25%; Chebeague Island, 51% and 41%; and Other Islands, 27% and 15%. The penalty for not achieving the minimum assessing standards equals a loss of ten percent of Cumberland's tree growth reimbursement for each percentage point below the minimum assessment ratio. The value of Cumberland's total tree growth reimbursement is approximately \$1,800. Even though the penalty may amount to a small financial loss, he stated, the state requirement to "apportion and assess equally" requires action by the Assessor when assessment falls below the minimum assessing standards. Inequity leads to unequal distribution of the tax burden, and he suggested, "can lead to appeals by taxpayers who think they are over assessed. As your assessor, I think it would be prudent to start discussions to determine a course of action to bring our assessment ratio and quality rating in line with state standards." The three options he listed included an in-house statistical update by neighborhood code; a statistical update by an outside firm at a cost of approximately \$100,000; and a total town-wide revaluation using an outside firm with a cost of approximately \$300,000.

Councilor Damon addressed the issue of corrections to property cards, stating that incorrect property information "impacts all other property." Assessor Healey explained that land and building tables will be created in a statistical update by reviewing the sales of the properties sold "to be sure the information we have is accurate. So, if we find out it's a cape instead of a cottage...we'll get an assessment that's more fair and equitable." Councilor Moriarty clarified that "if what was thought to be a cottage turns out to be a cape at a substantially higher value, (we) don't retroactively bill the previous owner for the taxes they should have paid." The assessor confirmed and added "the increase in value will be reflected on the new owner." Councilor Damon's concern; however, "is what it does to the statistics." Assessor Healey reiterated that the majority of sales show that our assessment ratio town-wide continues to drop. The Town Manager suggested that the "only thing that will correct them is a full-blown revaluation to look at everyone one of those houses...so it's corrected town-wide." This is a "stop gap measure so we can budget for a full-blown revaluation." He also mentioned that during the Regionalization process, the committee has discussed a revaluation among communities to achieve an "economy of scales."

- 04 – 144. To hold a public hearing to consider and act on a Contract Zone Agreement for an increase in the number of rental units at 371 Tuttle Road. TABLED**

Motion by Councilor Damon to table item 04-144;  
Seconded by Councilor Porter.  
VOTE: UNANIMOUS 5-0

- 04 – 145. To hold a public hearing to consider and act on an amendment to the Cumberland Traffic Ordinance related to parking at 174 Main Street.**

Manager Shane explained this item will restrict parking on Route 9 in front of and on the same side of the street as the Big Apple, but does not include the store's parking lot. Parking in front of the store, along Route 9, creates sight problems, creating safety hazards. No public comments received.

Motion by Councilor Porter to amend Article XII, Subsection 12-5 (No Stopping, Standing or Parking near Hazardous or Congested Areas) of the Cumberland Traffic Ordinance to include no parking,



loading or unloading along the westerly side of 141 Main Street, beginning at the intersection of Winn Road and Main Street and heading in a northwesterly direction 150 feet, and authorize the Town Manager to post No Parking signs at each entrance to 141 Main Street;

Seconded by Councilor Storey.

VOTE: UNANIMOUS 5-0

**04 – 146. To receive report from Twin Brook Advisory Committee regarding proposed Twin Brook Recreation Area Policies & Rules, and to set a public hearing to consider approval of same.**

John Andrews, Chair of the Twin Brook Advisory Committee, spoke on behalf of the committee to request a workshop with the Town Council to discuss the recommended revisions to the policies and rules. In particular, the “committee has had a hard time with the issue of dogs” at Twin Brook “and needs some guidance.” Councilor Moriarty explained the property “is governed by the state leash law...it’s evolved into a more substantial dog walking area in the seven years it’s been open. It’s been a big issue at the committee; there is a difference of opinion. The draft from last spring provides that the entire area shall be dogs on leash only except where otherwise permitted. The obvious issue is where you draw the line...a ton of judgment calls to be made here on dog usage at the facility.” In response to council remarks involving items such as picnicking, fires, and grills councilor Moriarty clarified “There aren’t any standing policies at all” at this time.

Animal Control Officer, Chuck Burnie, responded to councilor questions by stating that approximately eight complaints of dogs at Twin Brooks has been received over the last twelve months; the majority of them “neighborhood dogs who’ve gotten loose. I’ve had more dog complaints on Pinewood over a three month period than I’ve had at Twin Brook over a two year period. So, from my perspective as ACO, there are no significant issues ... at the Twin Brook facility.” He recommended “whatever the ordinances are that the town adopts, they need to be reasonable and ones that can be enforced.”

Councilor Moriarty referred to the town attorney’s letter stating “if we stick to the state law, voice control or actual leash, the liability potential is very small to the town.” If the town were to “open up a free range kind of thing, then you enter into liability problems. The issue is should .... portions of Twin Brook be more restrictive than state law; that’s what we’re going to be dealing with. As the owner of the land, we can be more restrictive than the state if we want to.”

Motion by Councilor Moriarty to set a workshop date of December 8, 2004 at 7:00 p.m.;

Seconded by Councilor Porter.

VOTE: UNANIMOUS 5-0

**04 – 147. To authorize the Town Manager to reinstate the mailing of second half tax bills.**

Manager Shane recommended the council authorize him to locate funds, in an approximate amount of \$4,000, to reinstate the mailing of the second half tax bills.

Motion by Councilor Porter to authorize the Town Manager to reinstate the mailing of the second half property tax bills;

Seconded by Councilor Moriarty.

VOTE: UNANIMOUS 5-0



**04 – 148. To set a public hearing date to consider and act on 2005 Junkyard Permits.**

Motion by Councilor Moriarty to set a public hearing date of December 13, 2004 to consider and act on the 2005 automobile graveyard and/or junkyard permits;

Seconded by Councilor Porter.

VOTE: UNANIMOUS 5-0

**04 – 149. To set a public hearing date to receive a proposed Capital Improvements Plan.**

The Town Manager explained the Capital Improvements Plan of last year has been updated, and the Planning Board will review it in December. "I'm not proposing any action be taken on the 27<sup>th</sup>. More deliberation will be taken during the budget process."

Motion by Councilor Porter to set a public hearing date of December 27, 2004 to consider and act on a proposed Capital Improvements Plan;

Seconded by Councilor Moriarty.

VOTE: UNANIMOUS 5-0

**04 – 150. To set a public hearing date to consider and act on the 2005 Shellfish allocations.**

Town Manager Shane is under the impression the Shellfish Committee will be "recommending the same allocation process as last year."

Motion by Councilor Storey to set a public hearing date of December 13, 2004 to consider and act on the 2005 Shellfish allocations;

Seconded by Councilor Moriarty.

VOTE: UNANIMOUS 5-0

**V. NEW BUSINESS**

**Councilor Damon** – referred to the draft Right of First Refusal agreement, clarifying the Land Trust should be given a year "to come up with the money"; received a call of thanks from the family of and Bertha Gray regarding the council's presentation of the Boston Cane; received numerous calls regarding the excellent work done in the Cumberland Center cemetery; participated in two meetings regarding taxation issues – "there's not one silver bullet" to solve the problems; involved with the Music Man performance at GHS and heard many comments related to the auditorium vote; Chebeague Historical Society received a \$5,000 grant for technological equipment.

**Councilor Storey** – the Sewall property is for sale, wondered if a joint purchase should be considered by Yarmouth and Cumberland.

**Chairman Stiles** – read a letter of recognition to town hall employees who spent significant time and energy in the recent Presidential election: Debbie Flanigan, Karen Bosse, Don Bolduc, Tammy O'Donnell, Alyssa Daniels, Anne Brushwein, and Chiefs Joe Charron, Dan Small and Chris Bolduc. Public opinion was expressed as a most pleasurable experience.

**Councilor Moriarty** – Would like to pursue the removal of at least one traffic light at the Main Street/Tuttle Road intersection; it has been “over-engineered.”

**Councilor Porter** – referenced the regional ad placed by the Town Clerks of Cumberland, Falmouth, Freeport, North Yarmouth and Yarmouth announcing the need to license dogs before January 31<sup>st</sup>; one type of regional effort that should be continued and encouraged.

**Town Manager** - congratulated Councilor Porter for his recent appointment to Governor Baldacci’s Committee to review regional efforts and funding; believes this appointment recognizes Cumberland’s early and continued efforts toward regionalization; referred to his earlier remarks regarding a universal waste disposal program – “would like to get it up and running by the end of the year”; will add it to the next agenda; town will be closing on the Habitat for Humanity lot this Wednesday, November 24<sup>th</sup>; extended thanks to Harland Storey, Jr. and Sally Bancroft for their many efforts with this project.

**VI. EXECUTIVE SESSION** - MRSA Title 1, Section 405 (6) (C) re: disposition of property.

Motion by Councilor Porter to go into Executive Session pursuant to MRSA Title 1, Section 405 (6)(c) to discuss disposition of property;

Seconded by Councilor Damon.

VOTE: UNANIMOUS 5-0

TIME: 8:39 p.m.

**VII. ADJOURN**

Motion by Councilor Moriarty to come out of Executive Session;

Seconded by Councilor Porter.

VOTE: UNANIMOUS 5-0

TIME: 9:17 p.m.

Motion by Councilor Porter to adjourn;

Seconded by Councilor Moriarty.

VOTE: UNANIMOUS 5-0

TIME: 9:17 p.m.

Respectfully submitted,

Nadeen M. Daniels, CMC  
Town Clerk



## **Val Halla Golf & Recreation Center**

### **Policy on Alcohol on Facility Grounds**

**August 4, 2004**

Whereas the Legislature of the State of Maine has passed legislation allowing alcohol consumption on golf courses in Maine; and,

Whereas the Trustees of the Val Halla Golf and Recreation Center wish to adopt a policy expressly tailored to circumstances at it's facility; and

Whereas the Trustees feel that failure to adopt such a policy will both lessen the facility's ability to monitor and manage alcohol on the premises and place the course at some disadvantage in retaining and attracting outside event revenue;

Now therefore the following resolution is adopted by the Trustees and recommended to the Town Council for ratification as necessary:

- 1) Nothing herein is intended to loosen any controls or conditions imposed by the State of Maine or the Town of Cumberland in granting to Val Halla necessary licensing for the sale of alcohol.
- 2) That in a manner consistent with it's licensing, Val Halla offer beer and wine for sale on the course, with the following restrictions:
  - a) Only alcohol purchased from designated on-course stations and/or beverage carts may be consumed on the course. Alcohol from other sources may not be brought on to the course and alcohol purchased in the clubhouse may not be brought on to the course.
  - b) On-course alcohol sales will be confined to Friday, Saturday and Sunday for the remainder of 2004 except as provided in 2)c) below. This restriction will be reviewed prior to the 2005 season.
  - c) The sponsors of any Golf Tournament of 40 or more players playing in an organized fashion and meeting guidelines established by Course Staff (Some combination of the Tournament Director, Banquet/Facilities Manager or designee and Golf Pro) may request on course sales on any day.
  - d) That any on-course point of sale (cart or stand) also have non-alcoholic beverage options and snacks available
- 3) While recognizing that implementation of this policy will appropriately fall to course staff, the Trustees desire to be explicit in outlining their expectation that implementation of on-course alcohol sales will be well thought out and carefully monitored. The following points need to be part of that implementation:
  - a) Designating and carefully training staff members engaged in on-course sales. Said training to include applicable laws, strategies for managing interactions for golfers and protocols for difficult situations should they occur.



- b) Some type of limit on sales to individuals. For example not more than 2 drinks per individual and not serving any group more than once every 4 holes.
- c) Designating an individual in the Pro Shop or Grill who will serve as a point of contact for the cart/stand operator and will monitor that individual's activities and well being.



Est. 1965

December 9, 2004

Town of Cumberland

Att'n: Mr. William Shane, Town Manager

Enclosed is an estimate from Siemens Corporation to repair the Chebeague Community Center furnace. On behalf of the Library and Island community, I appeal to you for ½ of the Siemens repair bill or \$2159.

A true community center, the building includes the Chebeague Island Hall, Library, and Health Center. The building is used for Town events, evening library hours for students, theater performances, doctors, veterinarian, community suppers and celebrations.

As financial steward of the Community Center, the Chebeague Island Library thanks you for your consideration.

Respectfully,

A handwritten signature in dark ink, reading 'Deborah A. Bowman'. The signature is fluid and cursive, with the first name 'Deborah' and last name 'Bowman' clearly legible.

Deborah A. Bowman, Director

[chebeague.org](http://chebeague.org)

[checlib@hotmail.com](mailto:checlib@hotmail.com)

247 South Road, Unit #3

Chebeague Island, ME 04017

Phone: 207-846-4351

Fax: 207-846-4358

**SIEMENS****PROPOSAL**

- Chebeague Island Library
- 247 South Road
- Chebeague Island, Maine 04017
- Attn: Deb Bowman
- Limiting Date: 30 Days

Date: October 20, 2004

Project: Library Boiler Repairs

Proposal: Based on the items outlined in our previous report, Siemens Building Technologies, Inc. agrees to provide labor and materials necessary to make the following repairs to the heating system:

1. Remove two (2) existing circulating pumps and install two (2) new properly sized circulators and pressure gauges. Provide one (1) additional circulator as a spare.  
Price.....\$ 3,358.00
2. Provide and install additional glycol solution ( Cryotec 100) in order to bring the freeze protection point closer to 0 degrees. ( It is at 20 degrees presently)  
Price.....\$ 960.00

☐ Wiring by Siemens Building Tech. Inc.☐ Wiring by others☒ No wiring required

*The Terms and Conditions of Sale shown on the attached are a part hereof*

Terms of Payment:

☐ Monthly Progress Payments☐ No Retainage☐ 0 % in Advance☒ 100 % Upon Completion

Proposal Accepted:  
Siemens Building Technologies, Inc. is  
authorized to proceed with the work as proposed.

Proposal Submitted:  
Siemens Building Technologies, Inc.

Purchaser \_\_\_\_\_  
By \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

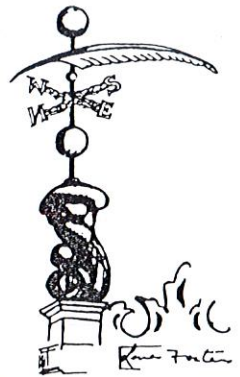
Seller Siemens Building Technologies, Inc.  
By Charlie Roman  
Title General Engineer II  
Date October 20, 2004

This proposal is valid until Nov 20, 2004  
Page 1 of 2



# Cumberland Historical Society

Cumberland Center, Maine 04021



Weathervane On  
Greely Institute Steeple  
1868

September, 2004

To: William Shane, Town Manager  
and the members of the Cumberland Town Council  
From: Carolyn Small, President, Cumberland Historical Society  
Re: Assistance

Dear Mr. Shane and members of the Cumberland Town Council,

The Cumberland Historical Society requests some financial help from the Town of Cumberland because of three challenges that have demanded our attention this past year. This first and most drastic is the floor of the 1853 schoolhouse building that the Society occupies. The underpinning has rotted and the floor is in danger of collapsing. Mr. Shane has received a copy of the engineering report that was sent in August. We have contacted Clayton Copp of Copp Movers, and he can repair the damage for about \$5,000.00.

Our second issue is the installation of a security system to protect the valuable Cumberland history that we have custody of in the building. The contract from Protection One is \$1650.00, and a \$30.00 per month fee after installation. What a shame it would be to have something dreadful occur to the 183 years of the story of this town, merely because the building wasn't secure.

Our final concern is the sign in front of the building. It is of wooden construction and has sorely felt the passage of time. It has rotted. I am awaiting a quote from Graphics on Middle Road. We would like to be able to replace the sign before it becomes a hazard. That is the very least of the three matters.

Realizing that this is probably not the best time to ask for some financial help, I nonetheless, do so, in hopes that you can locate some funds to help your Historical Society. Any amount would be greatly appreciated.

Thank you for your consideration on this matter.

Yours very sincerely,

Carolyn F. Small, President, Cumberland Historical Society



# Protection One®



**Factory  
Mutual  
System**

685 Congress Street  
Portland, Maine 04102  
(207) 772-1171 (800) 310-5011  
Fax # (207) 772-7355

PROPOSAL SUBMITTED TO:

**Cumberland Historical Society**

STREET

**Blanchard Road**

CITY, STATE & ZIP CODE

**Cumberland, Maine 04021**

ATTENTION

**Carolyn Small**

CONSULTANT

**Robin Russell**

PHONE

**(207) 829-4423**

DATE

**9/3/2004**

JOB NAME

JOB LOCATION

We hereby submit specification and estimates for:

## INSTALLATION OF INTRUSION DETECTION SYSTEM

- One (1) 300 P1 Hardwire Pack, Including 3 Door Contacts, Fixed English Keypad, Motion Detector & Siren
- One (1) DS835 Dual Technology PIR Motion Detector Pet Immune to 100lbs
- One (1) 6150 Fixed Keypad
- One (1) AlarmNet "C" Cellular Communicator w/battery 150mA
- One (1) Installation of 20' of Solid Conduit from Panel to Attic and from Attic to Keypad
- Two (2) Recessed 3/4" Steel Door magnetic contact with 5' lead (White)

TOTAL OUTRIGHT INVESTMENT FOR INSTALLATION OF SECURITY SYSTEM:

**\$1,650**

Plus Applicable Sales Tax

TOTAL INVESTMENT FOR LIFETIME MAINTENANCE PROGRAM:

**\$4.00**

per month

PROTECTION ONE FULL-SERVICE AGREEMENT INSTALLATION INVESTMENT: **\$985**

MONTHLY PAYMENT (Including Maintenance & Monitoring) **\$30.00**

ANNUAL MONITORING: **\$240.00** **\$20.00 /per month**

- A) UL/FM Approved Central Station Signal Receiving and Notification Service
- B) Automatic Test Reporting
- C) Alarm and Trouble Reporting by zone

\*Lifetime Maintenance Program is valid as long as you are a Protection One subscriber

**We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of**  
One Thousand Six Hundred Fifty Dollars and No Cents **Dollars \$ 1,650.00 /.**

Payment to be made as follows:

**50% due at acceptance, 50% due at completion**

The customer acknowledges that he or she is aware that additional and more secure protection is available at an additional price

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standards and practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of acceptance:

Authorized

Signature

NOTE: This proposal may be withdrawn if not accepted in **30** days.

Signature

Signature



016457

## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, THAT TOWN OF CUMBERLAND, a municipal corporation organized and existing under the laws of the State of Maine, in consideration of one dollar and other valuable consideration paid by CUMBERLAND HISTORICAL SOCIETY, a Maine non-profit corporation, whose mailing address is: BLANCHARD ROAD, CUMBERLAND, ME 04021 the receipt whereof is hereby acknowledged, does hereby give, grant, bargain, sell and convey unto the said CUMBERLAND HISTORICAL SOCIETY, its successors and assigns forever,

A certain lot or parcel of land with building thereon situated on the southwesterly side of Blanchard Road in the Town of Cumberland, County of Cumberland and State of Maine being bounded and described as follows:

Beginning at a reinforcing rod on the apparent southwesterly sideline of Blanchard Road, said rod being on a course of S 27° 23' E and a distance of 20.23 feet from an iron at the most northerly corner of a parcel of land owned by W. Rand Surgi and recorded in Cumberland County Registry of Deeds in Book 4245, Page 113;

Thence S 27° 23' E, along the apparent southwesterly sideline of Blanchard Road, a distance of 82.06 feet to a reinforcing rod;

Thence S 60° 23' W through land of the Grantor a distance of 153.80 feet to a reinforcing rod;

Thence N 29° 37' W, continuing through land of the Grantor, a distance of 82.00 feet, to a reinforcing rod and land of Surgi;

Thence N 60° 23' E, along land of Surgi, a distance of 157.00 feet to a reinforcing rod on the apparent southwesterly sideline of Blanchard Road and the point of beginning, containing 12,742 sq. ft.



Reserving from the above described parcel a 25-foot wide right of way to the Grantor being bounded and described as follows:

Beginning at a reinforcing rod on the apparent southwesterly sideline of Blanchard Road at the most northerly corner of the above described parcel;

Thence S 27° 23' E along the apparent southwesterly sideline of Blanchard Road, a distance of 25.02 feet to a point;

Thence S 60° 23' W a distance of 156.02 feet to a point;

Thence N 29° 37' W a distance of 25 feet to a reinforcing rod and land of Surgi;

Thence N 60° 23' E, along land of Surgi, a distance of 157.00 feet to a reinforcing rod on the apparent southwesterly sideline of Blanchard Road and the point of beginning.

Excepting and reserving herefrom a certain septic sewer pipe easement, Central Maine Power Company easement of record and driveway right of way granted by deed of even date to Cumberland Hall Associates, and additionally conveying an easement for repair and maintenance of said sewer pipe and leach field as located on said Cumberland Hall Associates parcel.

These premises shall revert to the Grantor herein if said Grantee is ever suspended as a valid and existing Maine non-profit corporation. The Grantor further reserves to itself the right to repurchase the within premises for One Dollar (\$1.00) should Grantee ever determine to sell the same.

The above described parcels being a portion of the premises as conveyed from Beza Blanchard to School District No. 3 (now Town of Cumberland) by deed dated June 1, 1853 and recorded in said Registry in Book 251, Page 126, and a portion of the premises conveyed to the Grantor by Theodore J. Brown by deed dated March 5, 1927 and recorded in said Registry in Book 1261, Page 129.

The above described courses are magnetic of the year 1988.

TO HAVE AND TO HOLD, the aforegranted and bargained premises with all the privileges and appurtenances thereof to

OK8248PG0056

the said CUMBERLAND HISTORICAL SOCIETY, its successors and assigns, to it and its use and behoof forever.

AND it does COVENANT with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises, that they are free of all encumbrances, that it has good right to sell and convey the same to the said Grantee to hold as aforesaid; and that it and its successors shall and will warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said TOWN OF CUMBERLAND as Grantor has hereunto set its hand and seal this 14th day of the month of April, 1988.

SIGNED, SEALED and DELIVERED  
in presence of:

William H. Dale

TOWN OF CUMBERLAND  
R.B. BENSON

By: R.B. Benson  
Its  
Town Manager

STATE OF MAINE  
CUMBERLAND, SS

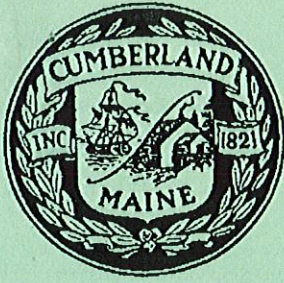
April 14, 1988

Then personally appeared the above named ROBERT B. BENSON of the Town of Cumberland, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the said Town of Cumberland.

Before me

William H. Dale  
Notary Public  
WILLIAM H. DALE





MEMORANDUM  
CODE  
ENFORCEMENT  
OFFICE

---

To: Town of Cumberland Council  
From: William C. Longley Jr. CEO  
Subject: New Building Codes Proposed  
Date: 11-17-04  
CC: William Shane, Town Manager  
Building Contractors

Last year the Legislature approved a new law to "Adopt a Model Building Code" this bill is attached for your review. Recently the Yarmouth Council voted to adopt the new State Model Code and last July the Town of Falmouth adopted the same Code. It would make my job easier if both Yarmouth and Cumberland were to have the same building code.

The intent of having a "Model Code" was to have less confusion and more consistency and to assist Builders who now must learn many different codes and versions of codes. The Building Official's group (MBOIA) is currently conducting statewide training sessions on this new "Model Code". These training sessions are being attended by Builders, Designers, Engineers, and Architects and their feed back has been positive.

The major difference is that the current Code is the BOCA 1993 Version and this code applies to all construction. The new model codes include a residential code for one and two family dwellings, and a building code for all other construction. The residential code is called the "International Residential Code" or IRC-2003 version and the building code is called the "International Building Code" or IBC-2003 version. I have copies of both in my office and would encourage anyone with a question to stop by and see them. I am also sending notice to builders in the area to seek their comments on this change. Remember the new State law only allows the adoption of these codes, or keep BOCA 1993. Please contact me if you have any questions prior to the Dec. 13<sup>th</sup> workshop on this issue.



# PUBLIC LAWS OF MAINE

## Second Special Session of the 121st

---

### CHAPTER 580 S.P. 356 - L.D. 1025

#### An Act To Adopt a Model Building Code

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

Sec. 1. 10 MRSA Part 14 is enacted to read:

#### PART 14 BUILDING CODE CHAPTER 1101 MAINE MODEL BUILDING CODE

##### **§9701. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Maine Model Building Code.** Except as provided in section 9703, "Maine Model Building Code" includes:

- A. The 2003 version of the International Residential Code; and
- B. The 2003 version of the International Building Code.

##### **§9702. Limitation on code adoption**

A town, city or municipality may not adopt a residential building code or nonresidential building code other than the Maine Model Building Code after the effective date of this chapter. A town, city or municipality that adopts the Maine Model Building Code may adopt amendments to the code at any time, as long as such an amendment does not result in the adoption of all or a significant portion of any code other than the code adopted pursuant to this section. This section may not be construed to prevent a town, city or municipality from selectively adopting parts or portions of the Maine Model Building Code or from adopting a building rehabilitation code.

##### **§9703. Laws in conflict with Maine Model Building Code**

To the extent that provisions of the Maine Model Building Code conflict with the following provisions of law, those provisions of the Maine Model Building Code are not applicable and may not be enforced:

**1. Fire safety codes and standards.** Fire safety codes and standards adopted pursuant to Title 25, sections 2452 and 2465;

**2. Electrical standards.** Electrical standards adopted pursuant to Title 32, section 1153-A;



**3. Plumbing code.** The plumbing code adopted pursuant to Title 32, section 3403-B;

**4. Oil and solid fuel burning equipment standards.** Oil and solid fuel burning equipment standards adopted pursuant to Title 32, section 2313;

**5. Propane and natural gas equipment standards.** Propane and natural gas equipment standards adopted pursuant to Title 32, section 14805;

**6. Boiler and pressure vessel standards.** Boiler and pressure vessel standards adopted pursuant to Title 32, section 15104-A;

**7. Elevator standards.** Elevator standards adopted pursuant to Title 32, section 15228; and

**8. Energy efficiency standards.** Energy efficiency standards adopted pursuant to section 1415-D.

#### **§9704. References within code**

Codes and standards other than the International Residential Code and the International Building Code that are referenced within the Maine Model Building Code are not automatically adopted as part of the Maine Model Building Code.

#### **§9705. Municipal codes adopted prior to effective date of chapter**

A residential building code or nonresidential building code adopted by a town, city or municipality prior to the effective date of this chapter is not invalidated by this chapter, and nothing in this chapter may be construed to affect the validity of such a residential building code or nonresidential building code.

#### **§9706. Additional training not required**

This chapter does not require the Executive Department, State Planning Office to provide any training or certification of code enforcement officers in any areas other than those enumerated in Title 30-A, section 4451, subsection 2-A.

Effective July 30, 2004, unless otherwise indicated.

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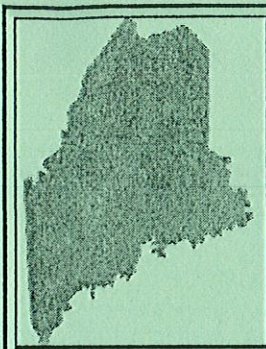
<a href="#"><i>Revisor of Statutes Homepage</i></a>	<a href="#"><i>Subject Index</i></a>	<a href="#"><i>Search</i></a>	<a href="#"><i>121st Laws of Maine</i></a>	<a href="#"><i>Maine Legislature</i></a>
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[\*About the 2003 Laws Of Maine\*](#)

Office of the Revisor of Statutes  
State House, Room 108  
Augusta, Maine 04333

[Contact the Office of the Revisor of Statutes](#)





# THE MAINE CEO

A PERIODIC NEWSLETTER FOR  
CODE ENFORCEMENT TRAINING & CERTIFICATION  
PROGRAM INFORMATION

Vol. 4 Issue 1 ♦ Published and Distributed by the Maine State Planning Office ♦ Spring 2004

## NEW LAWS RELATED TO BUILDING CODES

- LD 1025 – An Act To Adopt a Model Building Code

### **FREQUENTLY ASKED QUESTIONS**

#### **MAINE MODEL BUILDING CODE 121<sup>ST</sup> LEGISLATIVE SESSION – LD 1025**

**Q. WHEN DOES LD 1025 – MAINE MODEL BUILDING CODE TAKE EFFECT?**

**A. THE BILL WILL TAKE EFFECT ON JULY 30<sup>TH</sup>, 2004.**

**Q. WHAT CODES ARE INCLUDED IN THE MAINE MODEL BUILDING CODE?**

**A. THE 2003 VERSION OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE 2003 VERSION OF THE INTERNATIONAL RESIDENTIAL CODE (IRC). OTHER CODES AND STANDARDS REFERENCED IN THE INTERNATIONAL CODES ARE NOT AUTOMATICALLY ADOPTED AS PART OF THE MAINE MODEL BUILDING CODE. ALSO, IF PROVISIONS IN THE MAINE MODEL BUILDING CODE CONFLICT WITH THE PROVISIONS OF THE FOLLOWING STATE LAWS THEY MAY NOT BE ENFORCED: FIRE SAFETY CODES AND STANDARDS, ELECTRICAL STANDARDS, PLUMBING CODE, OIL AND SOLID FUEL BURNING EQUIPMENT STANDARDS, PROPANE AND NATURAL GAS EQUIPMENT STANDARDS, BOILER AND PRESSURE VESSEL STANDARDS, ELEVATOR STANDARDS, AND ENERGY EFFICIENCY STANDARDS**

**Q. WHERE CAN I GET A COPY OF THE CODE?**

**A. CODES CAN BE OBTAINED THROUGH THE INTERNATIONAL CODE COUNCIL.  
E-MAIL ADDRESS: [www.iccsafe.org](http://www.iccsafe.org)**

**Q. IS IT MANDATORY FOR A MUNICIPALITY TO ADOPT A BUILDING CODE?**

**A. NO.**



**Q. WHAT HAPPENS WHEN A LOCALLY ADOPTED BUILDING CODE IS IN EXISTENCE BEFORE THE ADOPTION OF THE STATEWIDE BUILDING CODE?**

**A. IF A MUNICIPALITY HAS ALREADY ADOPTED A BUILDING CODE THEY MAY KEEP THEIR EXISTING CODE.**

**Q. WHAT IF A MUNICIPALITY HAS NOT ADOPTED A BUILDING CODE BUT WOULD LIKE TO ADOPT ONE AFTER THE BILL IS ENACTED?**

**A. IF A MUNICIPALITY CHOOSES TO ADOPT A CODE AFTER THE BILL IS ENACTED THEY MUST ADOPT THE IBC AND/OR THE IRC.**

**Q. WHAT IF A MUNICIPALITY HAS NOT ADOPTED A BUILDING CODE AND HAS NO INTENTION OF ADOPTING A CODE IN THE FUTURE?**

**A. A MUNICIPALITY IS NOT REQUIRED TO ADOPT A BUILDING CODE. HOWEVER, IF THEY CHOOSE TO DO SO AFTER ENACTMENT OF THE MAINE MODEL BUILDING CODE BILL, THEY MUST ADOPT THE IBC AND/OR THE IRC.**

**Q. ARE ALL CODES REFERENCED IN THE IBC AND THE IRC ADOPTED AS WELL?**

**A. NO.**

**Q. CAN A MUNICIPALITY ADOPT AMENDMENTS TO THE CODE?**

**A. YES, AS LONG AS THE AMENDMENTS DO NOT RESULT IN THE ADOPTION OF ALL OR A SIGNIFICANT PORTION OF ANY CODE OTHER THAN THE IBC OR THE IRC.**

**Q. HAS THE STATE OF MAINE INTERNAL PLUMBING CODE CHANGED?**

**A. NO. THE INTERNAL PLUMBING CODE REMAINS THE SAME.**

**Q. CAN A MUNICIPALITY ADOPT AN EXISTING BUILDING REHABILITATION CODE?**

**A. YES. A REHABILITATION CODE CAN BE ADOPTED WHETHER OR NOT A MUNICIPALITY HAS ADOPTED THE MAINE MODEL CODE.**

**Q. HOW DOES THIS CODE APPLY TO MANUFACTURED HOUSING?**

**A. MANUFACTURED HOMES (HUD HOMES) ARE EXEMPT FROM THE MAINE MODEL BUILDING CODE IN THAT THEY ARE BUILT TO THE NATIONAL MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS AND ARE INSPECTED AND CERTIFIED BY A THIRD PARTY. MODULAR HOMES ARE EXEMPT FROM THE MAINE MODEL BUILDING CODE IN THAT THEY ARE BUILT TO BUILDING CODES AS ADOPTED BY THE MAINE MANUFACTURED HOUSING BOARD (CURRENTLY 1993 BOCA, RULEMAKING IN EXECUTIVE REVIEW TO ADOPT THE 2003 IRC) AND ARE INSPECTED AND CERTIFIED FOR COMPLIANCE BY A THIRD PARTY. A LOCAL BUILDING INSPECTOR ONLY INSPECTS THE**



**FOUNDATION AND ANY ACCESSORY BUILDINGS. A PLUMBING INSPECTOR WOULD ONLY INSPECT PLUMBING THAT IS NOT PART OF THE BUILDINGS ENVELOPE (I.E. BASEMENT LAUNDRY, HOSE BIBS, BASEMENT WATERCLOSET, ETC.)**

**Q. WHO ENFORCES THE MAINE MODEL BUILDING CODE?**

**A. THE MAINE MODEL BUILDING CODE IS ENFORCED AT THE LOCAL LEVEL BY A MUNICIPAL BUILDING INSPECTOR.**

**Q. IS THERE A RESOURCE FOR TECHNICAL ASSISTANCE?**

**A. YES, THE INTERNATIONAL CODE COUNCIL WILL PROVIDE TECHNICAL ASSISTANCE IF YOUR MUNICIPALITY IS A MEMBER OF THEIR ORGANIZATION.**

**Q. HOW DOES A MUNICIPALITY BECOME A MEMBER OF ICC?**

**A. MORE INFORMATION ON MEMBERSHIP MAY BE FOUND AT <http://www.iccsafe.org/membership/join.html>**

**Q. HOW DOES ACCESSIBILITY AND ADA FIT IN?**

**A. THE STATE FIRE MARSHAL'S OFFICE WILL STILL REVIEW PLANS FOR CONSTRUCTION, ALTERATION, AND CHANGE OF USE FOR PUBLIC BUILDINGS. THIS PROCESS INCLUDES A REVIEW FOR FIRE HAZARD REDUCTION AND BARRIER FREE PERMITS. SOME MUNICIPALITIES MAY HAVE ADOPTED ADDITIONAL STANDARDS. THERE IS ALSO AN APPENDIX IN THE CODE THAT ADDRESSES ACCESSIBILITY. IF ANY CONFLICTS OCCUR BETWEEN THE CODE AND THE FIRE MARSHAL'S OFFICE STANDARDS, THE FIRE MARSHAL'S OFFICE STANDARDS SHALL PREVAIL.**

➤ **LD 1663 – An Act To Provide Assistance to Municipalities Regarding Downtown Rehabilitation Building Codes.**

This Act directs the State Planning Office to provide information, training and technical assistance to municipalities regarding local rehabilitation building codes, within available resources.

**NOTE: The Contractor Licensing bill (LD 1551) failed to pass in the Legislature.**



Training & Examination Schedule  
July – December 2004

July, 2004	* Certification Examinations
August, 2004	* Internal Plumbing * Certification Examinations
September, 2004	* Subsurface Wastewater Disposal Field Session * Identification of Hazard Trees in the Shoreland Zone * Certification Examinations
October, 2004	* Introduction to the IBC and the IRC * Certification Examinations
November, 2004	* Multi Issue Forum (tentative) * Certification Examinations
December, 2004	* Certification Examinations

PLEASE NOTE THERE ARE FOUR (3) WORKSHOP  
ANNOUNCEMENTS CONTAINED IN THIS  
MAILING.

August - INTERNAL PLUMBING  
September - SUBSURFACE WASTEWATER  
DISPOSAL  
October - INTRODUCTION TO IBC AND IRC

The announcement for the September workshop on Hazard Trees  
in the Shoreland Zone will be sent out during the summer.

HAVE A WONDERFUL SUMMER, ENJOY!!  
Stay safe!



2004  
BOARDS/COMMITTEES  
EXPIRATIONS

NAME	ADDRESS	RESPONSE
	REAPPOINTMENT INTEREST	
Andrew Black	<b>Board of Adjustments &amp; Appeals</b>	
Adrian Kendall		
Matthew Manahan		
Robert Crawford	<b>Board of Assessment Review</b>	
Field Griffith		
Donald McKenna, Jr.	<b>Board of Sewer Appeals</b>	
Michael Holmes		
Don Miller		
Lewis Incze	<b>Coastal Waters Commission</b>	
Jeff Kalinich	(appt'd associate member 12/03)	
W. Scott Fox	<b>Cumberland Housing Authority</b>	
Susan Larrabee	(appt'd associate member 12/03)	
Terry Snow	<b>Personnel Appeals Board</b>	
Kenneth Snitger		
William Ward	<b>Planning Board</b>	
Thomas Powers		
Terrance Turner		
Paul Dymont	<b>Prince Memorial Library Advsry Bd</b>	
Carolyn Sloat	(termed out)	
Leslie McKenney	('04 - resigned)	
Matthew Gilbert	<b>Rec/Community Ed Advisory Bd</b>	
George Collins		
Henry Milburn	<b>Rines Property Citizens' Advsry Cmtee</b>	
Victor Otlely		
William Richards		



2004  
BOARDS/COMMITTEES  
EXPIRATIONS

	REAPPOINTMENT INTEREST	
Charles Adams	<b>Shellfish Conservation Commission</b>	
Richard Peterson		
Jim Higgins	('06 -resigned)	
Michael Brown	(appt'd associate member 12/03)	
Skip Howison	(appt'd associate member 12/03)	
Susan Kneeland	<b>Solid Waste Advisory Committee</b>	
Susan McGinty		
Greg Poitras		
Hope Foster		
vacancy	('05 expiration)	
Kevin Hughes	<b>Val Halla Board of Trustees</b>	
Randy Harriman		
Mark Stauber		



**TOWN OF CUMBERLAND  
2005 BOARD & COMMITTEE OPENINGS**

The Town Council is seeking applications from residents to serve on the following committees:

**Board of Adjustments and Appeals  
Board of Assessment Review  
Board of Sewer Appeals  
Coastal Waters Commission  
Cumberland Housing Authority  
Personnel Appeals Board  
Planning Board  
Prince Memorial Library Advisory Board  
Recreation/Community Education Advisory Board  
Rines Property Citizens' Advisory Committee  
Route 100 Economic Development Advisory Committee  
Shellfish Conservation Commission  
Solid Waste Advisory Committee  
Val Halla Board of Trustees**

Mainland and Island residents are encouraged to apply. Please call, fax or stop by the Town Clerk's office for an application. Deadline for submission is January 1<sup>st</sup>, 2005. Applications should be dropped off or (e)mailed to:

**Town Clerk  
Town of Cumberland  
290 Tuttle Road  
Cumberland, ME 04021  
Tel - 829-2205 Fax - 829-2224  
ndaniels@cumberlandmaine.com**





# TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

December 14, 2004

Mr. Andrew Black  
80 Idlewood Drive  
Cumberland, ME 04021

SAMPLE

Dear Mr. Black:

It's that time of year – appointment time! Each year end, seats on the various town boards and committees expire. As a result, the Nominating Committee, a subcommittee of the Town Council, will interview candidates interested in filling those expired seats.

A general ad will run in the Forecaster during the next two editions seeking interested applicants. At the same time, we would like to know your interest in serving another term.

Please contact me at 829-2205 or [ndaniels@cumberlandmaine.com](mailto:ndaniels@cumberlandmaine.com) as soon as possible with your interest in this or another committee, and whether you will be available to meet with the Nominating Committee. Incumbent interviews are not compulsory; however, interviewees will be given earnest consideration before final selections are made.

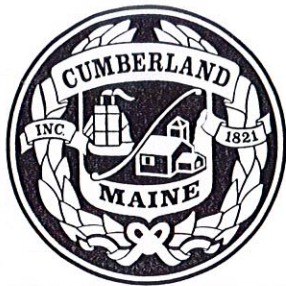
Thank you for your attention to this correspondence and please do not hesitate to contact me if I can be of assistance. Happy Holidays.

Sincerely,

Nadeen Daniels  
Town Clerk

Cc: Nominating Committee





# TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

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December 14, 2004

SAMPLE

Mr. Jeffrey Kalinich  
371 Blanchard Road Extension  
Cumberland, ME 04021

Dear Mr. Kalinich:

I am writing to inquire as to your interest in serving on one of Cumberland's various boards and committees. I understand that you have served as an associate member on the Coastal Waters Commission for the past year, and would like to inform you of the many board/committee expirations.

Vacancies are occurring on the board/committees identified on the attached list. These vacancies represent three-year terms effective January 1, 2005.

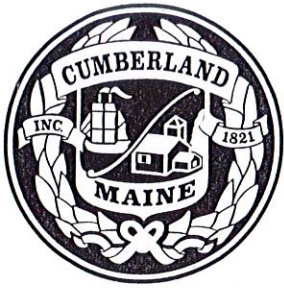
As you experienced last year, the Nominating Committee will hold interviews with all interested applicants in the near future. I am enclosing an application form for your convenience. In the event you are interested in any of these openings, please complete the application form and return it to me no later than January 1<sup>st</sup> and I will notify you of the interview schedule. Thank you and Happy Holidays.

Sincerely,

Nadeen Daniels  
Town Clerk

Cc: Nominating Committee





# TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

December 14, 2004

SAMPLE

Mr. Samuel Wilkinson  
35 Butter Worth Farm Road  
Cumberland, ME 04021

Dear Mr. Wilkinson:

You expressed interest recently in serving the town through one of its boards and committees. Each year end, seats on the various committees expire. The vacancies are as identified on the attached list. These vacancies represent three-year terms effective January 1, 2005.

The Nominating Committee will hold interviews with all interested applicants in the near future. I am enclosing an application form for your convenience. In the event you are interested in any of these openings, please complete the application form and return it to me no later than January 1<sup>st</sup> and I will notify you of the interview schedule. Thank you and Happy Holidays.

Sincerely,

Nadeen Daniels  
Town Clerk

Cc: Nominating Committee



## **2005 BOARD/ COMMITTEE EXPIRATIONS**

### **BOARD OF ADJUSTMENTS AND APPEALS**

Andrew Black, 80 Idlewood Drive  
Adrian Kendall, 190 Main Street  
Matthew Manahan, 17 Cottage Farms Road

### **BOARD OF ASSESSMENT REVIEW**

Robert Crawford, 163 Range Road  
Field Griffith, 159 Fairwind Lane

### **BOARD OF SEWER APPEALS**

Donald McKenna, Jr., 5 Frye Drive  
Michael Holmes, 14 Oak Ridge Road  
Don Miller, 6 Frye Drive

### **COASTAL WATERS COMMISSION**

Lewis Incze, 3 Lanewood Road

### **CUMBERLAND HOUSING AUTHORITY**

W. Scott Fox, 6 Friar Lane

### **PERSONNEL APPEALS BOARD**

Terry Snow, PO Box 275  
Kenneth Snitger, 105 Tuttle Road

### **PLANNING BOARD**

William Ward, 128 Longwoods Road  
Thomas Powers, 306 Main Street  
Terrance Turner, 42 Foreside Road

### **PRINCE MEMORIAL LIBRARY ADVISORY BOARD**

Paul Dymont, 29 Pond Shore Drive  
Leslie McKenney, 26 Sunnyfield Lane  
Carolyn Sloat, 18 Highland Avenue

### **REC/COMMUNITY ED ADVISORY BOARD**

Barbara Hauke, 14 Hemlock Ridge Road  
Matthew Gilbert, 393 Main Street  
George Collins, 11 Candlewick Lane

### **RINES PROPERTY CITIZENS' ADVISORY COMMITTEE**

Henry Milburn, 186 Range Road  
Victor Otley, 36 Partridge Drive  
William Richards, 6 Sturbridge Lane



**SHELLFISH CONSERVATION COMMISSION**

Charles Adams, 17 Dean's Way  
Richard Peterson, 146 Middle Road

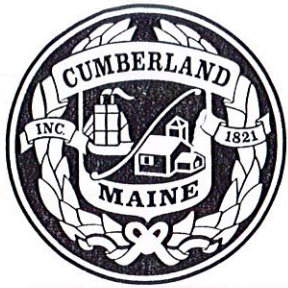
**SOLID WASTE ADVISORY COMMITTEE**

Susan Kneeland, 59 Crossing Brook Lane  
Susan McGinty, 44 Newell Ridge  
Greg Poitras, 5 Gayles Way  
Hope Foster, PO Box 4A

**VAL HALLA BOARD OF TRUSTEES**

Kevin Hughes, 250 Greely Road  
Randy Harriman, 20 Country Charm Road  
Mark Stauber, 29 Woodside Drive





# TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

---

December 7, 2004

Mr. Thomas Greenlaw  
Greenlaw's Salvage  
1 Longwoods Road  
Cumberland, ME 04021

Dear Mr. Greenlaw:

This letter is written as a follow-up to my earlier letter of November 8, 2004 regarding your Automobile Graveyard/Junkyard Permit, which will expire December 31, 2004. My earlier letter informed you that I would schedule your permit renewal process before the Town Council beginning November 22, 2004.

To date, I have not received your application, and the Town Council is scheduled to consider the permit at its December 13, 2004 meeting. In order for that to occur, I must receive your application no later than December 9<sup>th</sup>.

If your permit expires without renewal, I will then notify the State Department of Transportation and Motor Vehicle Division of its expiration at the municipal level. Please do not hesitate to contact me at 829-2205. Thank you.

Sincerely,

Nadeen Daniels  
Town Clerk

Cc: William R. Shane, Town Manager  
Town Council  
William Longley, CEO



# Application For Automobile Graveyard and/or Junkyard Permit

## MUNICIPAL OFFICE USE ONLY

Tentative Date of Hearing \_\_\_\_\_

Application Received 12-8-04

Time of Hearing \_\_\_\_\_

Permit No. \_\_\_\_\_

Place of Hearing \_\_\_\_\_

Fee Paid \$ 50.00

Notifications sent by \_\_\_\_\_

Date \_\_\_\_\_

Go to the City/Town Cumberland County Cumberland Maine

I/We \_\_\_\_\_ hereby make application (in quadruplicate) for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A, Sections 3751 to 3760, Chapter 183, Public Laws 1988.

Answer all questions in full..

1. Give location of Automobile Graveyard and/or Junkyard \_\_\_\_\_

1 Longwoods Rd. Cumberland Me. 04021

2. Is this application made by or for a company, partnership, corporation-individual? \_\_\_\_\_

3. Is this property leased? NO Property owned by Thomas A. Greenlaw  
Address: \_\_\_\_\_

4. How is "yard" screened? -- Fence? (Type) Wood Height 10 FT. Trees? (Type) Assorted  
Embankment? \_\_\_\_\_ Gully? \_\_\_\_\_ Hill? \_\_\_\_\_ Other? \_\_\_\_\_

5. How far is edge of "yard" from center of highway? 130 Feet.

6. Can junk be seen from any part of highway? Yes \_\_\_\_\_ No ✓

7. Was Junkyard Law, Requirements and Fees explained to you? Yes ✓ No \_\_\_\_\_

8. Is any portion of this "yard" on public property? Yes \_\_\_\_\_ No ✓

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes \_\_\_\_\_ No ✓

10. When was "yard" established? \_\_\_\_\_ By Whom? James Villacci

11. When was last permit issued? 2003 To Whom? Thomas S. Greenlaw

- 1 copy of Application to City/Town
- 1 copy of Application to Applicant
- 1 Copy of Application to State Police, Augusta
- 1 Copy of Application to Department of Transportation, Augusta
- 1 Copy of Application to Motor Vehicle Division, Secretary of State

(over)





## Recycler License Zoning Renewal

THE COMPLETION OF THIS FORM IS REQUIRED FOR THE RENEWAL OF YOUR RECYCLER LICENSE. IT MUST BE COMPLETED AND SIGNED BY AN AUTHORIZED CITY/TOWN OFFICIAL, AND THE OFFICIAL'S SIGNATURE MUST BE NOTARIZED.

This is to certify that \_\_\_\_\_ is in compliance with all  
Trade name of recycler business

local building codes and all zoning and land use regulatory statutes, laws and ordinances, including the issuance of all necessary permits required for the operation of this business.

\_\_\_\_\_  
Signature of authorized city/town official

\_\_\_\_\_  
Official Title

\_\_\_\_\_  
Signing for Town/City of

### NOTARIZATION REQUIRED

State of Maine

County of \_\_\_\_\_ ss \_\_\_\_\_, 20\_\_\_\_

Then personally appeared the above named \_\_\_\_\_  
Town/City Official Signature

and acknowledged the foregoing instrument to be his/her free act and deed.

Before me \_\_\_\_\_  
Notary Public/Justice of the Peace

My Commission Expires \_\_\_\_\_, 20\_\_\_\_

Town /City Official's Signature to be Notarized



**Nadeen Daniels**

**From:** William Longley  
**Sent:** Tuesday, December 14, 2004 2:50 PM  
**To:** Nadeen Daniels  
**Cc:** William Shane  
**Subject:** RE: Greenlaw's

I am going to conduct an inspection on Thurs. at 2:30 PM Mr... Greenlaw's Home # is 829-3747 or cell phone # 632-1296.  
Thanks,  
Bill

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

**From:** Nadeen Daniels  
**Sent:** Tuesday, December 07, 2004 12:48 PM  
**To:** William Longley  
**Subject:** Greenlaw's

Hi,  
Would you mind calling Mr. Everett Kaherl, at 759-7748 to find out what happened with his visit to Greenlaw's last Friday. IF a summons was issued, can we get a copy of it? Thanks

**Nadeen Daniels**

Town Clerk  
Human Resources Director  
Town of Cumberland

12/14/2004



MEMORANDUM  
CODE  
ENFORCEMENT  
OFFICE

To: Town of Cumberland Council  
From: William C. Longley Jr. CEO  
Subject: Inspection for "Automobile graveyard"  
Date: 12-09-04  
CC: William Shane, Town Manager  
Nadine Daniels, Town Clerk

On 12-07-04 an inspection was completed at Cumberland Salvage as per E-mail dated 11-24-04 from the Town Clerk. I see no reason to withhold the renewal of this license and recommend to the Council that this location is substantially in compliance.

However no inspection was completed at Greenlaw's Salvage because the State Inspector Everett Kaherl of the Motor Vehicle Division has found violations of the State requirements and did not issue a license last year and advised that the Town should not re-issue until the State violations are cured.



# Cumberland Salvage Inc.

40 Blackstrap Road  
W. Cumberland, ME 04021



Town of Cumberland  
290 Tuttle Road  
Cumberland, ME 04021-9321

01012258 11011200508000 05001245 711

*Danahy & Wilson*

KEYBANK NATIONAL ASSOCIATION  
GRAY, MAINE 04039

DATE	11/10/04	TO THE ORDER OF	Town of Cumberland	DESCRIPTION	2005 Junkyard Rent	CHECK NO.	17258	\$	20000
PAY Two hundred + 00/100									

17258

52-60  
112  
CHECK  
AMOUNT

DATE	INVOICE	AMOUNT

CUMBERLAND SALVAGE, INC.  
40 BLACKSTRAP ROAD  
CUMBERLAND, MAINE 04021  
207-829-5021

The undersigned certifies that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by:

[Signature]

For:

Cumberland Salvage Inc  
Name of Company - Corporation, Partnership, Indiv.

Address:

40 Blackstrap Rd, Cumberland, ME

Make complete sketch of "yard." Show footage all sides and location in relationship to adjacent properties. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name. Name of nearest City/Town in each direction. Distance from nearest intersection, bridge or other known reference point.

Tax Map No. R7

Lot No. Parts of lot 60 & 61

Zone

Circle Correct  
Direction

N   
E   
W   
S

As fully described in the attached & depicted on the attached drawing, containing approximately 17 acres in total.

LONGWOODS RD RT. 9

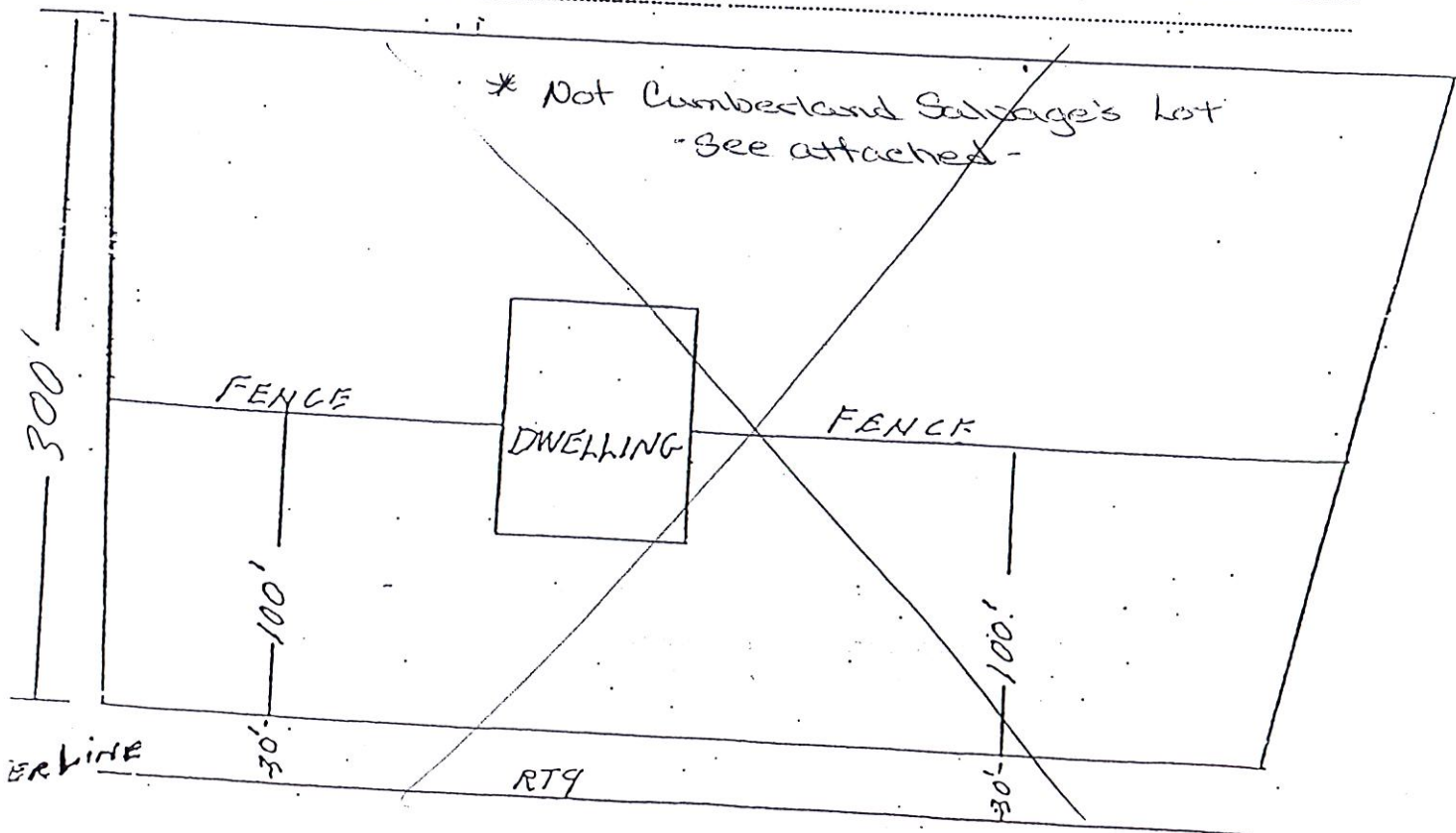
Road Name

or

Route No.

CUMB To

To FAL.





S 52° 17' 05" E 930.63'

N/F  
JERALD E. CORP  
This lot being a portion of  $\frac{2200}{370}$   
16.00 AC.

S 33° 02' 03" W 128.55'

See Bill (Reel)

3352  
348

S 53° 31' 40" E  
328.94'

N 55° E 51' W  
172.0'

N/F  
JERALD E. CORP

63,717.51'

291.0'



THIS INDENTURE, made the 1st day of November in the year of our Lord one thousand nine hundred and eighty-three,

WITNESSETH, that I, Jerald E. Copp, of Cumberland, in the County of Cumberland and State of Maine, do hereby lease, demise and let unto Cumberland Salvage, Inc. the following described premises:

A certain lot or parcel of land located approximately two hundred ninety-seven (297) feet westerly of the Blackstrap Road in the Town of Cumberland, County of Cumberland, State of Maine also being located westerly and adjacent to land of Jerald Copp, Grantee, as recorded in Book 3641, Page 68 of the Cumberland County Registry of Deeds, bounded and described as follows:

Beginning at an iron pin located at the most northwesterly corner of land of said Jerald Copp, thence by the following courses and distnaces: South  $39^{\circ} 37' 33''$  West along land of Jerald Copp, Grantee, one hundred ninety-eight and  $80/100$  (198.80) feet to an iron pin located at land now or formerly of Kenneth R. Robbins as recorded in Book 3961, Page 102 of said Registry; thence South  $58^{\circ} 11' 43''$  West along land of said Robbins one hundred ninety-eight and  $66/100$  (198.66) feet to an iron pin; thence North  $33^{\circ} 02' 03''$  East along land to be conveyed to Blanche L. Hutchins from the Estate of Clifton Copp seven hundred twenty-eight and  $55/100$  (728.55) feet to an iron pin and other land of said Blanche L. Hutchins as recorded in Book 3352, Page 348 of said Registry; thence South  $52^{\circ} 17' 05''$  East along land of said Hutchins nine hundred thirty and  $63/100$  (930.63) feet to an iron pin at other land of said Hutchins as recorded in Book 2883, Page 258 and Book 3352, Page 348 of said Registry; thence South  $39^{\circ} 35' 46''$  West along land of said Hutchins one hundred seven and  $05/100$  (107.05) feet to an iron pin; thence South  $53^{\circ} 31' 48''$  East along land of said Hutchins three hundred twenty-four and  $94/100$  (324.94) feet to an iron pin on the westerly sideline of the Blackstrap Road; thence South  $39^{\circ} 38' 45''$  West along the Blackstrap Road one hundred twenty and  $34/100$  (120.34) feet to an iron pin at land of the Grantee; thence North  $84^{\circ} 51' 07''$  West along land of the Grantee one hundred fifty-one and  $13/100$  (151.13) feet to an iron pin; thence North  $55^{\circ} 12' 57''$  West along land of the Grantee one hundred seventy-two (172.00) feet to the iron pin at the point of beginning.

Also, another parcel of land situated in the Town of Cumberland, County of Cumberland and State of Maine abutting the foregoing described parcel being a part of the land of lessor described in Book 3641, Page 68, Cumberland County Registry of Deeds being bounded and described as follows:

WILSON, STEINFELD, MURRELL & SCHWARTZ

ATTORNEYS AT LAW - 462 CONGRESS STREET - PORTLAND, MAINE 04101



Beginning at an iron pin located at the most northwesterly corner of land of said lessor, thence South  $39^{\circ} 37' 33''$  West one hundred ninety-eight and  $80/100$  (198.80) feet to an iron pin; thence South  $56^{\circ} 22' 17''$  East one hundred fifty feet (150) more or less to a point, thence North  $39^{\circ} 37' 33''$  East one hundred ninety-eight and  $80/100$  (198.80) to a point, thence North  $55^{\circ} 12' 57''$  West one hundred fifty feet more or less to the point of the beginning.

Also granting to the lessee for the period of this lease the right to draw water from the drilled well of Lessor.

TO HOLD for the term of one (1) year from the 1st of December, one thousand nine hundred and eighty-three, yielding and paying therefor the rent of One Dollar (\$1.00) per year,

And said Lessee does covenant to pay the rent annually, and to quit and deliver up the premises to the Lessor or his attorney, peaceably and quietly, at the end of the term aforesaid in as good order and condition, reasonable use and wear thereof or inevitable accident excepted, as the same are or may be put into by the said Lessor and to pay all taxes duly assessed thereon during the term, and for such further time as the Lessee may hold the same; and not make or suffer any waste thereof; and that Lessee will not assign or underlet the premises or any part thereof without consent of Lessor in writing on the back of this Lease. And the Lessor may enter to view and make improvements, and to expel the Lessee if Lessee shall fail to pay the rent aforesaid; whether said rent shall be demanded or not, or if Lessee shall make or suffer any strip or waste thereof, or shall fail to quit and surrender the premises to the Lessor at the end of said term, in manner aforesaid, or shall violate any of the covenants in this Lease by said Lessee to be performed.

And the premises shall not be occupied during the said term for any purpose usually denominated extra hazardous as to fire by insurance companies.

IN WITNESS WHEREOF, the parties have hereunto interchangeably set their hands and seals the day and year first above written.

Signed, Sealed and Delivered  
in presence of

John A. L. L. L.

John A. L. L. L.

Donald F. L.

Donald F. L.  
Cumberland Salvage Inc.

# CUMBERLAND POLICE DEPARTMENT

Inter - Department Memorandum

Date Dec 1, 2004

To Mrs Daniel

Dept. \_\_\_\_\_

From Joe Chanson

Dept. \_\_\_\_\_

Subject Shelfish

The SP meeting was attended by 2 reg. and one associate member along with Don Carl. I have rec. 5 yea votes to forward the recommendation to the council so far. Still waiting to hear from 3. But I feel comfortable this will be the recommendation without adjustment or objection. If you need anything else, please call X207,

Joe





Joseph J. Charron  
Chief

## CUMBERLAND POLICE DEPARTMENT

290 Tuttle Road  
Cumberland, Maine 04021  
"To Protect and Serve"

Emergency  
829-3120

Business  
829-6391

Fax  
829-4214  
829-2211

### COUNCIL ADOPTION REQUIRED

The Cumberland Shellfish Conservation Committee proposes the following recommendations for management of the Town's Shellfish Resources for 2005.

1. The Committee members, shellfish survey volunteers and our designated Department of Marine Resources biologist, Don Card have completed qualitative surveys and observations.
2. Based on this information, the Committee recommends the Town maintain the Same level of licenses and harvesting areas as issued in 2004. The commercial harvesting areas will include all of Great Chebeague Island and the Mainland area from Sea Cove Road north to the outflow of the northerly edge of Wildwood Beach. The commercial license will be valid for a period of 90 days of commercial harvesting, and revert to a recreational license the remainder of the year.
3. The Cumberland Shellfish Committee recommends the following schedule of Shellfish licenses and fees for 2005:

<u>License Type</u>	<u>Fee</u>	<u># To Be Issued</u>
Resident Commercial	\$50.00	10
Non-Resident Commercial	\$100.00	1
Resident Recreational	\$25.00	280
Non-Resident Recreational	\$50.00	28
Resident Monthly Rec.	\$10.00	30/per month
Non-Resident Monthly Rec.	\$20.00	15/per month
Daily Recreational	\$5.00	15/per month

**PUBLIC NOTICE  
TOWN OF CUMBERLAND  
YEAR 2005 SHELLFISH LICENSES**

In accordance with the provisions of the Shellfish Conservation Ordinance, the Town of Cumberland hereby gives notice that there will be 308 **RECREATIONAL LICENSES** (280 resident and 28 non-resident) issued in 2005. Starting June 1, 2005, 50 resident summer recreational licenses will be issued, on a first come first serve basis. Also, MONTHLY RECREATIONAL LICENSES will be issued for the months of JANUARY THROUGH DECEMBER (30 resident and 15 non-resident licenses each month) and DAILY RECREATIONAL LICENSES will be available during the months of JANUARY THROUGH DECEMBER (*Two* issued per day to residents or non-residents - individuals may purchase only one daily license per month). There will be eleven (11) **COMMERCIAL SHELLFISH LICENSES** (10 resident and 1 non-resident) issued in 2005.

COMMERCIAL and NON-RESIDENT RECREATIONAL LICENSES will be drawn by lottery on December 27, 2004 at 9:00 a.m. and will be issued starting January 3, 2005.

APPLICATION must be made in person during normal office hours *throughout the year*

Commercial licenses will be valid for commercial harvesting for 90 days. *have the option to choose the 90 days to harvest throughout the year, but documentation.* In the remaining 9 months of the year, the license will be for recreational harvesting. Commercial harvesting will be limited to a maximum of 100 lbs of shellfish per day on Great Chebeague Island. The Mainland area from Sea Cove Road in Cumberland to the outflow at the northerly edge of Wildwood Beach will be open for commercial harvesting during the months of April and May only and the commercial harvesting limit will be unlimited each tide during those months.

RECREATIONAL SHELLFISH LICENSES WILL BE SOLD in 2005 on a first come, first serve basis. MONTHLY AND DAILY RECREATIONAL LICENSES will not be available until the first day of each month. Recreational licenses will not be available to anyone holding a State of Maine Shellfish License or a recreational license from another state.

Application for shellfish licenses must be made in person in the Town of Cumberland Town Hall, 290 Tuttle Road, between the hours of 8:00 am and 5:00 pm on Wednesdays; 8:00 a.m. and 6:00 p.m. Thursdays; and Fridays from 8:00 a.m. to 1:00 p.m. Call 829-5559.

Deborah Flanigan  
Deputy Town Clerk

*Anne -  
Please also  
put this  
sheet (only)  
for*

*Public  
Notice*

*Questions?*





STATE OF MAINE  
DEPARTMENT OF  
MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE

JOHN ELIAS BALDACCI  
GOVERNOR

04333-0021

GEORGE D. LAPOINTE  
COMMISSIONER

December 01, 2004

Nadeen Daniels  
Town Clerk  
290 Tuttle Rd  
Cumberland, ME 04021-9321

Re: 2005 Allocation Approval

Dear Nadeen:

We have reviewed the proposed shellfish license allocations for 2005, and hereby approve them as follows:

<i>Class</i>	<i>Subclass</i>	<i>Unlimited</i>	<i>Number</i>	<i>Cost</i>
Commercial	Resident	<input type="checkbox"/>	10	\$50.00
Commercial	Nonresident 10%	<input type="checkbox"/>	1	\$100.00
Recreational	Resident	<input type="checkbox"/>	280	\$25.00
Recreational	Nonresident 10%	<input type="checkbox"/>	28	\$50.00
Recreational	Other	<input type="checkbox"/>	15	\$5.00
Recreational	Day/Week/Month Reside	<input type="checkbox"/>	30	\$10.00
Recreational	Day/Week/Month Nonres	<input type="checkbox"/>	15	\$20.00

Sincerely,

Harold C. Winters  
Director, Shellfish Management

cc: Don Card, Area Biologist



PRINTED ON RECYCLED PAPER

OFFICES AT STEVENS SCHOOL COMPLEX, HALLOWELL

PHONE: (207) 624-6550

TTY: (207) 287-4474

<http://www.maine.gov/dmr>

FAX: (207) 624-6024

2004

**MUNICIPAL WARRANT FOR PROSECUTING  
UNLICENSED DOG OWNERS-KEEPERS**

STATE OF MAINE  
Title 7 MRSA Section 3943

CUMBERLAND ss  
(town's county)  
To CHUCK BURNIE a Police Officer(s), Constable(s) or \*Animal Control Officer(s)  
(name of animal control officer or person acting in that capacity)  
of the municipality of CUMBERLAND; or  
(name of town)

Sheriff/Deputy \*Sheriff \_\_\_\_\_ within the county of  
(town's sheriff department name)

CUMBERLAND  
(town's county)

In the name of the State of Maine and in accordance with the provisions of Title 7 MRSA Section 3943 as amended you are hereby directed to send a notice of violation or call on, the attached list of owners/keepers of a dog (six months old as of January 1st last) that are unlicensed in violation of Title 7 MRSA Chapter 721.

You are also hereby to make a demand on the owner or keeper to obtain a license from the municipal clerk within seven (7) days from the date of the demand and to remit to the clerk the license and recording fees plus a late fee of \$25.00 per dog licensed.

Finally, you are hereby directed to enter summons and complaint as soon as possible for those owners/keepers who fail to comply with the order.

And you will make return of this warrant, with your doings thereon, to the Municipal Officers of said  
TOWN OF CUMBERLAND by July 1st of this year.  
(town's name)

Given under our hands at CUMBERLAND in the County of CUMBERLAND  
(town's name) (town's county)

on the 13th day of DECEMBER A.D., 20 04.  
day month year

For Municipal Officers or Town City Manager, Administrative Assistant or Mayor of CUMBERLAND  
(town's name)

signature [Signature] signature \_\_\_\_\_  
TOWN MANAGER  
signature \_\_\_\_\_ signature \_\_\_\_\_

\*Strike out those non applicable entities.



## RETURN OF WARRANT

CUMBERLAND ss  
(town's county)  
To the Municipal Clerk of CUMBERLAND  
(town's name)  
I, CHUCK BURNIE a Police Officer(s), ~~Constable(s)~~ Animal (name of  
(animal control officer or person acting in that capacity)  
Control Officer(s) of the municipality of CUMBERLAND; or  
(town's name)  
Sheriff/Deputy Sheriff within the County of CUMBERLAND to whom the above  
(town's county)  
warrant was issued, do hereby make return of the said warrant.  
I enter complaint before the District Court of the \_\_\_\_\_ District,  
(\*\*district court number i.e. I, IV, XII)  
Division of CUMBERLAND at PORTLAND against the  
(the county the district court covers) (the town court is located in)  
attached sheet listing the owners and keepers of said unlicensed dogs, on the dates also listed.  
Date \_\_\_\_\_: ~~Sheriff/Deputy Sheriff, Police Officer(s), Constable(s)~~, \*Animal Control  
Officer(s): CHUCK BURNIE  
(signature of the animal control officer or person acting in that capacity)  
of CUMBERLAND, MAINE  
(town's name or if sheriff - sheriff department's name) \*Strike out those non applicable entities.

### 7 § 3943. Municipal warrants

**1. Procedure.** Between February 1st and April 1st annually, the municipal officers of each municipality shall issue a warrant with the names and addresses of all owner' or keepers of unlicensed dogs to one or more police officers, constables, sheriffs or animal control officers, directing them to send a notice of violation to the last known address of the owners or keepers or call on the owners or keepers. The warrant must further direct that demand be made on the owners or keepers to obtain a license from the municipal clerk within 7 days from the date of demand and remit to the clerk the license and recording fees plus a late fee of \$25 for each dog that is licensed. Finally, the warrant must direct the police officer, constable, sheriff or animal control officer to enter summons and complaint as soon as possible for all owners or keepers so notified who fail to comply with the order.

**2. Returns of warrant.** Each police officer, constable, sheriff or animal control officer to whom the warrant is issued shall return the warrant to the municipal clerk on or before July 1st of each year.

#### \*\*District Court Locations:

Augusta (Dist VII, S.Kennebec)  
Bangor (Dist III Penobscot)  
Bar Harbor (Dist V, S.Hancock)  
Bath-Brunswick (Dist VI, Sagadahoc)  
Belfast (Dist V, Waldo)  
Biddeford (Dist X, E.York)  
Bridgton (Dist IX, N.Cumberland)  
Calais (Dist IV, N. Washington)  
Caribou (Dist I, E.Aroostook)  
Dover-Foxcroft (Dist XII, Piscataquis)

Ellsworth (Dist V, Cent. Hancock)  
Farmington (Dist XII, Franklin)  
Fort Kent (Dist I, W. Aroostook)  
Houlton (Dist II, S. Aroostook)  
Lewiston (Dist VIII, S. Androscoggin)  
Lincoln (Dist XII, Cent. Penobscot)  
Livermore Falls (Dist XI, Androscoggin)  
Machias (Dist IV, S. Washington)  
Madawaska (Dist I, W. Aroostook)  
Millinocket (Dist XIII, N. Penobscot)  
Newport (Dist III, W. Penobscot)

Portland (Dist XI, N. Oxford)  
Presque Isle (Dist II, Cent Aroostook)  
Rockland (Dist VI, Knox)  
Rumford (Dist XI, N. Oxford)  
Skowhegan (Dist XII, S. Somerset)  
Springvale (Dist X, W. York)  
Van Buren (Dist I, W. Aroostook)  
Waterville (Dist VII, N. Kennebec)  
Wiscasset (Dist VI, Lincoln)  
York (Dist X, S. York)

STATE OF MAINE  
DEPARTMENT OF AGRICULTURE FOOD & RURAL RESOURCES  
**ANIMAL WELFARE PROGRAM**  
28 STATE HOUSE STATION AUGUSTA, MAINE 04333-0028  
(207)287-3846 FAX (207)624-5028

JOHN ELIAS BALDACCI  
GOVERNOR

ROBERT W. SPEAR  
COMMISSIONER

**2004**

**MUNICIPAL WARRANT FOR PROSECUTING UNLICENSED DOG OWNERS  
QUESTIONNAIRE**

CIRCLE A, B, OR C AND COMPLETE

7 MRSA § 3943. A warrant is an order for municipal officers directing a police officer, constable, sheriff or animal control officer to enter a complaint and summons against the owners or keepers of unlicensed dogs following notice of and noncompliance with a violation of law.

**A. A warrant wasn't necessary. All dog owners have licensed their dog(s).**

**B. The warrant is complete as of this date and I have filled out the information below to the best of my knowledge.**

- (+)\_\_\_\_ 1. Total number of owners on initial warrant that have not licensed their dog(s) since last year.
- (-)\_\_\_\_ 2. Subtract number of owners dropped from warrant because they no longer own the dog, have moved, or licensed their dog after the warrant was complete.
- (=)\_\_\_\_ 3. Equals the number of owners that have refused to license their dog(s) after given a 7 day warning and have been or are in the process of being summonsed to court.

**C. The warrant is not completed as of this date because:**

- \_\_\_\_ 1. The animal control officer, constable, police officer or sheriff is still working on the warrant and the estimated completion date is \_\_\_\_\_.
- \_\_\_\_ \*2. The town has no officer to follow through on a warrant.
- \_\_\_\_ \*3. I am unfamiliar with a warrant and need more information on what my responsibilities are and how to complete one.
- \_\_\_\_ 4. Other: \_\_\_\_\_

\* The warrant must be complete by law. For assistance you may call this office.

**A copy of the warrant is not needed by this office. Please keep the warrant with your records for a minimum of three years.**

Municipality: \_\_\_\_\_  
Town Clerk's Signature: \_\_\_\_\_

**RETURN BY JULY 10TH**  
Date: \_\_\_\_\_



## **CHAPTER 725 MUNICIPAL DUTIES**

### **7 § 3941. Posting of law**

Municipal clerks, annually, at least 20 days before January 1st, shall post copies of chapter 721 and this chapter in the usual places for posting notices of the annual municipal elections.

### **7 § 3942. Issuance of dog licenses**

Municipal clerks shall issue dog licenses in accordance with chapter 721, receive the license fees and pay to the department \$9 for dogs capable of producing young and \$3 from each license fee received for dogs incapable of producing young. The clerks shall keep a record of all licenses issued by them, with the names of the owners or keepers of dogs licensed and the sex, registered numbers and description of all dogs except those covered by a kennel license. The clerks shall make a monthly report to the department on a department-approved form of all dog licenses issued and fees received.

The clerk shall retain \$1 from each license fee as a recording fee. The clerk shall deposit \$2 from each license for a dog incapable of producing young in the municipality's animal welfare account established in accordance with section 3945.

### **7 § 3943. Municipal warrants**

**1. Procedure.** Between February 1st and April 1st annually, the municipal officers of each municipality shall issue a warrant with the names and addresses of all owners or keepers of unlicensed dogs to one or more police officers, constables, sheriffs or animal control officers, directing them to send a notice of violation to the last known address of the owners or keepers or call on the owners or keepers. The warrant must further direct that demand be made on the owners or keepers to obtain a license from the municipal clerk within 7 days from the date of demand and remit to the clerk the license and recording fees plus a late fee of \$25 for each dog that is licensed. Finally, the warrant must direct the police officer, constable, sheriff or animal control officer to enter summons and complaint as soon as possible for all owners or keepers so notified who fail to comply with the order.

**2. Returns of warrant.** Each police officer, constable, sheriff or animal control officer to whom the warrant is issued shall return the warrant to the municipal clerk on or before July 1st of each year.

**3. Payments to officers.** Payment to certain officers must be as follows.

**TWIN BROOK RECREATION AREA POLICIES AND RULES**  
(As modified following 12/8/04 Council workshop with Twin Brook Advisory  
Committee)

1. General. The Twin Brook Recreation Area is owned by the Town of Cumberland, and shall be administered by the Cumberland Recreation Department. The Cumberland Town Council shall appoint a Twin Brook Advisory Committee, which shall provide advice and recommendations to the Cumberland Recreation Department and to the Council upon all aspects of the use and management of the Twin Brook Recreation Area.

2. Priorities. Cumberland Recreation Department programs intended specifically for Cumberland and North Yarmouth residents shall have first priority with respect to use of Twin Brook playing fields and athletic facilities. MSAD 51 athletic practices and games shall have second priority. Notwithstanding the foregoing, priorities are subject to ongoing review, and priority of use with respect to certain fields on the Greely Road side shall be in accordance with the leases agreement between the Town of Cumberland and MSAD 51 dated July 12, 2002.

3. Field Use. There shall be no organized use of the playing fields on Sundays until 1 p.m. At the discretion of the Cumberland Recreation Director, any of the playing fields may be closed to activity at any time if conditions are unsuitable for use or to allow for reseeding and recovery.

4. Cancellation. The Cumberland Recreation Director or his nominee shall have the absolute right to cancel scheduled events due to inclement weather or if he determines, in his sole discretion, that a playing field or other facility is unplayable. In such event, the scheduled user shall be entitled to a refund of fees paid.



5.     Applications. No community group, athletic group or other organized group may schedule and hold events of any kind at the Twin Brook Recreation Area without first having obtained the approval of and a permit from the Cumberland Recreation Department. Approval and a permit may be obtained by submitting a Facility Request Form to the Department at least two (2) weeks prior to the requested date of use but not more than three (3) months before such date to help facilitate fair and equitable scheduling. All fees must be paid, proof of insurance must be provided, and all other stipulations must be met before the permit is issued. If the permit must be withdrawn due to a scheduling conflict, all fees will be refunded. If the user chooses not to use the facility as requested and notifies the Cumberland Recreation Department at least two (2) weeks before the scheduled usage date, there will be a full refund. There will be no refund of fees if notification occurs less than two (2) weeks before the scheduled usage date unless there is an unusually compelling reason for such a cancellation. A copy of each application will be kept on file at the Cumberland Recreational Department offices. The individual whose signature appears on any such application form will be considered the individual responsible for the supervision and use of the facility/facilities requested and he/she must provide adequate and appropriate supervision at all times. He/she will also be responsible for all rental fees, proof of liability insurance/bodily harm, facility/equipment damages, theft, or loss of any kind that occurs related to usage of the facility.

6.     Insurance. The MSAD 51/Town of Cumberland property insurance and general liability insurance does not extend to individuals, community groups, athletic groups, or other organized groups utilizing the Twin Brook facilities. Therefore, any such groups or individuals using the

Twin Brook facilities for any organized purpose are required to provide evidence of insurance for liability (not less than \$1,000,000 per person/\$2,000,000 per occurrence) and property damage (not less than \$25,000) before receiving a facility permit. The Town of Cumberland shall be named as additional insured in all such policies and all insurance provided by the facility user shall be primary to any insurance which the Town of Cumberland may have. All insurance required hereunder shall be placed with insurers licensed to do business in the State of Maine and acceptable to the Cumberland Recreation Department.

7. Indemnity. The Town of Cumberland may require any individual or group utilizing Twin Brook facilities for any purpose (including non-permitted walk-on use) to agree in writing, in a form acceptable to the Town, to save, indemnify and hold harmless the Town of Cumberland, its inhabitants, its employees, the Town Council, the Cumberland Recreation Department, and the Twin Brook Advisory Committee from and against any and all liabilities, actions, causes of action for death, personal injury, or property damage, including attorney's fees, and from any and all fines, suits, claims, demands and actions of any kind or nature of any and all persons resulting from or arising from the use of said facilities, equipment, or activity participation. It is expressly understood that participation in recreational and athletic activities may cause bodily injury, sickness, disease, death, or personal injury, or damage and destruction to tangible property, including the loss or use thereof. Therefore, any individual or group utilizing Twin Brook facilities for any purpose shall save, indemnify and hold harmless the Town of Cumberland, its inhabitants, its employees, the Town Council, the Cumberland Recreation Department, and the Twin Brook Advisory Committee from and against any and all



liabilities, actions, and causes of action arising out of or resulting from the performance of any facility use permit.

8. Modifications. The Town of Cumberland reserves the right to waive, modify, or institute requirements in addition to those listed herein should it be deemed necessary and/or in the best interest of the Town of Cumberland.

9. Fees. The Cumberland Town Council shall approve a schedule of fees for the use of Twin Brook facilities, which schedule shall be subject to ongoing review.

10. Miscellaneous.

a. MSAD 51 and the Cumberland Recreation Department are only expected to service their own sanctioned programs. All other users are allowed to utilize the Twin Brook facilities at their own risk on an “as is, where is” basis. There should not be any expectation from permit users that the facilities will be “set up” for their specific use, needs, or situation. If the Cumberland Recreation Department is requested by a user to provide a special service or to alter, modify or rearrange a Twin Brook facility, above and beyond ordinary maintenance and upkeep, and if the Cumberland Recreation Department is in agreement, the user shall be charged accordingly in an amount to be determined by the Cumberland Recreation Department.

b. It is the responsibility of the persons or organizations using the Twin Brook facilities to leave them in the same condition in which they were received. If this is not done to the satisfaction of the Cumberland Recreation Department, a charge shall be levied for any required “clean-up”, “pick-up”, or “fix-up” costs (including labor) in excess of any fees that

would otherwise be applicable. A lack of respect and responsibility could result in the denial of future permits to the permit applicant or group.

c. It is the responsibility of the persons or organizations using Twin Brook facilities to inform all participants of program cancellations if such programs are cancelled.

d. No permitted or walk-in user shall change the appearance, rearrange, or attempt to improve any Twin Brook facility without the express consent of the Cumberland Recreation Department, which must be obtained in advance and in writing.

e. The Cumberland Recreation Department reserves the right to require supervisory personnel to be present during the use of Twin Brook facilities at the expense of the individual or group in question.

f. All individuals or groups using Twin Brook facilities are responsible for the preservation of order during all activities and are required to comply with all applicable statutes, Town of Cumberland ordinances (including the requirement of obtaining a mass gathering permit, if applicable), and regulations, in addition to any policies or conditions imposed by the Cumberland Recreation Department. If security is deemed to be necessary, arrangement and payment for police services shall be the responsibility of the individual or group in question. Proof of police protection or private security may be required to receive the initial permit.

g. The use, consumption or sale of alcoholic beverages, tobacco products or illegal drugs at Twin Brook facilities is prohibited.

h. Gambling on Twin Brook facilities is prohibited unless allowed as an approved, legal, fund raiser (e.g, casino nights, fifty-fifty (50/50) raffles and bingo) for school or community booster groups. Such activities must be approved by the Cumberland Recreation Department.



i. The use of open flames, candles, or other incendiary devices or special effects is prohibited at the Twin Brook Recreation Area.

j. Dogs must be on a lease at all times, except in areas specifically designated as "leash free," and the person in charge of the dog is responsible for cleaning up wastes released by the dog. During the non-winter months, dogs may be walked on all pasture areas and trails (except when the trails are in use for a running event) but not on the playing fields. During the winter months, dogs may be walked or sledded in any area except for groomed ski trails. The person in charge of the dog will be liable for any personal harm or damage caused by the animal while at Twin Brook.

k. Horses may be ridden along the perimeters of pasture areas but not on the playing fields or the trails. Owners are responsible for cleaning up after their horses.

l. Mountain biking is permitted only when trails are firm and there are no running or skiing events scheduled.

m. Activities such as kiting, model rocket and model airplane flying should take place in open pasture locations well away from any organized activities.

n. Picnicking is welcome while the facilities are open, and picnickers are responsible for cleaning up after themselves. Open fires as well as heat sources for barbecuing or grilling are not permitted.

o. The facilities shall be open during daylight hours only, and no nighttime use shall be permitted without the express written permission of the Cumberland Recreation Department.

p. All permit applications must restrict themselves to appropriate use of all Twin Brook facilities. Facility use shall be dictated by design. Twin Brook fields and trails are for foot traffic only, except for mountain

biking as permitted under subparagraph 1. The only motorized vehicles permitted in or on Twin Brook facilities are maintenance vehicles. All other vehicles or recreational equipment such as four-wheel drives, snowmobiles, roller blades, scooters, skateboards, bicycles (except as provided in subsection (l) above) and motorcycles are prohibited.

q. Permitted users acknowledge and agree that they will be solely responsible for all royalties or charges which are due or may become due on material used for or during an event. The facility user shall warrant to the Cumberland Recreation Department that such royalties or charges have been paid or will be paid promptly in accordance with law. A facility user shall further agree to hold the Town of Cumberland, its inhabitants, the Cumberland Town Council, the Cumberland Recreation Department, and the Twin Brook Advisory Committee harmless and to indemnify for all costs or losses, including attorney's fees in defense of claims, just or unjust, relating to the payment of any royalty, charge or fee for use of material by a permitted user during the use of Twin Brook facilities.



# **TWIN BROOK RECREATION AREA** **POLICIES AND RULES**

(As modified following 11/10/04 meeting of Twin Brook Advisory  
Committee)

## **TWIN BROOK RECREATION AREA POLICIES AND RULES**

(As modified following 11/10/04 meeting of Twin Brook Advisory Committee)

1. General. The Twin Brook Recreation Area is owned by the Town of Cumberland, and shall be administered by the Cumberland Recreation Department. The Cumberland Town Council shall appoint a Twin Brook Advisory Committee, which shall provide advice and recommendations to the Cumberland Recreation Department and to the Council upon all respects of the use and management of the Twin Brook Recreation Area.

2. Priorities. Cumberland Recreation Department programs intended specifically for Cumberland and North Yarmouth residents shall have first priority with respect to use of Twin Brook playing fields and athletic facilities. MSAD 51 athletic practices and games shall have second priority. Notwithstanding the foregoing, priorities are subject to ongoing review, and priority of use with respect to certain fields on the Greely Road side shall be in accordance with the leases agreement between the Town of Cumberland and MSAD 51 dated July 12, 2002.

3. Field Use. There shall be no organized use of the playing fields on Sundays until 1 p.m. At the discretion of the Cumberland Recreation Director, any of the playing fields may be closed to activity at any time if conditions are unsuitable for use or to allow for reseeding and recovery.

4. Cancellation. The Cumberland Recreation Director or his nominee shall have the absolute right to cancel scheduled events due to inclement weather or if he determines, in his sole discretion, that a playing field or other facility is unplayable. In such event, the scheduled user shall be entitled to a refund of fees paid.

5. Applications. No community group, athletic group or other



organized group may schedule and hold events of any kind at the Twin Brook Recreation Area without first having obtained the approval of and a permit from the Cumberland Recreation Department. Approval and a permit may be obtained by submitting a Facility Request Form to the Department at least two (2) weeks prior to the requested date of use but not more than three (3) months before such date to help facilitate fair and equitable scheduling. All fees must be paid, proof of insurance must be provided, and all other stipulations must be met before the permit is issued. If the permit must be withdrawn due to a scheduling conflict, all fees will be refunded. If the user chooses not to use the facility as requested and notifies the Cumberland Recreation Department at least two (2) weeks before the scheduled usage date, there will be a full refund. There will be no refund of fees if notification occurs less than two (2) weeks before the scheduled usage date unless there is an unusually compelling reason for such a cancellation. A copy of each application will be kept on file at the Cumberland Recreational Department offices. The individual whose signature appears on any such application form will be considered the individual responsible for the supervision and use of the facility/facilities requested and he/she must provide adequate and appropriate supervision at all times. He/she will also be responsible for all rental fees, proof of liability insurance/bodily harm, facility/equipment damages, theft, or loss of any kind that occurs related to usage of the facility.

6. Insurance. The MSAD 51/Town of Cumberland property insurance and general liability insurance does not extend to individuals, community groups, athletic groups, or other organized groups utilizing the Twin Brook facilities. Therefore, any such groups or individuals using the Twin Brook facilities for any organized purpose are required to provide

evidence of insurance for liability (not less than \$1,000,000 per person/\$2,000,000 per occurrence) and property damage (not less than \$25,000) before receiving a facility permit. The Town of Cumberland shall be named as additional insured in all such policies and all insurance provided by the facility user shall be primary to any insurance which the Town of Cumberland may have. All insurance required hereunder shall be placed with insurers licensed to do business in the State of Maine and acceptable to the Cumberland Recreation Department.

7. Indemnity. The Town of Cumberland may require any individual or group utilizing Twin Brook facilities for any purpose (including non-permitted walk-on use) to agree in writing, in a form acceptable to the Town, to save, indemnify and hold harmless the Town of Cumberland, its inhabitants, its employees, the Town Council, the Cumberland Recreation Department, and the Twin Brook Advisory Committee from and against any and all liabilities, actions, causes of action for death, personal injury, or property damage, including attorney's fees, and from any and all fines, suits, claims, demands and actions of any kind or nature of any and all persons resulting from or arising from the use of said facilities, equipment, or activity participation. It is expressly understood that participation in recreational and athletic activities may cause bodily injury, sickness, disease, death, or personal injury, or damage and destruction to tangible property, including the loss or use thereof. Therefore, any individual or group utilizing Twin Brook facilities for any purpose shall save, indemnify and hold harmless the Town of Cumberland, its inhabitants, its employees, the Town Council, the Cumberland Recreation Department, and the Twin Brook Advisory Committee from and against any and all



liabilities, actions, and causes of action arising out of or resulting from the performance of any facility use permit.

8. Modifications. The Town of Cumberland reserves the right to waive, modify, or institute requirements in addition to those listed herein should it be deemed necessary and/or in the best interest of the Town of Cumberland.

9. Fees. The Cumberland Town Council shall approve a schedule of fees for the use of Twin Brook facilities, which schedule shall be subject to ongoing review.

10. Miscellaneous.

a. MSAD 51 and the Cumberland Recreation Department are only expected to service their own sanctioned programs. All other users are allowed to utilize the Twin Brook facilities at their own risk on an "as is, where is" basis. There should not be any expectation from permit users that the facilities will be "set up" for their specific use, needs, or situation. If the Cumberland Recreation Department is requested by a user to provide a special service or to alter, modify or rearrange a Twin Brook facility, above and beyond ordinary maintenance and upkeep, and if the Cumberland Recreation Department is in agreement, the user shall be charged accordingly in an amount to be determined by the Cumberland Recreation Department.

b. It is the responsibility of the persons or organizations using the Twin Brook facilities to leave them in the same condition in which they were received. If this is not done to the satisfaction of the Cumberland Recreation Department, a charge shall be levied for any required "clean-up", "pick-up", or "fix-up" costs (including labor) in excess of any fees that

would otherwise be applicable. A lack of respect and responsibility could result in the denial of future permits to the permit applicant or group.

c. It is the responsibility of the persons or organizations using Twin Brook facilities to inform all participants of program cancellations if such programs are cancelled.

d. No permitted or walk-in user shall change the appearance, rearrange, or attempt to improve any Twin Brook facility without the express consent of the Cumberland Recreation Department, which must be obtained in advance and in writing.

e. The Cumberland Recreation Department reserves the right to require supervisory personnel to be present during the use of Twin Brook facilities at the expense of the individual or group in question.

f. All individuals or groups using Twin Brook facilities are responsible for the preservation of order during all activities and are required to comply with all applicable statutes, Town of Cumberland ordinances (including the requirement of obtaining a mass gathering permit, if applicable), and regulations, in addition to any policies or conditions imposed by the Cumberland Recreation Department. If security is deemed to be necessary, arrangement and payment for police services shall be the responsibility of the individual or group in question. Proof of police protection or private security may be required to receive the initial permit.

g. The possession, consumption or sale of alcoholic beverages, tobacco products or illegal drugs at Twin Brook facilities is prohibited.

h. Gambling on Twin Brook facilities is prohibited unless allowed as an approved, legal, fund raiser (e.g, casino nights, fifty-fifty (50/50) raffles and bingo) for school or community booster groups. Such activities must be approved by the Cumberland Recreation Department.



i. The use of open flames, candles, or other incendiary devices or special effects is prohibited at the Twin Brook Recreation Area.

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## **04-146 Twin Brook Advisory Committee Report**

### **Two Options:**

- 1) Accept the Report and Set a date for a public hearing December 27, 2004 is recommended. The Policy will then be posted on the website for all to view.**
- 2) Schedule a Workshop then bring back to the Council to set a date for a Public Hearing. The posting on the website would occur only after a date for a Pubic Hearing has been set and any workshop revisions are updated in the document.**

**No evenings are available before the Council Meeting for Workshops until January**

# Jensen Baird Gardner & Henry

KENNETH M. COLE III  
NICHOLAS S. NADZO  
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  
FRANK K. N. CHOWDRY  
NATALIE L. BURNS  
SALLY J. DAGGETT  
BRENDAN P. RIELLY  
SUZANNE R. SCOTT  
MARCIA G. CORRADINI  
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JAMES E. KAPLAN  
OF COUNSEL

RAYMOND E. JENSEN  
(1908-2002)

KENNETH BAIRD  
(1914-1987)

M. DONALD GARDNER  
(1918-2003)

YORK COUNTY  
OFFICE

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

November 18, 2004



William R. Shane, Town Manager  
Town of Cumberland  
290 Tuttle Road  
Cumberland, ME 04021

Re: *Twin Brook Leash Law*

Dear Bill:

This letter is intended to address some of the issues raised by a recent proposal to change the restrictions on dogs at the Twin Brook park. Specifically, it is my understanding that the Town's study committee has recommended that there be an area within Twin Brook designated as a "free run" area for dogs and that the rest of the Twin Brook facility actually have more restrictive standards than State law. The question that you and certain Councilors have posed is whether this would expose the Town to greater liability.

The "free run" area would be the area in which the Town could arguably have greater liability. The reason for this is that the State, by its dogs-at-large statute, (7 M.R.S.A. § 3911 enclosed), has basically established the minimum standard for supervision of dogs. Therefore, if the Town agreed to allow a lesser standard and some accident occurred, an individual could argue that the Town in some way encouraged the negligence that led to the injury. Maine law provides for strict liability of the owner for injuries caused by a dog. See 7 M.R.S.A. § 3961, enclosed. On the opposite side of this, the Maine Tort Claims Act provides for an exemption from liability to municipalities for outdoor recreation. The issue here would be whether, by authorizing some degree of control less than the minimum, the Town has basically waived that tort exemption by permitting or at least fostering this type of personal injury in an outdoor situation.

My advice would be that any standards for the so-called "free run" area be based on the State's dog-at-large law in order to ensure any potential claims against the Town remain within the normal exemptions of the Tort Claims Act. You would accomplish this by requiring that all dogs in the off-leash area must remain under the control of the person bringing the dog to the off-leash area, which standard would reflect the statutory definition of "at-large". See 7 M.R.S.A. § 3907(6), enclosed.

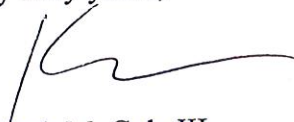


November 18, 2004  
Page 2

As to the tighter leash law on the facility generally, other than the "free run" area, this a policy that the Council has every right to adopt. Since Twin Brook is a municipal facility, the rights of the public generally and specifically their pets, can be regulated by the Council as it sees fit. Clearly a more restrictive leash law requirement on municipal property would not expose the Town to additional liability.

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

Very truly yours,

A handwritten signature in dark ink, appearing to be "K. Cole III", written over a horizontal line.

Kenneth M. Cole III

KMC/ab

Prev: Chapter 717 §3906-C  
Next: Chapter 717 §3908

Download Chapter 717  
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Download Section 3907  
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## **Title 7: AGRICULTURE AND ANIMALS**

### **Part 9: ANIMAL WELFARE (HEADING: PL 1987, c. 383,**

**@3 (new))**

### **Chapter 717: ANIMAL WELFARE ACT (HEADING: PL 1987, c. 383, @3 (new); 1999, c. 254, @1 (rpr))**

### **§3907. Definitions**

As used in this Part, and in every law relating to or affecting animals, unless the context indicates otherwise, the following terms have the following meanings. [1987, c. 383, §3 (new).]

**1. Act.** "Act" means the Animal Welfare Board Act. [1987, c. 383, §3 (new).]

**1-A. Abandoned dog.** "Abandoned dog" means a dog that has been deserted by its owner or keeper. [1993, c. 657, §1 (amd).]

**2. Animal.** "Animal" means every living, sentient creature not a human being. [1987, c. 383, §3 (new).]

**3. Animal control.** "Animal control" means control of dogs, cats, and domesticated or undomesticated animals in accordance with section 3948. [1993, c. 468, §4 (amd).]

**4. Animal control officer.** "Animal control officer" means the person appointed periodically by a municipality pursuant to chapter 725. [1995, c. 490, §1 (amd).]

**5. Animal control shelter.** [1993, c. 657, §2 (rp).]

**5-A. Animal shelter.** "Animal shelter" means a facility that includes a physical structure or part of a physical structure that provides temporary or permanent shelter to stray, abandoned, abused or owner-surrendered animals. [1993, c. 657, §3 (amd).]

**6. At large.** "At large" means off the premises of the owner and not under the control of any person whose personal presence and attention would reasonably control the conduct of the animal. [1987, c. 383, §3 (new).]

**7. Board.** "Board" means the Animal Welfare Board or its duly authorized agent. [1987, c. 383, §3 (new).]

**8. Boarding kennel.** "Boarding kennel" means any place, building, tract of land or abode in or on which 3 or more privately owned dogs or other pets, or both, are kept at any one time for their owners in return for a fee. [1997, c. 33, §1 (amd).]



Prev: [Chapter 717 §3910-A](#)  
Next: [Chapter 719 §3911-A](#)

**Title 7: AGRICULTURE AND ANIMALS**  
**Part 9: ANIMAL WELFARE (HEADING: PL 1987, c. 383,**  
**@3 (new))**  
**Chapter 719: UNCONTROLLED DOGS (HEADING: PL 1987, c.**  
**383, @3 (new))**  
**§3911. Dogs at large**

[Download Chapter 719](#)  
[PDF, Word \(RTF\)](#)

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It is unlawful for any dog, licensed or unlicensed, to be at large, except when used for hunting. The owner or keeper of any dog found at large is subject to the penalties provided in this chapter. [1999, c. 254, §3 (amd) .]

**The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public. If you need legal advice, please consult a qualified attorney.**

[Office of the Revisor of Statutes](#)  
7 State House Station  
State House Room 108  
Augusta, Maine 04333-0007

This page created on: 2003-11-06

Prev: Chapter 727 §3953  
Next: Chapter 729 §3961-A

Download Chapter 729  
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Download Section 3961  
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## **Title 7: AGRICULTURE AND ANIMALS**

### **Part 9: ANIMAL WELFARE (HEADING: PL 1987, c. 383,**

**@3 (new))**

#### **Chapter 729: DAMAGE BY ANIMALS (HEADING: PL 1987, c. 383, @3 (new); 1993, c. 468, @17 (rpr))**

### **§3961. Reimbursement for damage done by animals**

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**1. Injuries and damages by animal.** When an animal damages a person or that person's property due to negligence of the animal's owner or keeper, the owner or keeper of that animal is liable in a civil action to the person injured for the amount of damage done if the damage was not occasioned through the fault of the person injured. [2001, c. 220, §1 (new) .]

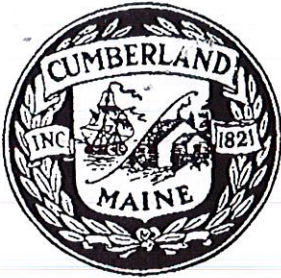
**2. Injuries by dog.** Notwithstanding subsection 1, when a dog injures a person who is not on the owner's or keeper's premises at the time of the injury, the owner or keeper of the dog is liable in a civil action to the person injured for the amount of the damages. Any fault on the part of the person injured may not reduce the damages recovered for physical injury to that person unless the court determines that the fault of the person injured exceeded the fault of the dog's keeper or owner. [2001, c. 220, §1 (new) .]

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Office of the Revisor of Statutes  
7 State House Station  
State House Room 108  
Augusta, Maine 04333-0007

This page created on: 2003-11-06





# M E M O R A N D U M

TOWN OF CUMBERLAND, MAINE  
290 TUTTLE ROAD  
CUMBERLAND, MAINE 04021  
TEL: 207-829-2205 FAX: 829-2224

**To:** Town Council  
**From:** William R. Shane, Town Manager  
**Date:** November 17, 2004  
**Re:** Universal Waste Fees & Collection  
**cc:**

---

Universal Waste is a category of item which will be banned from our State's Waste Stream January 1, 2005. Universal waste includes televisions, computers, batteries of all types, fluorescent bulbs & fixtures, mercury devices, copiers, printers and monitors.

I am recommending we collect these items at the Public Works Facility during the hours the yard waste facility is open – Tuesdays 12:00 – 4:00 PM and Saturday 9:00 – 1:00 PM. The items would be collected and hauled into Gorham once a month and properly disposed of at the Environ facility. The cost for disposal is attached and I would add a fee for our transportation to cover some of the program costs.

I would recommend at Public Hearing be set for the fees as part of our December meeting.

## Environ Pricing

### COMPUTERS/ELECTRONICS:

Monitors (17" or Less)	\$10.00 each
Monitors (Over 17")	\$12.00 each
Televisions (Non Consoles)	\$12.00 each
Console Televisions	\$25.00 each
Desktop Copiers/Printers, Scanners, Fax Machines, etc.	\$8.00 each
Floor Copiers/Printers etc.	\$25.00 each
CPU's and Laptops	\$2.00 each
Other Computer Peripherals (Keyboards, Mice, Speakers, etc.)	\$1.00 each
UPS's (Battery Backup Systems)	\$8.00 each

### LAMPS:

All Straight Fluorescent ( <i>Uncoated</i> )	\$1.12 per foot
All Straight Coated Lamps	\$1.00 per foot
Crushed Lamps	\$2.00 per pound
U-Lamps, Circle's & Compacts	\$1.00 per lamp
HID Lamps	2.00 per lamp

### BATTERY RECYCLING: *"If battery is not on list, please call."*

NiCd, NiMH, Alkaline (0% Mercury), Zinc Carbon, Carbon Air	\$0.70 per pound
Nickel Zinc, Lithium Ion	\$0.80 per pound
Button Cells	\$4.25 per pound
Lithium	\$7.75 per pound
Nickel Iron	\$0.35 per pound
Lead Acid (all types)	\$0.25 per pound
Alkaline with Mercury	\$8.00 per pound
Zinc Air, Mercury, Carbon with Mercury	\$8.00 per pound
Comingled Sorting Fee	\$0.75 per pound

### BALLASTS: Pricing includes the weight of the container

PCB Ballasts	\$0.58 per pound
DEHP Ballasts	\$0.58 per pound
Magnetic and Electronic Ballasts	\$0.58 per pound
Transformers	Quoted Upon Request
Large Capacitors	\$1.50 per pound
Small Capacitors	\$1.50 per pound

### MERCURY CONTAINING DEVICES: (Includes the weight of container)

Mercury Devices	\$8.00 per pound
-----------------	------------------

### Transportation / Pickups

*Emergency pickups will be quoted per incident. Transportation / Pickup is based on material being on ground floor with either a loading dock, or alternate loading capability.*

Transportation - First 1/2 Hour of Load Time	\$75.00
Additional Packaging	\$55.00 per hour/per person

*All Paperwork & Containers are included in the pricing above. Labels and Stretchwrap not included.*



**Department of Public Safety  
Liquor Licensing & Inspection  
Division**



**BUREAU USE ONLY**

License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

**PRESENT LICENSE EXPIRES** 1/31/05

**INDICATE TYPE OF PRIVILEGE:** ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

**INDICATE TYPE OF LICENSE:**

☐ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTINONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☒ GOLF CLUB (Class I,II,III,IV)

☐ OTHER: \_\_\_\_\_

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

1. APPLICANT(S) --(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>TOWN OF CUMBERLAND</u> DOB: _____			2. Business Name (D/B/A) <u>VAL HALLA GOLF COURSE</u>		
<del>XXXXXXXXXXXX</del> DOB: _____			<u>1 VAL HALLA ROAD</u>		
DOB: _____			Location (Street Address) <u>CUMBERLAND, ME</u> <u>04021</u>		
Address <u>290 TUTTLE ROAD</u>			City/Town <u>29 TUTTLE ROAD</u> State <u>ME</u> Zip Code <u>04021</u>		
			Mailing Address <u>CUMBERLAND, ME</u> <u>04021</u>		
City/Town <u>CUMBERLAND</u> State <u>ME</u> Zip Code <u>04021</u>			City/Town <u>207-829-2225</u> State <u>207-829-5373</u> Zip Code <u>04021</u>		
Telephone Number <u>207-829-5559</u> Fax Number <u>829-5916</u>			Business Telephone Number <u>0218379</u> Fax Number _____		
Federal I.D. # <u>016000128</u>			Seller Certificate # <u>↓</u>		

3. If premises is a hotel, indicate number of rooms available for transient guests: n/a

4. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ 99,325 LIQUOR \$ 113,560

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

7. If manager is to be employed, give name: EDWARD F. GRIBBIN

8. If business is NEW or under new ownership, indicate starting date: n/a

Business Hours  
Requested inspection date: APRIL - NOV

Business hours: 8:00AM - 4:00PM

NOV. - APRIL

9. Business records are located at: 290 TUTTLE ROAD CUMBERLAND, ME 04021

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐ N/A

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐ N/A



12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:  
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
EDWARD F. GRIBBIN	07/30/1948	PORTLAND, ME

Residence address on all of the above for previous 5 years (Limit answer to city & state)

EDWARD F. GRIBBIN WINDHAM, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: \_\_\_\_\_

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: \_\_\_\_\_

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) CLUBHOUSE & ATTACHED DECKS

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: \_\_\_\_\_

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1 MILE Which of the above is nearest? SCHOOL

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: \_\_\_\_\_

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: CUMBERLAND, MAINE on 11/16/04, 2004  
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

EDWARD F. GRIBBIN

Print Name

Signature of Applicant or Corporate Officer(s)

Print Name



**TOWN OF CUMBERLAND**  
**APPLICATION FOR A SPECIAL AMUSEMENT PERMIT**  
**FOR MUSIC, DANCING AND/OR ENTERTAINMENT**

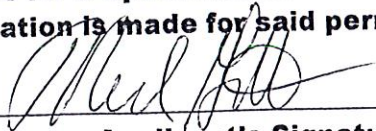
Name of Applicant: TOWN OF CUMBERLAND Phone: 829-2205  
Residence Applicant: 290 TUTTLE ROAD CUMBERLAND ME 04021  
Business Name: VAL HALLA GOLF COURSE Bus. Phone: 829-2225  
Business Address: 1 VAL HALLA ROAD CUMBERLAND, ME 04021  
Name of Manager: NED GRIGGIN Phone: 829-2225 W  
892-5561 W  
Residence of Manager: 5 MEAGANS WAY WINDHAM, ME 04062  
Type of Entertainment Applied for: MUSIC DANCING AND/OR ENTERTAINMENT

Has applicant ever had a license to conduct the business therein described either denied or revoked? NO If so, the applicant shall describe specifically those circumstances?  
\_\_\_\_\_  
\_\_\_\_\_

Has applicant, Partners, Associates or Corporate Officers ever been convicted of a felony? NO If so, the applicant shall describe specifically those circumstances. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Additional information may be required by the Town Council prior to the issuance of said permit, including but not limited to a copy of the applicant's current liquor license.

The fee for a Special Amusement Permit shall be \$10.00, non-refundable and payable when application is made for said permit.



Applicant's Signature

11/16/04

Date

Municipal Officers:

Approved: \_\_\_\_\_

Disapproved: \_\_\_\_\_

Comment: \_\_\_\_\_  
\_\_\_\_\_

Application Received: \_\_\_\_\_

Public Notice Posted: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Date of Expiration: \_\_\_\_\_



# MAINE DEPT OF PUBLIC SAFETY

Liquor Licensing & Inspection  
164 State House Station  
Augusta ME 04330-0164  
Tel: (207) 624-7224  
Fax: (207) 287-3424



## SPECIAL NOTICE

Our records indicate that your present liquor license will expire on

1-31-05

## WARNING

It is required by law that you submit your renewal application to local authorities for approval by Municipal Officers. If you are located in an unorganized territory you must submit your application to the County Commissioners.

The Municipal Officers or the County Commissioners may need 6 to 8 weeks lead time to properly advertise and/or hold public hearings. Accordingly, please submit your renewal application to them immediately in order to avoid the possibility of a period of operation without a liquor license.

**ALL MUNICIPAL AND/OR COUNTY COMMISSIONERS**  
**APPROVALS EXPIRE IN "60 DAYS"**

**RENEWAL APPLICATIONS SHOULD BE RECEIVED BY THIS OFFICE AT LEAST 7 DAYS PRIOR TO EXPIRATION OF LICENSE. IF THIS CANNOT BE ACCOMPLISHED, PLEASE NOTIFY US IMMEDIATELY.**

If you have any further questions, please feel free to contact us at (207) 624-7224



# MAINE DEPT OF PUBLIC SAFETY

STATE OF MAINE  
Liquor Licensing & Inspection Division  
164 State House Station  
Augusta ME 04333-0164

Tel: (207) 624-7220 Fax: (207) 287-3424



## SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES, AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: TOWN OF CUMBERLAND, INC.  
Business D/B/A Name: Val Halla Golf & Banquet Center
2. Date of Incorporation: 1821
3. State in which you are incorporated: MAINE
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: \_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percent of stock owned:

Name	<i>Print Clearly</i> Address Previous 5 years	Birth Date	% of Stock	Title
EDWARD F. GRIBBIN	5 MEAGANS WAY WINDHAM, ME	7/30/1948	—	BUS. MGR

6. What is the amount of authorized stock? N/A Outstanding Stock? N/A
7. Is any principal officer of the corporation a law enforcement official? Yes ☐ No ☒
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of the United States? Yes ☐ No ☒
9. If YES, please complete the following: Name: \_\_\_\_\_

Date of Conviction: \_\_\_\_\_ Offense: \_\_\_\_\_

Location: \_\_\_\_\_ Disposition: \_\_\_\_\_

Dated at: \_\_\_\_\_ On: \_\_\_\_\_

City/Town

Date

Signature of Duly Authorized Officer

Date

Print Name of Duly Authorized Officer

# MAINE DEPT OF PUBLIC SAFETY

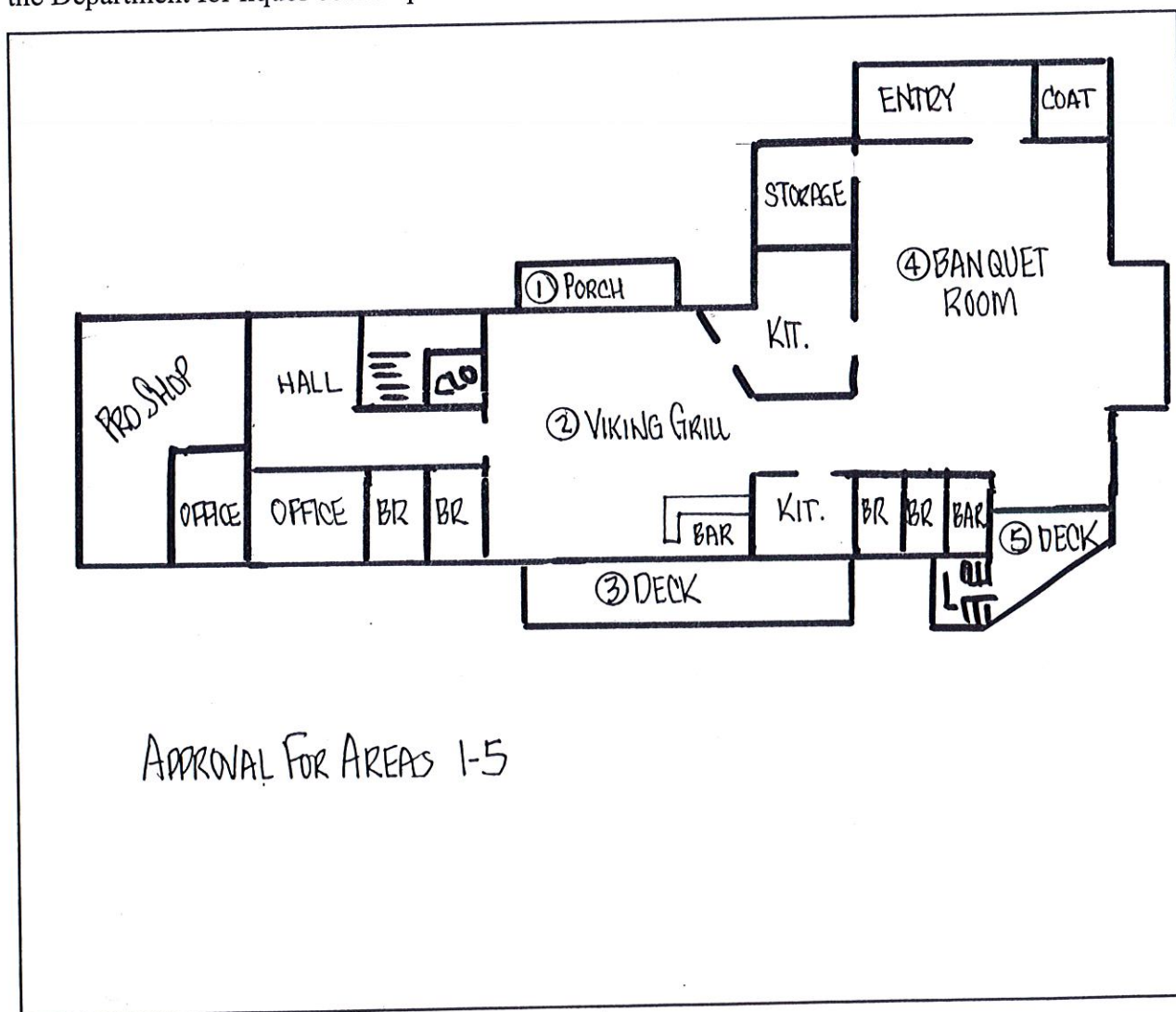
STATE OF MAINE  
*Liquor Licensing & Inspection Division*  
164 State House Station  
Augusta ME 04330-0164  
Tel: (207) 624-8745 Fax: (207) 624-8767



## SUPPLEMENTAL APPLICATION FORM ON/OFF-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Liquor Licensing & Inspection Division is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.





**Department of Public Safety  
Liquor Licensing & Inspection  
Division**



**BUREAU USE ONLY**

License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

**PRESENT LICENSE EXPIRES** 2/04/05

**INDICATE TYPE OF PRIVILEGE:** ☐ MALT ☐ SPIRITUOUS ☐ VINOUS

**INDICATE TYPE OF LICENSE:**

☒ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTIONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER: \_\_\_\_\_

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

1. APPLICANT(S) (Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Reynold Michaud</u> DOB: <u>4/5/50</u>			2. Business Name (D/B/A) <u>REY'S CUMBERLAND CAFE</u>		
DOB: _____			Location (Street Address) <u>172 GRAY ROAD</u>		
DOB: _____			City/Town State Zip Code <u>CUMBERLAND MAINE 04021</u>		
Address <u>172 GRAY ROAD</u>			Mailing Address <u>SAME</u>		
City/Town State Zip Code <u>CUMBERLAND ME 04021</u>			City/Town State Zip Code _____		
Telephone Number Fax Number _____			Business Telephone Number Fax Number <u>207-829-0980</u>		
Federal I.D. # <u>59-3775933</u>			Seller Certificate # <u>1074351</u>		

3. If premises is a hotel, indicate number of rooms available for transient guests: \_\_\_\_\_

4. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ 250,322 LIQUOR \$ 3924.25

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name: \_\_\_\_\_

8. If business is NEW or under new ownership, indicate starting date: \_\_\_\_\_

Requested inspection date: \_\_\_\_\_ Business hours: \_\_\_\_\_

9. Business records are located at: 172 GRAY ROAD CUMBERLAND MAINE

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐



12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:  
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
REYNOLD MICHAUD	4/5/50	Lewiston, Me.

Residence address on all of the above for previous 5 years (Limit answer to city & state)

309 Shaker Road  
New Gloucester, Me. 04021

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: \_\_\_\_\_

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: Chris Copp  
CFE 34 BLACKSTRAP ROAD CUMBERLAND ME.

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) \_\_\_\_\_  
85 SEATS - RESTAURANT

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: \_\_\_\_\_

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 2 miles Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: \_\_\_\_\_

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: CUMBERLAND, ME on 11-11-, 2004  
Town/City, State Date

Reynold E. Michaud  
Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

\_\_\_\_\_  
Signature of Applicant or Corporate Officer(s)

REYNOLD E. MICHAUD  
Print Name

\_\_\_\_\_  
Print Name



# MAINE DEPT OF PUBLIC SAFETY

STATE OF MAINE  
*Liquor Licensing & Inspection Division*  
164 State House Station  
Augusta ME 04333-0164  
Tel: (207) 624-7220 Fax: (207) 287-3424



## SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES, AND LIMITED PARTNERSHIPS

- Exact Corporate Name: REY'S CUMBERLAND CAFE INC.  
Business D/B/A Name: SAME
- Date of Incorporation: JAN 2004
- State in which you are incorporated: MAINE
- If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: \_\_\_\_\_
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percent of stock owned:

Name	<i>Print Clearly</i> Address Previous 5 years	Birth Date	% of Stock	Title
REYNOLD MICHAUD	309 SHAKER ROAD NEW GLUCKSTEAD	4/5/50	100%	OWNER

- What is the amount of authorized stock? 100 SHARES Outstanding Stock? \_\_\_\_\_
- Is any principal officer of the corporation a law enforcement official? Yes ☐ No ☒
- Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of the United States? Yes ☐ No ☒
- If YES, please complete the following: Name: \_\_\_\_\_  
Date of Conviction: \_\_\_\_\_ Offense: \_\_\_\_\_  
Location: \_\_\_\_\_ Disposition: \_\_\_\_\_  
Dated at: \_\_\_\_\_ City/Town \_\_\_\_\_ On: \_\_\_\_\_ Date \_\_\_\_\_

Signature of Duly Authorized Officer

REYNOLD E. MICHAUD

Print Name of Duly Authorized Officer

Nov 11, 2004  
Date

# MAINE DEPT OF PUBLIC SAFETY

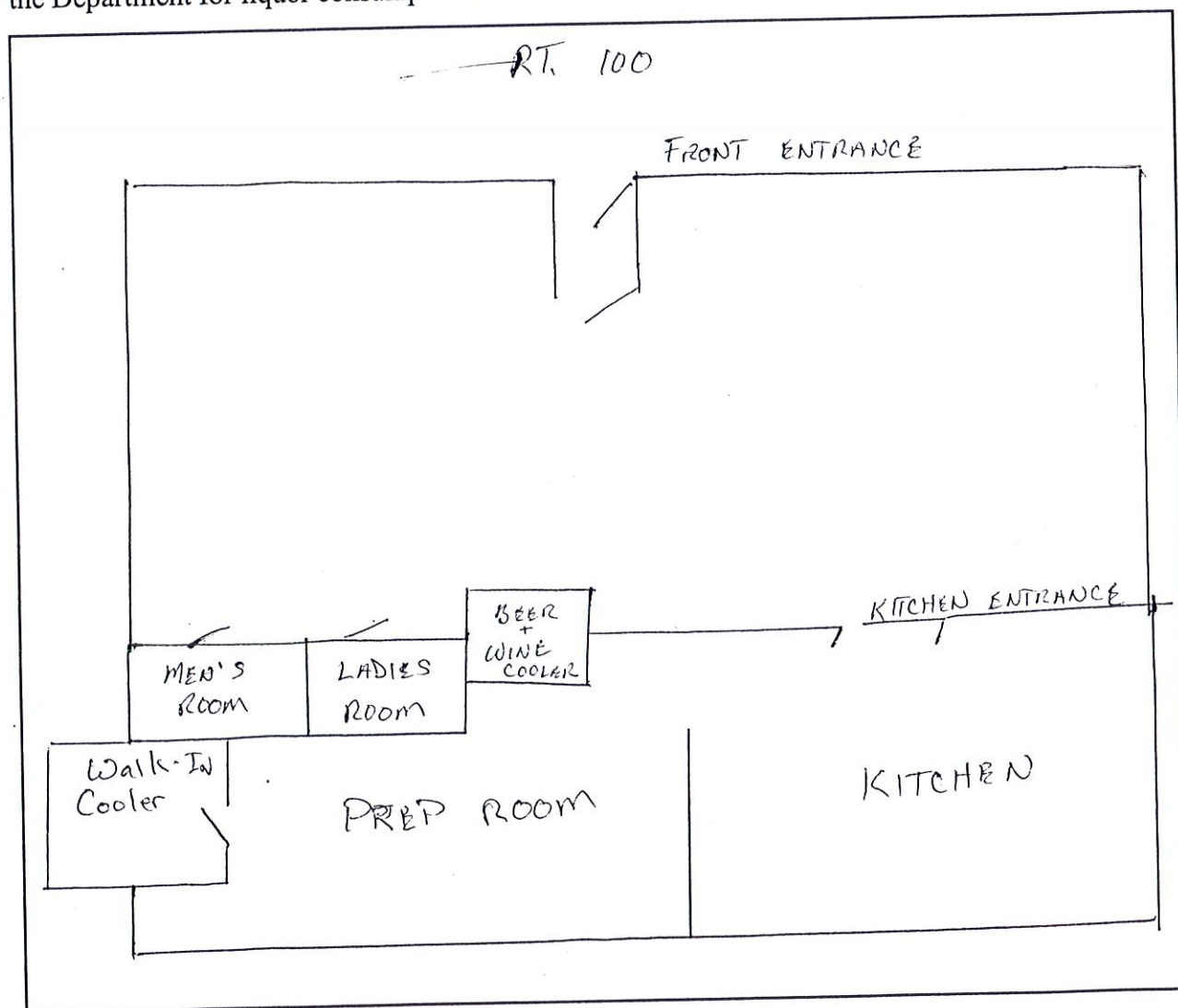
STATE OF MAINE  
*Liquor Licensing & Inspection Division*  
164 State House Station  
Augusta ME 04330-0164  
Tel: (207) 624-8745 Fax: (207) 624-8767



## SUPPLEMENTAL APPLICATION FORM ON/OFF-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Liquor Licensing & Inspection Division is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.





**MAINE DEPT OF  
PUBLIC SAFETY**

Liquor Licensing & Inspection  
164 State House Station  
Augusta ME 04330-0164  
Tel: (207) 624-7224  
Fax: (207) 287-3424



## **SPECIAL NOTICE**

Our records indicate that your present liquor license will expire on

2/04/05

## **WARNING**

It is required by law that you submit your renewal application to local authorities for approval by Municipal Officers. If you are located in an unorganized territory you must submit your application to the County Commissioners.

The Municipal Officers or the County Commissioners may need 6 to 8 weeks lead time to properly advertise and/or hold public hearings. Accordingly, please submit your renewal application to them immediately in order to avoid the possibility of a period of operation without a liquor license.

**ALL MUNICIPAL AND/OR COUNTY COMMISSIONERS  
APPROVALS EXPIRE IN "60 DAYS"**

**RENEWAL APPLICATIONS SHOULD BE RECEIVED BY THIS OFFICE AT LEAST 7  
DAYS PRIOR TO EXPIRATION OF LICENSE. IF THIS CANNOT BE ACCOMPLISHED,  
PLEASE NOTIFY US IMMEDIATELY.**

If you have any further questions, please feel free to contact us at (207) 624-7224



To: Municipal Officials/Welfare Directors/General Assistance Administrators

From: Antoinette Mancusi, Technical Advisor

Re: 2004-2005 General Assistance Ordinance Appendixes A, B & C

Date: November 15, 2004

Enclosed please find the following items:

- MMA's new (October 1, 2004–October 1, 2005) “**General Assistance Ordinance Appendixes**” (A, B and C). Since it is already well past October 1, 2004, municipalities should adopt the new maximums (Appendixes) as soon as possible. Due to complications on the federal Housing and Urban Development (HUD) level, on which the maximums are based, these maximum numbers were delayed this year. I apologize for any inconvenience this might have caused.
- “**GA Maximums Summary Sheet**” which consolidates GA maximums into one document. Municipalities do have to insert individual locality maximums from Appendix A and C in the summary sheet where indicated in order to complete the information. The “summary” does not have to be adopted, as it is not an Appendix but a tool for municipal officials administering GA.
- “**GA maximums adoption form**” which was developed so that municipalities could easily send DHHS proof of GA maximums adoption. Once the selectpersons adopt the new maximums, the enclosed form should be signed and submitted to DHHS in the return addressed envelope provided with this packet (*see “Filing of GA Ordinance and/or Appendixes” below for further information*).
- **Federal Fair Market Rents (FMR)** rates

The following is a synopsis of the information contained in the Appendixes—addressing some of the more notable changes and generally describing the process of ordinance adoption and amendments (i.e., revising Appendixes).

### **Appendixes A, B & C**

The enclosed Appendixes A, B and C have been revised for your municipality’s General Assistance Ordinance. If your municipality has adopted the MMA model GA ordinance (1998 is the last revision date) and/or last year’s maximums, these new Appendixes, **once adopted**, should replace the existing Appendixes dated October 1, 2003–October 1, 2004. The various maximum levels of General Assistance that are controlled by these values are established as a matter of law or regulation based on certain federal values that are made effective on the first day of October each year.

Even if you have already adopted MMA's model General Assistance Ordinance, **the municipal officers must approve/adopt the new Appendixes yearly**—this holds true even though older versions of the



MMA model ordinance direct towns to insert the Appendixes at designated places. This replacement assumes **prior** adoption. Please feel free to call MMA Legal Services for information regarding “Ordinance Enactment.”

### Appendix A

Appendix A is a listing of the overall maximum levels of assistance pertaining to all municipalities in Maine. These new overall maximum levels of assistance have been calculated on the basis of the 2004-2005 HUD Fair Market Rent (FMR) values that became effective on October 1, 2004. These maximum levels of assistance are established by Maine General Assistance law (22 *MRSA* (4305(3-B))) and **cannot** be altered by action of the municipal officers.

Unlike past years, some areas of the state saw a notable increase in the overall maximum levels, e.g., Penobscot SMSA, Cumberland SMSA and the Counties of Knox, Franklin, Hancock, Piscataquis and Waldo. However, other areas of the state saw decreases. Because decreases are not consistent with realities in the cost of living, e.g., fuel and housing, the Commissioner of the Department of Health and Human Services (DHHS) and this office have decided to leave last year’s numbers in place in areas of the state where the maximums have decreased. The HUD numbers on which the GA maximums calculation is based were so unrealistic, this was the most prudent thing to do—especially given the high cost of heating fuel this year.

If you are in one of the municipalities where the numbers have remained the same and you would like more information on this outcome, please call me to discuss.

### Appendix B

Appendix B is a listing of the maximum levels of assistance for food. These maximum levels are the same as the USDA 2003-2004 Thrifty Food Plan, which are presumed to be reasonable by regulation of the Department of Health and Human Services (DHHS). If the municipal officers wish to amend these maximum levels of food assistance, a local survey must be developed and provided to DHHS to justify the proposed alterations.

### Appendix C

Appendix C is a listing of the maximum levels of assistance for housing (both heated and unheated). These maximum levels were developed by MMA using 2004-2005 HUD Fair Market Rent values that include utility costs. Because the FMR numbers include utility and heating costs, the applicable average utility and heating allowances, as developed by the Maine State Housing Authority (MSHA), are “backed out” or subtracted from the FMR in order to obtain a pure “housing” cost.

In view of the fact that the FMR’s were very inconsistent this year—increasing in some areas while decreasing in others—a similar approach as with the Appendix A maximums was taken. In areas of the state where the numbers decreased, last year’s numbers were kept. Generally however, even in areas of the state where increases occurred, they were only modest ones. The reason for this occurrence is that the FMR increases were insufficient to offset last year’s high utility and heating averages.



As an aside, the Maine Legislature has put together a committee that is currently reviewing the feasibility of the GA maximums. Perhaps by this time next year, with the advice of this committee, we will have new methodology to help generate housing figures which are more consistent with actual costs.

**For the time being, what should your municipality do if the housing maximums contained in this packet are unreasonably low (or high) given the rental rates in your area?** First, the preferred option is to conduct a local rental survey. A local rental survey can be developed fairly easily, and municipalities should explore this option by contacting DHHS for guidance on conducting such a survey.

Another option is to forgo adopting housing maximums (the law does not actually require housing maximums—the other two maximums are required however). If you are a municipality that has to perform “emergency analysis” each and every time an applicant requests housing assistance and you are not planning to perform a market survey (although you probably should), then perhaps working without housing maximums is an option.

Emergency analysis should be an exception, not the rule. If it has become the “rule” in your municipality, then adopting artificially low housing maximums is doing you no service. Municipalities choosing this option must still adhere to the overall maximum and work an applicant’s budget accordingly. Such municipalities might choose to utilize the actual FMR provided by the federal government as a guide (*enclosed for your convenience*). For those municipalities venturing into the “unknown” territory of operating without housing maximums, please feel free to call me for further guidance.

### **The Adoption Process**

With regard to the adoption process, the **municipal officers (i.e., selectpersons/council) adopt the local General Assistance Ordinance and yearly Appendixes**, even in town meeting communities. The law, however, requires that the *municipal officers adopt the ordinance and/or Appendixes after notice and hearing*. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

### **Filing of GA Ordinance and/or Appendixes**

Please remember that General Assistance law requires municipalities to send DHHS a copy of its ordinance once adopted. (*For a copy of the GA model ordinance, please call MMA’s Publication Department or, visit our web site [www.memun.org](http://www.memun.org)*). In addition, any changes—amendments—such as new Appendixes must also be submitted to DHHS. This year DHHS has made it easier by enclosing a self-addressed envelope for your use. DHHS will accept the enclosed “adoption sheet” as proof that a municipality has adopted the current GA maximums.



Finally, all general assistance forms and notices that the municipality intends to use must also be submitted to DHHS. If it is your intention to use MMA forms, and you have not already done so, simply state that intention to the Department when you submit your ordinance for DHHS filing. Remember, if you intend to use locally developed forms or notices, those forms should be submitted with your adopted ordinance. DHHS's GA Unit address is:

The Department of Health and Human Services  
General Assistance Unit  
#11 State House Station  
Whitten Road  
Augusta, Maine 04333

In way of a reminder, municipalities that have not already seen or used MMA's "interactive" GA forms on MMA's web site are strongly encouraged to visit our site. GA forms and materials are all available online at [www.memun.org](http://www.memun.org). Recently, we posted a new GA publication entitled "*A General Assistance Guide for Immigrants/Refugees and Limited-English Proficiency (LEP) Persons.*" Municipalities are strongly encouraged to download this very important publication or, please call us for more information.

If you have any questions regarding this memo, Appendixes or the ordinance adoption process, please do not hesitate to contact me at 1-800-452-8786.

*(Once again, my special thanks to Cindy Boyd, DHHS, GA Program Manager and her staff for their efforts in mailing the maximums this year.)*

TOWN OF CUMBERLAND

APPLICATION TO OPERATE A PUBLIC SWIMMING POOL

Date of Application: 11/17/04

Individual Preparing Application: Patti Seiders

Owner of Pool (Licensee): MSAD #51

Premises to be Licensed: Greeley High School Pool

Location (Street Address): 303 Main St, Cumberland

Dimensions of Pool: 75 ft x 35 ft. 3.5 ft at shallow 10 ft at deep

Pool Volume: 160,000

Maximum Depth: 10 ft

Brief Narrative Description of Nature of Use of Pool:

MSAD #51 Lessons, swim team diving  
Recreation lessons, lap swim, swim team, lifeguard training, pool parties.

Designated Pool Director: Patti Seiders

Section 8.1: Source of water supply for pool, drinking  
fountains, showers, etc.: Public

Section 8.2: Does pool meet the requirement of this section? yes

Section 9.1: Does waste disposal system meet the requirements of  
this section? yes

Section 9.2: Does pool meet the conditions of this section? yes

Section 10.1: Does pool meet the construction standards of this  
section? yes

Section 10.2: Pool bottom material: plaster

Section 10.3: Does pool conform to standards of this section? yes

Section 11.1: Does pool conform to standards of this section? yes

Section 11.2: Does pool conform to standards of this section? yes

Section 11.3: Does pool conform to standards of this section? yes



Section 11.4 Depth, shallow end: 3.5 feet

Section 12.1: Is depth marked at or above water line surface on vertical wall of pool? Yes ☐ No ☒; on edge of deck? Yes ☒ No ☐; at maximum and minimum points? Yes ☒ No ☐; at points of break between the depth and shallow portions not more than 25 feet apart? Yes ☒ No ☐; and at the diving area? Yes ☒ No ☐

Section 12.2: Size (height) of depth marking numerals: 4"

Contrasting color to background? Yes ☒ No ☐

Section 12.3: Width of lane markings: 7ft

Section 13.1: Does pool conform to standards of this section? yes

Section 14.2: Bather capacity as computed under the provisions of this section: 170

Sections 15.1 and 15.2:

Does pool conform to requirements of these sections? yes

Section 16.1: Does pool conform to requirements of this section?

yes

Section 16.2: Does pool conform to requirements of this section?

yes

Section 16.3: Does pool conform to requirements of this section?

yes

Section 16.4: Does pool conform to requirements of this section?

yes

Section 16.5: Does pool conform to requirements of this section?

yes

Section 17.1: Does pool conform to requirements of this section?

yes

Section 17.2: Does pool conform to requirements of this section?

yes

Section 17.3: Will the pool operator be required to enforce the provisions of this section?

yes

Section 18.1: Does the pool diving area conform to the requirements of this section? *yes*

Height of diving board(s) in meters: *1 meter*

Depth of water at end of diving board(s) and 12 feet beyond: *10 ft*

Section 18.2: Free and unobstructed headroom above diving board(s): *15 ft*

Section 18.3: Horizontal separation between diving board and sidewalls of the pool: *15 ft*

Section 19.1: Type of disinfectant feeder: *PPG-Chlorination System with chlorine pucks*

Section 19.2: (Where applicable)  
Are the requirements of Section 19.2(a) fulfilled?

*N/A*

Does the chlorinating equipment conform to the requirements of Section 19.2(b)? *yes*

19.2(c) Is chlorine gas used? If yes, are gas cylinders securely mounted? Is a valve system wrench maintained on or near the chlorine cylinder? Is a valve protection hood provided? *N/A*

19.2(d) In the event of an accident or other drainage to the chlorinating equipment or chlorine supply, would leaking chlorine gas be vented to the out-of-doors?

*yes*

19.2(e) Does the equipment conform to the provisions of this section? *yes*

19.2(f) Is a gas mask meeting these standards available? If yes, where? *NO*

19.2(g) Person responsible for operation and installation of chlorinating equipment: *Installation - Ron Fabio Quality Pools Path Selders - operator*

Section 20.1: Is underwater lighting used? If yes, intensity of underwater lighting: *NO*

Section 20.2: Does the lighting of the pool area conform to the requirements of this section: *yes*

Section 20.3: Does all electrical wiring conform with the National Electrical Code of the National Underwriters Laboratory and all state and local laws and regulations?

*yes*



Section 20.4: Are the provisions of this section met? *N/A*

Section 20.5: Are the requirements of this section met? *yes*

Section 20.6: Are all electrical light fixtures protected as required by this section?

*yes*

Section 20.7: Are the pool, dressing rooms, shower rooms, and toilet spaces adequately ventilated as required by this section? *Pool ventilated but locker rooms are not.*

Section 20.8: Has a directive been issued to the pool director or operators to assure compliance with this section?

Section 21.1: Do the bathhouses (locker rooms) conform to the requirements of this section?

*yes*

Section 21.2: Do the floors of the locker rooms conform to the requirements of this section?

*yes*

Section 21.3: Are the requirements of this section met as they apply to the premises to be licensed?

*yes*

Section 22.1: Do toilet, lavatory, shower facilities and drinking fountains conform to the schedule contained in this section?

*yes*

Section 22.2: Does the layout of the bathhouse conform to the requirements of this section?

*yes*

Section 22.3: Do the showers meet the requirements of this section?

*yes*

Section 22.4: What action has been taken or is contemplated to comply with the intent of this section?

*yes*

Section 23.1: Is the pool continuously disinfected by a chemical? If yes, what is that chemical?

*yes - chlorine*

Section 23.3: Has a ph testing kit accurate to the nearest 0.2 ph unit been provided for testing purposes?

*yes*

Section 23.4: Has a total alkalinity test kit been provided for testing purposes?

*yes*

Section 24.1: How often is visible dirt scheduled to be removed from the pool? *2 times per week or as needed on daily Basis*

Section 24.2 How often is floating matter regularly scheduled to be removed from the pool? *hourly*

Section 26.1: Is a telephone for emergency use provided as required by this section? *yes*

Section 26.2: Are emergency numbers listed as required? *yes*

Section 26.3: How is access to the pool area restricted during non-operating hour? *~~yes~~ Doors to locker rooms and Pool locked during non operating hours*

Section 26.5: What life saving equipment is provided at the pool? *Rescue tubes, Shepherds crooks (2) life rings (2)*

Section 26.6: Is a first aid kit meeting the standards of this section readily available? *yes*

Section 26.7: Is life saving equipment mounted and distributed as required by this section? *yes*

Section 27.1: Has a procedure for record-keeping been established or at least the specific data elements specified by this section? *yes*

Section 27.2: Where are/will the public swimming pool records be kept? *At Recreation Department*

Other explanations or information which could be helpful to the Town Council in determining whether or not a license should be granted:





# MEMORANDUM

## CODE ENFORCEMENT OFFICE

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To: Town of Cumberland Council  
From: William C. Longley Jr. CEO  
Subject: Inspections for license renewals  
Date: 12-09-04  
CC: William Shane, Town Manager  
Nadine Daniels, Town Clerk

On 12-02-04 inspections were completed on the following locations as per E-mail dated 11-24-04 from the Town Clerk:

1. Greely High Swimming Pool
2. Rey's Cumberland Café
3. Val Halla Golf & Banquet Center

These inspections were done by Mark Stewart of the Cumberland Fire Department and me. Some items were found at each location and corrective action will be taken, I see no reason to withhold the renewal of any of these licenses and recommend to the Council that all of these locations are substantially in compliance.

# Cumberland Fire Department

366 Tuttle Road, Cumberland Center, Maine 04021

Emergency 911

Business 829-5421

Fax 829-4256

Email [dsmall@cumberlandmaine.com](mailto:dsmall@cumberlandmaine.com)

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**Daniel R. Small**  
Chief

## MEMORANDUM

To: Nadeen Daniels  
From: Daniel Small  
RE: Fire Inspections  
Date: December 7, 2004

On Thursday, December 2, 2004, the Cumberland Fire Department inspected the following occupancies:

- Greely High School Pool, Main Street
- Val Halla Banquet Center, Val Halla Road
- Rey's Cumberland Café, 172 Gray Road

There were no significant fire code deficiencies found that should limit the applicants from obtaining their requested licenses.

The following two salvage yards do not require fire department approval:

- Cumberland Auto Salvage, 40 Blackstrap Road
- Greenlaw's Salvage, 1 Longwoods Road

Should you have any questions regarding this memo, please do not hesitate to contact me.



**Nadeen Daniels**

**From:** William Shane  
**Sent:** Tuesday, November 16, 2004 9:15 AM  
**To:** 'Alice Ames'; 'McDonald, Mary Labbe'; 'John McDonald'; 'Jerry Howland'; 'April Ross'; 'David and/or Cathy Willauer'; dwillauer@gpcog.com; lcobery@maine.rr.com; karansonrn@aol.com; chrisbou@maine.rr.com; Carla Nixon  
**Subject:** RE: Rock Ridge Run

Alice,

Two of the 3 people involved in what occurred several years ago are unavailable according to Alan's note to you (Ron Smith and the engineer from SYTD). The information is Alan's recollection and he is following up with SYTD design for the as-built drawings (which were not submitted with corrected information) and checking with SYTD Design on the monuments (which were set incorrectly if set at all).

I believe Alan will be able to get all of this straightened out and ready for our December 27 Council meeting. In the meantime, nothing will change regarding the winter maintenance of your road. I also believe this process is back on track and all parties will work together to get this resolved.

Let me know if you need any additional information,

Bill

William R. Shane , Town Manager  
 290 Tuttle Road  
 Cumberland, Maine 04021  
 207-829-2205

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

**From:** Alice Ames [mailto:aames2@maine.rr.com]  
**Sent:** Tuesday, November 16, 2004 9:02 AM  
**To:** 'McDonald, Mary Labbe'; 'John McDonald'; 'Jerry Howland'; 'April Ross'; 'David and/or Cathy Willauer'; dwillauer@gpcog.com; lcobery@maine.rr.com; karansonrn@aol.com; chrisbou@maine.rr.com; William Shane; Carla Nixon  
**Subject:** Rock Ridge Run

Hi Everyone,

I just received a phone call from Alan Wolf and he explained that a couple of years ago there was something wrong with the monuments and this was redone and submitted along with the as built and deed description. The man that redid this from the Engineering Company is on vacation this week. Next week they will get this straightened out and hopefully we will get this on the agenda for approval. Alan said that he and Ron Smith thought this was done.

(Bill, please let us know if you disagree with what Alan told me.) Thank you,

Alice Ames

11/16/2004

**December 2004 Sewer Upgrade Allocations  
(New Maximum Capacity 1450 Units)**

**300 Units- Upgrade Areas – Authorized 7/12/99 – Trunk Line 1**

150 Problem Areas	Balance	135
30 Office Commercial	Balance	19
50 School & Municipal	Balance	1
30 Senior Housing	Balance	20
	Balance	175

**Staff Recommendation:**

**Transfer 10 of Office Commercial units to School & Municipal, do not increase total number.**

**100 Units- Rt 1 Sewer System – Trunk Line 2- Authorized 7/12/99**

**113 Units of Flow have been allocated      Balance - 13**

**Staff Recommendation:**

**Increase Total units to 160 with 40 units being reserved for Senior Housing**

**Draft Recommendation by Staff Increases Capacity of Units to 1,610 from 1,450.**

**I have asked Ralph Oulten our Consultant from MACTEC Engineers to certify and upgrade to 1610 Units (1450 from 7/99 + 160 for US Route One)**

**You will have his memo for your Public Hearing on 12/27/04**



Town of Cumberland, Maine Grant of Permanent Conservation  
Cumberland Mainland and Islands, Trust, Inc.  
November 15, 2004 Draft

Clean, updated Copies will be forwarded  
Once completed and Donna Damon  
and Steve Moriarty's final comments have  
been incorporated. 12/7/04

**TOWN OF CUMBERLAND, MAINE GRANT OF PERMANENT CONSERVATION  
EASEMENT ON THE CURIT PROPERTY, CHEBEAGUE ISLAND, TOWN OF  
CUMBERLAND, CUMBERLAND COUNTY, MAINE TO THE CUMBERLAND  
MAINLAND AND ISLANDS TRUST, INC.**

**THE INHABITANTS OF THE TOWN OF CUMBERLAND**, a duly organized Maine municipal corporation, located and operating in Cumberland County, Maine, and having an office at 290 Tuttle Road, Cumberland, Maine 04021 (hereinafter "GRANTOR," which word is intended to include, unless the context clearly indicates otherwise, the above-named GRANTOR, its successors and assigns, and any successors in interest to the Protected Property),

**GRANTS** in perpetuity as a gift to **CUMBERLAND MAINLAND AND ISLANDS TRUST, INC.**, a charitable and non-profit corporation organized and existing under the laws of the State of Maine, with a mailing address of P.O. Box 25, Chebeague Island, Maine 04017 (hereinafter "HOLDER," which word shall, unless the context clearly indicates otherwise, include HOLDER's successors and/or assigns), with **WARRANTY COVENANTS**, in perpetuity and exclusively for conservation purposes, the following described Conservation Easement and appurtenant rights in, on and over a parcel of land being described as follows:

The northwest and shoreward portion of the parcel of land, comprised of eight and two tenths (8.2) acres or three hundred fifty-eight thousand, three hundred sixty-nine (358,369) square feet, more or less, of the parcel of land known as the Curit Property located on the island of Chebeague in the Town of Cumberland, Cumberland County, Maine; the Curit Property being the same parcel as conveyed to GRANTOR by deed recorded in Book 18262 and Page 84 in the Cumberland County Registry of Deeds, and further identified as Map \_\_, Lot \_\_ on the official tax maps of the Town of Cumberland; and also being further described as the part of the Curit Property comprised of eight and two tenths (8.2) acres or three hundred fifty-eight thousand, three hundred sixty-nine (358,369) square feet, more or less, as described in Exhibit A attached hereto, and as depicted in the survey plan entitled "PROPOSED DIVISION, North Road, Chebeague Island, Cumberland, Maine for the Town of Cumberland, dated November 1, 2004," the plan being prepared by Bruce R. Bowman, Inc., Professional Land Surveyor and attached hereto as Exhibit B;

both Exhibits A and B being made a part hereof by reference and to be filed at near time and date as this instrument, and the property as is subject to this Easement being hereafter referred to as the "Protected Property". → Bow Language

**I. PURPOSE OF THE EASEMENT.**

The purpose of this Conservation Easement and grant is to preserve and protect in perpetuity the Protected Property as an undeveloped natural and scenic resource for traditional low-impact outdoor recreation, nature observation and study by the general public, to preserve

↓  
Education



November 15, 2004 Draft

the health of the forest, shoreland, riparian habitats, and coastal shoreline ecosystem attributes of the Protected Parcel and to protect in perpetuity the public's access and enjoyment of the Protected Property. The following recitals more particularly describe the conservation values of the Protected Property:

**WHEREAS**, the Protected Property is located on the northwestern shore of Great Chebeague Island and consists of a completely undeveloped and mostly forested tract of land with riparian and shoreland areas approximately eight and two tenths (8.2) acres or three hundred fifty-eight thousand, three hundred sixty-nine (358,369) square feet in size, more or less, with approximately five hundred and seventy-four (574) feet of shoreline bordering on Casco Bay, and is dominated by a mixed age and species forest including pine, birch, ash, and maple and contains riparian and wetland areas, and includes a spring-fed perennial stream that empties into Casco Bay;

**WHEREAS**, the Protected Property provides an ideal site for low-impact outdoor recreation, including, but not limited to, picnicking, hiking, nature study and bird-watching, by the general public, and has traditionally provided a highly scenic vista from the mainland and adjacent islands of Cousins Island and Littlejohn Island, the Chebeague Island ferry that traverses the waters from Cousins Island to Chebeague Island, and the high volume of recreational boaters that use the thoroughfare between Chebeague Island and the mainland to travel from the greater Portland area through Casco Bay and points Downeast;

**WHEREAS**, the Protected Property is home to numerous bird species, and small and large mammals, and includes intertidal mudflats noted for clam and mussel populations;

**WHEREAS**, Chebeague Island is experiencing steady, accelerated development of both year-round and seasonal homes, often closing off traditional shore access to the public; and

**WHEREAS**, this conservation easement will assure the permanent availability of the Protected Property for traditional recreational uses by the general public, and permanent preservation of its important scenic and natural resources and habitat for indigenous flora and fauna and permanent pedestrian access to the shoreland areas associated with the Protected Parcel;

**NOW THEREFORE**, the GRANTOR and HOLDER have established a Conservation Easement and appurtenant rights on, over, and across the Protected Property consisting of the following terms, covenants, restrictions, and affirmative rights granted to HOLDER, which shall run with and bind the Protected Property in perpetuity:

## II. LAND USE RIGHTS AND RESTRICTIONS.

A. The Protected Property shall be used only for conservation and low-impact outdoor recreation activities that do not rely on substantial alteration to the natural resources. Permanent structures, lighting installations, or other activities that may degrade natural resources, except as expressly allowed hereunder are prohibited. Commercial, industrial, residential, mining, and quarrying activities are also prohibited on the Protected Property. The harvesting of marine



Town of Cumberland, Maine Grant of Permanent Conservation Easement on Curit Property, Chebeague Island to Cumberland Mainland and Islands, Trust, Inc.

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invertebrates from the intertidal area adjacent to the Protected Property is permitted so long as such harvesting activities are completed in accordance with state and local regulations.

B. The property will be managed in accordance with a Management Plan consistent with the terms of this Easement to be prepared by appointees of HOLDER and GRANTOR and submitted for their joint approval within six months of the date of execution of this easement. The Management Plan may be amended from time to time by the joint approval of ~~appointees of~~ HOLDER and GRANTOR, such amendments, however, to be consistent with the terms of this easement. *On file at municipal offices.*

C. The Protected Property will remain open and primarily managed for, low-impact pedestrian outdoor recreational use by the general public and conservation purposes except as otherwise limited or allowed in this Conservation Easement. GRANTOR and HOLDER may establish rules and regulations for public use of the Protected Property and to control, limit or prohibit uses that may interfere with the low impact pedestrian and conservation uses such as night use, fires, camping, use by groups or commercial outfitters, or any other public or private uses that may detract from the low-impact recreational use by the general public and conservation uses intended to be preserved hereunder. GRANTOR and HOLDER may also jointly limit or prohibit activities on the Protected Property to further public safety purposes. GRANTOR and HOLDER each reserve the rights and protections against liability for injury to any person to the fullest extent of the law under Title 14 M.R.S.A. §159-A, et seq. as amended and successor provisions thereof (The Maine Recreational Use Statute), pursuant to the Maine Tort Claims Act, and pursuant to any other applicable provisions of state and federal law.

D. As of the date of this grant, there are no structures, no surface alterations and no material human alteration to the standing timber on the Protected Property, with the exception of an existing footpath from the northwest corner of the property running due south to the spring brook. This path shall remain in existence and be available to the public and the adjacent landowner to hand carry water from the brook at the current site used for this purpose.

E. No additional structures may be placed or constructed on the Protected Property except those designed to enhance or support opportunities for low-impact public recreational use, nature observation and study, or to preserve the conservation values of the Protected Property.

F. No excavation, filling, dredging, grading or other alteration may be made to the surface of the Protected Property, except as necessary to install permitted structures and undertake permitted vegetation management, to prevent erosion, to undertake and support ecological or archeological studies under professional supervision and in accordance with generally accepted professional standards, or as necessary to establish and maintain rustic pedestrian trails. All such surface alterations shall be designed to prevent soil erosion, prevent unnecessary habitat alteration, and preserve the undeveloped scenic views of the Protected Property from offshore.


G. No standing timber or vegetation may be cut or removed except cutting necessary to install permitted structures, the establishment and maintenance of trails, for scientific purposes, for the control of diseased or hazard trees or other vegetation, for fire prevention or control, or for



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the establishment of the parking area permitted hereunder. All such vegetation alteration or cutting shall be in conformance with the Management Plan.

H. No dumping, storage or burial of waste materials is permitted on the Protected Property, except for the disposal of vegetation cuttings or trees as may be allowed under the Management Plan. The public shall be required to carry out any waste generated by their use.

I. GRANTOR shall at even or near date to this instrument grant by deed to HOLDER a permanent right-of-way for pedestrian and vehicular access to the Protected Property over Grantor's land. 

J. HOLDER, following consultation with and approval of GRANTOR, may post the Protected Property to limit or prevent hunting or trapping.

AND/OR

### III. HOLDER'S AFFIRMATIVE RIGHTS.

A. HOLDER is granted the right to enter the Protected Property at any time for the purposes of monitoring the conditions and terms of this Conservation Easement, to undertake ecological or other studies of the Protected Property, and to exercise any other affirmative right hereunder.

B. HOLDER is granted the right to enforce this Conservation Easement at law or in equity, including the right to require restoration in the event of a breach, provided, however, that naturally occurring changes or changes due to trespass or vandalism by the public shall not give rise to any right in the HOLDER to require restoration.

C. HOLDER is granted the right to construct and maintain rustic trails, including foot bridges over streams and stairs to provide access to the beach and shore areas or to otherwise traverse the Protected Property. HOLDER is also authorized to install small, unlighted directional and informational signs to identify the boundary of the Protected Property, to mark trails, and to direct, control and enhance public use of the Protected Property. HOLDER shall also have the right to construct stone walls, low barriers or fencing to prevent unauthorized or inappropriate use of or activities on the Protected Property and to take appropriate steps to protect fragile areas from over use, and to undertake activities to further minor habitat improvements, such as but not limited to activities promoting botanical or animal species, the erection of minor structures to promote botanical, wildlife or marine life; to construct and maintain rustic improvements including rustic seats, benches, tables or similar minor structures for special events taking place on the Protected Property; such minor improvements to be completed in a manner consistent with the conservation goals of this Conservation Easement.

D. HOLDER is granted the right to exclude entry to all or portions of the Protected Property by all forms of vehicles or motor vehicles except those necessary to carry out permitted activities as described in this Easement or as may be required for public safety or emergency purposes.



Town of Cumberland, Maine Grant of Permanent Conservation Easement on Curit Property, Chebeague Island to  
Cumberland Mainland and Islands, Trust, Inc.

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E. HOLDER may develop and maintain on the Protected Property a small parking area for the parking of up to three cars with an associated turning area.

F. In the event that **CUMBERLAND MAINLAND AND ISLANDS TRUST, INC.** should dissolve or is not able to fulfill its obligations under this Conservation Easement, it will assign the easement to another qualified entity chosen by the GRANTOR within three months of notice of an intent to assign. A qualified entity such purposes shall be one that meets the definition of a "HOLDER," at Title 33 Maine Revised Statutes Annotated Section 476(2), as amended or re-codified, and that meets the requirements of Section 170(h)(3) of the Internal Revenue Code, or successor provisions thereof, and that as a condition of transfer, agrees to carry out the conservation purposes of this grant.

#### IV. GENERAL TERMS AND PROVISIONS.

A. Any ambiguity in the interpretation of these easements and restrictions shall be resolved in favor of preserving the Protected Property in its natural and scenic condition. This grant shall be interpreted to permit compliance with applicable state, local, or federal law or regulation, and may be amended if and to the extent necessary to permit compliance therewith.

B. Any notice to HOLDER required or contemplated hereunder must be delivered in hand or by other reasonable means providing a record of receipt, addressed to: President, Cumberland Mainland and Islands Trust, P. O. Box 25, Chebeague Island, Maine 04017; or to such other authorized person hereafter designated in writing by HOLDER. Any notice to GRANTOR required or contemplated hereunder must be delivered in hand, or by other reasonable means providing a record of receipt, addressed to: Cumberland Town Manager, Town of Cumberland, Cumberland, Maine, 04021.

C. This Conservation Easement is created pursuant to The Uniform Conservation Easement Act at Title 33, Maine Revised Statutes Annotated, Sections 476 through 479-B, inclusive, as amended, and shall be construed in accordance with the laws of the State of Maine.

D. At the \_\_\_\_\_, 2004 Town Council Meeting, the Town Council approved granting HOLDER this Conservation Easement on the Protected Property and agreed to be bound to the terms herein and further, authorized the Town Manager, William Shane, to execute this instrument on behalf of the Town of Cumberland.

**TO HAVE AND TO HOLD** the said Conservation Easement unto the HOLDER and its successors and assigns forever.

**IN WITNESS WHEREOF**, the Town of Cumberland has caused its corporate seal to be hereto affixed and these presents to be signed by William Shane, its Town Manager in its name and on its behalf this \_\_\_\_ day of \_\_\_\_\_, 2004.

**THE TOWN OF CUMBERLAND**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
William Shane, Town Manager  
Town of Cumberland



**STATE OF MAINE**  
**COUNTY OF CUMBERLAND, ss** \_\_\_\_\_, 2004

Personally appeared the above named, William Shane as the duly authorized representative of the above-named GRANTOR, INHABITANTS OF THE TOWN OF CUMBERLAND, and acknowledged the foregoing instrument to be his free act and deed in his capacity as Town Manager for the INHABITANTS OF THE TOWN OF CUMBERLAND, and the free act and deed of the municipality.

Before me,

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
(Please type or print name of notary)  
My commission expires:

**HOLDER'S ACCEPTANCE**

Being duly authorized, the **CUMBERLAND MAINLAND AND ISLANDS TRUST, INC.**, HOLDER, does hereby accept this Conservation Easement, by and through Robert Crawford, its President, hereunto duly authorized, this \_\_\_\_ day of \_\_\_\_\_, 2004.

**CUMBERLAND MAINLAND AND  
ISLANDS TRUST, INC.**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Robert Crawford, President

Town of Cumberland, Maine Grant of Permanent Conservation Easement on Curit Property, Chebeague Island to  
Cumberland Mainland and Islands, Trust, Inc.  
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STATE OF MAINE

COUNTY OF CUMBERLAND, ss. \_\_\_\_\_, 2004

Personally appeared Robert Crawford, president and authorized representative of the  
**CUMBERLAND MAINLAND AND ISLANDS TRUST, INC.**, and acknowledged the  
foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of  
the **CUMBERLAND MAINLAND AND ISLANDS TRUST, INC.**, a Maine non-profit  
corporation.

Before me,

Notary Public

\_\_\_\_\_  
(Please type or print name of notary)

My commission expires: .



**EXHIBIT A**

**DIVISION OF LOT FOR TOWN OF CUMBERLAND**

A certain lot or parcel situated on Chebeague Island, Town of Cumberland, County of Cumberland, State of Maine, and bound and described as follows.

Beginning at a Capped Monument #1313 being N 49° 32' 38" W along the Northeasterly side of land now or formerly of Roger L. & Susanne S. Haskell as recorded in the Cumberland County Registry of Deeds Deedbook 15176 Page 58, a distance of 1,238.31' from a Capped Iron Pin #1313 on the Northwesterly side of North Road at the Easterly corner of said Haskell.

Thence, N 66° 14' 57" E through town land and 5 Capped Iron Pins #1313 on line and a distance of 611.68' to a Capped Monument #1313 at land now or formerly of Steven D. Silin as recorded in the Cumberland County Registry of Deeds Deedbook 17325 Page 189;

Thence, No 48° 14' 25" W by land of said Silin a distance of 723.32' to a Capped Iron Pin #1313 at the top of the bank;

Thence, continuing N 48° 14' 25" W to the bay shore;

Thence, along the bay shore to land of said Haskell being N 49° 32' 28" E from a Capped Iron Pin #1313 at the top of the bank;

Thence, S 49° 32' 28" E by said Haskell to said Capped Iron Pin #1313; said Capped Iron Pin #1313 being S 31° 15' 34" W a distance of 574.56' from last called for Capped Iron Pin #1313;

Thence, S 49° 32' 28" E by said Haskell a distance of 365.15' to the point of beginning.

Meaning and intending a 358,369± Square Foot or 8.2 Acre Parcel of Land, being a portion of land of said Town as recorded in the Cumberland County Registry of Deeds Deedbook 18262 Page 84.

Bearings based on a plan made for the Town of Cumberland by Bruce R. Bowman, Inc. and dated 11/01/04.

# Cumberland Fire Department

366 Tuttle Road, Cumberland Center, Maine 04021

Emergency 911

Business 829-5421

Fax 829-4256

Email [dsmall@cumberlandmaine.com](mailto:dsmall@cumberlandmaine.com)

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**Daniel R. Small**  
Chief

## REPORT FOR NOVEMBER 2004

The Cumberland Fire Department responded to 47 incidents during the month of November, 2004. Mutual Aid was given thirteen times, and received four times.

For the first time the Fire Department provided personnel for coverage during Election Day. Lieutenant Gordon Murphy provided coverage at the Chebeague Island polling place. Deputy Chief Chris Copp, Captain Bob Harmon, Captain Daryl Rawnsley, Firefighter Adam Foster, and Chief Small provided coverage at the town office. These personnel were present to assist in the event of a fire alarm or building evacuation. Firefighter Curtis Ingraham and PAO Kristen Kloth directed traffic in the parking lot at the town office and assisted with traffic flow around the building.

On November 16<sup>th</sup>, Squad 1 with RIT members and Ladder 7 responded to Falmouth for a two-alarm fire at Foreside Estates, an apartment complex just south of Wal-Mart.

On November 18<sup>th</sup> mainland personnel participated in simulator training. Personnel worked through several scenarios involving fires at locations throughout the town. The software, used to create fire conditions on the screen for participants to view, was purchased by the fire department membership.

On November 23<sup>rd</sup> Special Operations personnel participated in Thermal Imaging Camera training.

On November 9<sup>th</sup>, personnel completed a hydrant flagging detail. Each company takes a segment of town and flags all of the hydrants in their area. All of the personnel volunteer their time for this detail.

On November 11<sup>th</sup> several personnel completed their Rapid Intervention Team training, and are now able to respond as members of our RIT Team. Firefighters Gerald Croce, Kevin Balvin Sr, Adam Foster, and Jeff Storey successfully completed the program.

In November, Chebeague Island Station personnel participated in training covering Fire Attack instructed by Captain Munroe.

On November 27<sup>th</sup> and 29<sup>th</sup>, Engine 1 provided coverage in Falmouth during events held in honor of Chief Robertson's retirement. Chief Robertson is the first full time Chief in the town of Falmouth, and has held his position for 18 years. The Chief has been a friend to our Department, and has helped us build a very close working relationship between our two departments. We wish Chief Robertson the best in his future endeavors, and he will be missed.



## Elected Town Councilors Since 3/1/1974

Councilor Name	Office Held	Date
Alvin K. Ahlers	Councilor at Large	1982-1985
	Councilor - Cumberland Center	1987-1990
Philip Allen	Councilor - West Cumberland	1994-1997
Robert D. Allen	Councilor - West Cumberland	1979-1982
Richard J. C. Anderson	Councilor - West Cumberland *resigned from office	1982-1983*
Daniel W. Bates	Councilor at Large	1984-1987
Peter K. Bingham	Councilor - Cumberland Center	1996-1999
	Councilor - Cumberland Center	1999-2002
Richard Blanchard	Councilor at Large	1975-1978
Jeffrey L. Butland	Councilor at Large	1985-1988
Robert L. Cram	Councilor - Cumberland Foreside	1982-1985
	Councilor - Cumberland Foreside	1985-1988
Michael B. Cooper	Councilor at Large ** to fill unexpired term	1982-1984**
Donna M. Damon	Councilor - Chebeague Island	1980-1983
	Councilor - Chebeague Island	1983-1983*
	Councilor - Chebeague Island	2001-2004
	Councilor - Chebeague Island *resigned from office	2004-2007
Josiah H. Drummond	Councilor at Large *resigned from office	1995-1997*
Philip H. Gleason	Councilor at Large	1993-1996
	Councilor at Large	1996-1999
Charles Googins	Councilor at Large	1978-1981
Kenneth Hamilton	Councilor - Chebeague Island	1974-1977
	Councilor - Chebeague Island	1977-1980
Robert E. Harmon	Councilor - West Cumberland	1988-1991
David R. Higgins, Jr.	Councilor - Cumberland Center	1975-1978
Robert B. Humphreys	Councilor at Large	1983-1986

Councilor Name	Office Held	Date
Robert B. Humphreys	Councilor at Large	1988-1991
	Councilor - West Cumberland	1991-1994
Beverly Johnson	Councilor - Chebeague Island **to fill unexpired term	1983-1986**
Mark E. Kuntz	Councilor - West Cumberland	1997-2000
	Councilor - West Cumberland	2000-2003
	Councilor - West Cumberland	2003-2006
John F. Lambert, Jr.	Councilor - Cumberland Foreside	1994-1997
		1997-2000 2000-2001*
	* resigned from office	
Susan McGinty	Councilor - Cumberland Center	1990-1993
	Councilor - Cumberland Center	1993-1996
Richard G. Moon	Councilor - Cumberland Center	1984-1987
Stephen W. Moriarty	Councilor at Large	1987-1990
	Councilor at Large	1990-1993
	Councilor at Large	1997-1998**
	Councilor at Large	1998-2001
	Councilor at Large	2001-2004
	Councilor at Large	2004-2007
	** to fill unexpired term	
E. Stephen Murray	Councilor - Cumberland Foreside	1976-1979
	Councilor - Cumberland Foreside	1979-1982
	Councilor - Cumberland Foreside	1988-1991
	Councilor - Cumberland Foreside	1991-1994
Kenneth M. Partyka	Councilor - West Cumberland	1976-1979
	Councilor at Large	1979-1982
James E. Phipps	Councilor - Chebeague Island	1995-1998
	Councilor - Chebeague Island	1998-2001
Jeffrey W. Porter	Councilor at Large	1999-2002
	Councilor at Large	2002-2005
William G. Putnam	Councilor - Chebeague Island	1986-1989
Michael X. Savasuk	Councilor - Cumberland Foreside	2001-2003**
	Councilor - Cumberland Foreside	2003-2006 **to fill unexpired term
George B. Small	Councilor at Large	1992-1995



<b>Councilor Name</b>	<b>Office Held</b>	<b>Date</b>
<b>Mary Louise Smith</b>	Councilor at Large	1977-1980
<b>William C. Stiles</b>	Councilor - Cumberland Center	1978-1981
	Councilor - Cumberland Center	1981-1984
	Councilor - Cumberland Center	2002-2005
<b>Harland E. Storey</b>	Councilor at Large	1976-1979
	Councilor at Large	1981-1982*
	Councilor at Large	1991-1994
	Councilor at Large	1994-1997
	Councilor at Large	1997-2000
	Councilor at Large	2000-2003
	Councilor at Large	2003-2006
	* resigned from office	

<b>Councilor Name</b>	<b>Office Held</b>	<b>Date</b>
<b>Gary Varney</b>	Councilor - Chebeague Island	1989-1992
	Councilor - Chebeague Island	1992-1995
<b>Richard L. Walker</b>	Councilor at Large	1974-1977
<b>Daphne G. Warren</b>	Councilor - West Cumberland	1983-1985**
	Councilor - West Cumberland	1985-1988
	**to fill unexpired term	
<b>Wayne Webster</b>	Councilor at Large	1980-1983
<b>David D. Williams</b>	Councilor at Large	1986-1989
	Councilor at Large	1989-1992

Elected Town Councilors By Council District Since 3/1/1974

Sitting Council as of January 1, 1974:David R. Higgins, Jr., Richard L. Walker, Mary Louise Smith, Kenneth M. Partyka, Kenneth H. Hamilton, Harland E.Storey, Richard F. Blanchard

At Large (seat one)	Term Dates	Cumberland Center	Term Dates	West Cumberland	Term Dates	Cumberland Foreside	Term Dates	Chebeague Island	Term Dates
Richard L. Walker	1974-1977	David R. Higgins, Jr.	1975-1978	Kenneth M. Partyka	1976-1979	E. Stephen Murray	1976-1979	Kenneth Hamilton	1974-1977
Mary Louise Smith	1977-1980	William C. Stiles	1978-1981	Robert D. Allen	1979-1982	E. Stephen Murray	1979-1982	Kenneth Hamilton	1977-1980
Wayne Webster	1980-1983	William C. Stiles	1981-1984	Richard J. C. Anderson	1982-1983*	Robert L. Cram	1982-1985	Donna M. Damon	1980-1983
Robert B. Humphreys	1983-1986	Richard G. Moon	1984-1987	Daphne G. Warren	1983-1985**	Robert L. Cram	1985-1988	Donna M. Damon	1983-1983*
David D. Williams	1986-1989	Alvin K. Ahlers	1987-1990	Daphne G. Warren	1985-1988	E. Stephen Murray	1988-1991	Beverly Johnson	1983-1986**
David D. Williams	1989-1992	Susan McGinty	1990-1993	Robert E. Harmon	1988-1991	E. Stephen Murray	1991-1994	William G. Putnam	1986-1989
George B. Small	1992-1995	Susan McGinty	1993-1996	Robert B. Humphreys	1991-1994	John F. Lambert, Jr.	1994-1997	Gary Varney	1989-1992
Josiah H. Drummond, Jr.	1995-1997*	Peter K. Bingham	1996-1999	Philip Allen	1994-1997	John F. Lambert, Jr.	1997-2000	Gary Varney	1992-1995
Stephen W. Moriarty	1997-1998**	Peter K. Bingham	1999-2002	Mark E. Kuntz	1997-2000	John F. Lambert, Jr.	2000-2001*	James E. Phipps	1995-1998
Stephen W. Moriarty	1998-2001	William C. Stiles	2002-2005	Mark E. Kuntz	2000-2003	Michael X. Savasuk	2001-2003**	James E. Phipps	1998-2001
Stephen W. Moriarty	2001-2004			Mark E. Kuntz	2003-2006	Michael Savasuk	2003-2006	Donna M. Damon	2001-2004
Stephen W. Moriarty	2004-2007							Donna M. Damon	2004-2007
At Large (seat two)									
Richard F. Blanchard	1975-1978			*resigned from office		* resigned from office		*resigned from office	
Charles E. Googins	1978-1981			**to fill unexpired term		** to fill unexpired term		**to fill unexpired term	
Harland E. Storey	1981-1982*								
Michael B. Cooper	1982-1984**								
Daniel W. Bates	1984-1987								
Stephen W. Moriarty	1987-1990								
Stephen W. Moriarty	1990-1993								
Philip H. Gleason	1993-1996								
Philip H. Gleason	1996-1999								
Jeffrey W. Porter	1999-2002								
Jeffrey W. Porter	2002-2005								
At Large (seat three)									
Harland E. Storey	1976-1979								
Kenneth M. Partyka	1979-1982								
Alvin K. Ahlers	1982-1985								
Jeffrey L. Butland	1985-1988								
Robert B. Humphreys	1988-1991								
Harland E. Storey	1991-1994								
Harland E. Storey	1994-1997								
Harland E. Storey	1997-2000								
Harland E. Storey	2000-2003								
Harland E. Storey	2003-2006								

\*resigned from office  
\*\* to fill unexpired term



## Town Council and School Board Election History 1974-2004

Sitting Council as of January 1, 1974: David R. Higgins, Jr., Richard L. Walker, Mary Louise Smith, Kenneth M. Partyka, Kenneth H. Hamilton, Harland E. Storey, Richard F. Blanchard

	Councilman at Large	Votes	Councilman - Cumberland Ctr	Votes	Councilman - West Cumbe	Votes	Councilman - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
3/1/1974	Richard L. Walker	382							Kenneth Hamilton	376	Robert Darling	139
											Gail Legge	226
											Sandra Milne	175
											Edwin Quigley	307
	Councilman at Large	Votes	Councilman - Cumberland Ctr	Votes	Councilman - West Cumbe	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
3/7/1975	Richard F. Blanchard	317	David R. Higgins Jr.	625							David C. Pomeroy	383
	Roy O. Looke	234									Frank W. Read	281
	Thomas E. Terison	153									Richard J. St. Peter	345
											Roberta Violette	233
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumbe	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (1)	Votes
3/8/1976	Conrad Bernier	256			Richard J. Anderson	303	E. Stephen Murray	492			Sandra Holdsworth	619
	Roy O. Looke	229			Robert M. Libby	174	Mary Louise Smith	487			Faye Yarumian	307
	Harland Storey	334			Kenneth M. Partyka	494						
	Thomas E. Terison	157										
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumbe	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
3/4/1977	David E. Moody Jr.	201							Kenneth H. Hamilton	573	Gail P. Legge	336
	Mary Louise Smith	347									Jean G. Miller	381
	Milton A. Tibbetts	113									Barry A. Wilcox	337
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumbe	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
3/3/1978	Richard Blanchard	258	Roy O. Looke	181							Richard St. Peter	427
	Charles Googins	289	Velma Merrill	144							David P. Snow	404
			William Stiles	220								
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumbe	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (1)	Votes
3/1/1979	Kenneth Partyka	468			Robert D. Allen	757	E. Stephen Murray	487			Sandra Holdsworth	498
	Harland E. Storey	465					Donald J. Nelson	442			John A. Trainor	426



											(1 Year Term)	
											Leonard A. Taylor, Jr.	384
											Kenneth O. Casey Jr.	478
	Councilor at Large	Votes	Councilor - Cumberland Center	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
3/7/1980	Wayne R. Webster	454							Donna Damon	458	Kenneth O. Casey Jr.	284
											Barbara Dane	199
											Norman S. Stiles	203
											Barry A. Wilcox	251
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
3/6/1981	Harland E. Storey	150	William C. Stiles	144							Timothy J. Landry	141
											David P. Snow	118
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (1)	Votes
3/5/1982	Alvin K. Ahlers	446			Richard J. C. Anderson	675	Robert L. Cram	656			Barry L. Harris	366
	George B. Small	409									Michael H. Porter	233
											Morton G. Soule	262
	Special Election to fill unexpired At Large seat											
11/2/1982	Michael B. Cooper	854										
	Charles E. Googins	724										
	Robert B. Humphreys	388										
	Roy O. Looke	571										
	Kaile R. Warren, Jr.	123										
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
3/4/1983	Robert B. Humphreys	407							Donna Damon	659	Charles G. Beaudette	92
	Craig C. Milne	266									Kenneth O. Casey Jr.	360
											Paul M. Cox	364
											Beth R. Williams	410
											(1 Year Term)	
											Judith Flaker	141
9/9/1983	Special Elections to fill unexpired W.Cumberland & Cheb.Isle seats				Special Election to fill unexpired seat				Special Election to fill unexpired seat			
					Ronald W. Copp	182			Donald Buxbaum	1		
					Daphne G. Warren	287			Walter Morlock	14		
									Beverly Johnson	50		
									Bruce Riddle	1		



6/12/1990	Stephen Moriarty	943	Susan McGinty	671							Ronald M. Bancroft	788
			Mark A. Robinson	417							Brian C. Hodgkin	754
											To finish unexpired term:	
											Nancy Gordon (write in)	53
											Philip Dobson (write in)	5
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (1)	Votes
6/11/1991	Paul Napolitano	153			Robert B. Humphreys	366	E. Stephen Murray	401			Dale J. Denno	330
	Harland E. Storey	324									Peter R. Lindquist	159
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
6/9/1992	George B. Small	947							Gary W. Varney	1,117	Josiah H. Drummond Jr.	934
	David D. Williams	461									Jean Foley	926
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
6/8/1993	Philip H. Gleason	365	Susan L. McGinty	468							Ronald M. Bancroft	418
	David D. Williams	191									Gail E. Witherill	418
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (1)	Votes
6/14/1994	Harland E. Storey	1,190			Philip Allen	1,117	John F. Lambert Jr.	1,142			Dale Dennis	1,139
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
6/13/1995	Josiah H. Drummond Jr.	356							James E. Phipps	316	James Getchell	132
											Thomas M. Hyndman III	183
											Stephen A. Sloan Sr.	96
											Robert S. Stuart Jr.	143
											William B. Williamson II	176
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
6/11/1996	Philip H. Gleason	813	Peter K. Bingham	796							Ronald M. Bancroft	943
	Sally A. Merrill	758	Robert S. Craig, Jr.	459							Gail E. Witherill	1,110
			Richard R. Wolfe	161								
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes



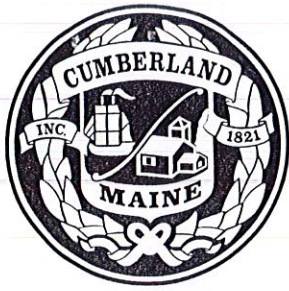
									Linden Smith	1		
									Donna Damon	2		
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
3/2/1984	Daniel W. Bates	620	Craig C. Milne	178							Peter K. Bingham	508
	Kaile R. Warren Jr.	290	Richard G. Moon	373							Donald W. Doyle	268
			Robert D. Morgan	78							Judith A. Flaker	634
			David D. Williams	324							James E. Lynch	193
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director	Votes
3/1/1985	Alvin K. Ahlers	304			Robert D. Allen	293	Robert L. Cram	685			Karen L. Day (1)	793
	Jeffrey L. Butland	620			Daphne G. Warren	614	E. Stephen Murray (write in)	2			Barry L. Harris (write in)	8
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
3/7/1986	Charles E. Googins	n/a							William G. Putnam	n/a	Paul M. Cox	n/a
	Judith A. Hotham	n/a									Josiah H. Drummond Jr.	n/a
	Robert B. Humphreys	n/a										
	Kaile R. Warren Jr.	n/a										
	David D. Williams	n/a										
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director	Votes
3/6/1987	Stephen Moriarty	n/a	Alvin K. Ahlers	n/a							Election Results Missing	
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (1)	Votes
3/4/1988	Robert B. Humphreys	297			Robert E. Harmon	443	Robert L. Cram	156			Karen L. Day	474
	Marcel Violette Jr.	214					E. Stephen Murray	361				
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
3/3/1989	William B. Getz	131							Gary Varney (write in)	71	Josiah H. Drummond Jr.	282
	David D. Williams	234									Tanya L. Durfee	109
											Mary Lu Gallaudet	242
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes



6/10/1997	Harland E. Storey	419			Dudley F. Greeley	187	John Lambert	384			Philip A. Dobson	137
					Mark E. Kuntz	258					Joseph P. Foran	109
											Karen B. Herold	211
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director	Votes
	Special Election*											
11/4/1997	Stephen Moriarty	2,253										
	*to finish unexpired term											
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
6/9/1998	Stephen Moriarty	1,011							James E. Phipps	954	Thomas M. Hyndman III	776
											Mary L. Schendel	874
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
6/8/1999	Robert E. Harmon	325	Peter K. Bingham	679							Ronald M. Bancroft	527
	Jeffrey W. Porter	806	Stephen A. Sloan Jr.	408							Mary Ellen Fitzpatrick	640
											Robert P. Vail	577
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
6/13/2000	Harland E. Storey	388			Mark E. Kuntz	528	John F. Lambert Jr.	535			John J. Aromondo	507
	Judith Wohl	238									Henry R. Kennedy	513
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
6/12/2001	Sally A. Merrill	379							Samuel S. Ballard	153	Betty J. Gorsky	616
	Stephen W. Moriarty	751							Donna Miller Damon	537	Henry R. Kennedy	554
									Karen M. Hamilton	249	April E. Ross	429
											Dale E. Storey	423
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
11/6/2001	Special Election to Fill Cumberland Fsde Seat -Unexpired Term*						*Michael X. Savasuk Sr.	1387				
	Councilor at Large	Votes	Councilor - Cumberland Ctr	Votes	Councilor - West Cumberland	Votes	Councilor - Cumberland Fsde.	Votes	Councilor - Chebeague	Votes	MSAD 51 Director (2)	Votes
6/11/2002	Jeffrey W. Porter	1,379	Michael D. Perfetti	661							Peter K. Bingham	980
			William C. Stiles	911							Megan Thorn	764
											Robert P. Vail	967

[illegible]





# TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

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December 13, 2004

Sally Maynard  
77 Foreside Road  
Cumberland Foreside, ME 04110

Re: Request for Help with Sewer Ready to Serve Fee

Dear Mrs. Maynard:

I have forwarded your question onto the Town Attorney for clarification and some background history. His letter is attached for your use. From our files, I see you had a similar request in 2001 and appeared before the Board of Sewer Appeals and were denied a similar previous request.

Unfortunately, with our limited sewer system capacity and our requirement to hold a space in the system for you or any future owner of your property at no unit cost other than the \$50 permit fee (some families have had to pay up to \$7,000 for the unit fee), I must deny your request to eliminate the readiness to serve charge of \$283.

After you have read the attached letter from our Attorney, if you have additional questions, please feel free to call me at 829-2205.

Sincerely,

William R. Shane  
Town Manager

cc: Town Council

November 18, 2004

Dear Mr. Shane -

I have been paying the "readiness to serve" sewer charge for many years and it has come to the point where it is a real hardship for me to do so. I am a single person 75 years old living in my family homestead. My gross federal income for 2003 was \$29,000. and my gross state income was \$23,000. for that same year. My home property taxes were \$5,400. My home has 2 complete septic systems: 2 1000 gal septic tanks and 2 leach fields. I would like to know what procedure to take to try to receive an exemption from paying the readiness to serve sewer charge.

Sincerely,

Sally Maynard



December 4, 2001

Sally Maynard  
77 Foreside Road  
Cumberland Foreside, ME 04110

Dear Ms. Maynard:

I am writing in response to your letter of November 20, 2001.

In 1985, when you first began to pay a "readiness to serve fee" for access to the sewer the cost was \$241.00 per year and it was billed quarterly (\$60.25/quarter). In May of 1994 the annual fee was increased to \$258.00/year (\$64.50/quarter).

At some point in the 1990's the Portland Water District began billing on a monthly basis instead of quarterly. A late fee was also enacted, although it may not have been at the very same time. You will have to contact Portland Water District regarding the enactment dates for monthly billing and interest on charges over 30 days old.

The payment of \$132.43 made in March 2000 was for charges dropped to me by the Portland Water District in October of 1999. The payment in October 2000 was for charges dropped to me in April 2000, and the payment made in March 2001 was for charges dropped to me in October 2000. The payment just received covers the amounts dropped to me in April and October of 2001.

I hope this answers your questions. If not, please feel free to contact me at 829-5559.

Sincerely,

Charlene A. Doyle  
Deputy Tax Collector

# Jensen Baird Gardner & Henry

KENNETH M. COLE III  
NICHOLAS S. NADZO  
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  
FRANK K. N. CHOWDRY  
NATALIE L. BURNS  
SALLY J. DAGGETT  
BRENDAN P. RIELLY  
SUZANNE R. SCOTT  
MARCIA G. CORRADINI  
J. COLBY WALLACE  
JAMES D. LIDDELL

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JAMES E. KAPLAN  
OF COUNSEL  
RAYMOND E. JENSEN  
(1908-2002)  
KENNETH BAIRD  
(1914-1987)  
M. DONALD GARDNER  
(1918-2003)

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

November 29, 2004

William R. Shane, Town Manager  
Town of Cumberland  
290 Tuttle Road  
Cumberland, ME 04021

Re: *Readiness to Serve Charges*

Dear Bill:

You have asked for some background in regard to Readiness to Serve Charges and the distinction in the sewer ordinance of some individuals paying and others not. The simplest explanation is that the original sewer line was funded by a federal grant to serve various areas, particularly along the Foreside. Because no local capital was put up for the actual sewer, no connection (unit) charge was imposed. However, Readiness to Serve Charges were authorized and have generally been authorized and upheld throughout Maine as in essence a user charge, albeit one that is paid in advance by those who did not hook up initially because they had a working septic system. Later sewer extensions off the original line were paid for by the Town but on the understanding that the actual property owners would reimburse the Town through connection fees. These were generally computed by dividing the total capital expense by the number of lots that would be benefited. Because of this significant additional expense for a connection, readiness to serve fees were not charged.

The litigation in the 80's had to do with an attempt by the Town to reserve units for natural expansion on the original line and to prevent developers from using up those units. (This was before the original available number of units was adjusted—once in 1988 and once in 1999 based on subsequent studies showing that the original engineering assumptions in regard to both capacity and infiltration were more conservative than necessary. Thereafter, a greater number of units were made available.) In the litigation a particular condo developer (Cumberland Meadows) was able to persuade the Federal court that since it was a federal grant the units should be made available to any user. However, the flip side was that in making the units available the Town would be entitled to charge a readiness to serve fee in all instances. Therefore, individuals along that original line who had been charged a readiness to serve fee were legally obligated to continue to pay that fee by virtue of the holding in the 1980's case. To the extent that an individual claims they are unable to make the payment, they can request that



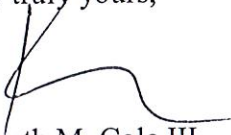
November 29, 2004

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the fee be abated on the same basis that taxes are abated, i.e., inability to pay. There is no other rationale under the ordinance available since again the particular property is benefited by the fact that a sewer unit is available and will be reserved indefinitely for the benefit of that property—the readiness to serve fee being the cost of the reservation.

I hope this answers the question in regard to both the history and the process. If there is anything else I can provide in this regard, please let me know.

Very truly yours,



Kenneth M. Cole III

KMC/ab

## N O T I C E

The Cumberland Town Council will hold a public hearing at 7:00 p.m. on Monday, December 13, 2004 in Town Council Chambers, 290 Tuttle Road, to consider and act on the Automobile Graveyard/Junkyard Permit applications of Cumberland Salvage, 40 Blackstrap Road, and Greenlaw's Salvage, Longwoods Road, for the period January-December 2005. Interested parties are encouraged to attend. Opportunity for public comment will be provided.

Posted: 12/06/04



## N O T I C E

The Cumberland Town Council will hold a public hearing Monday, December 27, 2004 to consider and act to adopt revisions to the yearly General Assistance maximums. The Town of Cumberland has adopted the MMA model GA ordinance, along with the 2003/2004 maximums. The new maximums, once adopted, will replace the existing 2003/2004 maximums. The various maximum levels of General Assistance that are controlled by these values are established as a matter of law or regulation based on certain federal values that are made effective the first day of October each year.

Posted: 12/07/04

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\*\*\* ACTIVITY REPORT \*\*\*

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ST. TIME	CONNECTION TEL	CONNECTION ID	NO.	MODE	PGS.	RESULT
*12/09 04:21			6699	AUTO RX G3	4	OK 03'26
*12/09 21:34			6700	AUTO RX ECM	1	OK 00'30
*12/10 00:00	97731109		2239	TRANSMIT ECM	1	OK 00'17
*12/10 01:06	98295916		2240	TRANSMIT ECM	3	OK 01'15
*12/10 02:37	8464358		6701	AUTO RX ECM	3	OK 01'18
*12/10 04:07			6702	AUTO RX ECM	3	OK 01'17
*12/10 05:22			6703	AUTO RX G3	1	OK 00'59
*12/10 20:19	207 829 4256		6704	AUTO RX ECM	2	OK 00'32
*12/10 22:34	916093712254		2241	TRANSMIT ECM	1	OK 00'38
*12/10 23:01	98741044		2242	TRANSMIT ECM	1	OK 00'14
*12/10 23:15	916105432292		2243	TRANSMIT ECM	1	OK 00'30
*12/10 23:46	916147867819	CIGNA HEALTHCARE	2244	TRANSMIT ECM	5	OK 00'36
12/10 23:53	916147867819	CIGNA HEALTHCARE	2245	TRANSMIT ECM	5	OK 00'55
12/11 00:48	97813283		2246	TRANSMIT ECM	2	OK 00'26
12/11 00:50	97812060		2247	TRANSMIT ECM	2	OK 00'42
12/11 00:54	97757935		2248	TRANSMIT	0	NG 00'00
						0 STOP
12/11 00:55	97916920	PRESS HERALD NEW	2249	TRANSMIT ECM	2	OK 00'24
12/11 00:56	97822165		2250	TRANSMIT ECM	2	OK 00'26
12/11 00:57	98787482		2251	TRANSMIT ECM	2	OK 00'42
12/11 00:58	98286630		2252	TRANSMIT ECM	2	OK 00'43



## **CUMBERLAND TOWN COUNCIL NOTICE OF WORKSHOP MEETINGS**

The Cumberland Town Council will hold a  
**Goal-Setting Workshop** at  
8:00 a.m. on **Saturday, December 4, 2004**  
at the Cumberland Town Hall, 290 Tuttle Road.  
Additionally, a Workshop between the Town Council and the  
Twin Brook Advisory Committee will be held  
**Wednesday, December 8, 2004** at 7:00 p.m.  
in Town Council Chambers to discuss modifications to the  
Twin Brook Recreation Area Policies and Rules.

## **CUMBERLAND TOWN COUNCIL PUBLIC HEARING NOTICE MONDAY, December 13, 2004**

The Cumberland Town Council will meet at 7:00 p.m., Monday, December 13, 2004 in Town Council Chambers, 290 Tuttle Road. The agenda will include, but may not be limited to the following public hearing items:

- To consider and act on the 2005 Automobile Graveyard and/or Junkyard Permits for Cumberland Salvage, 40 Blackstrap Road and Greenlaw's Salvage, 1 Longwoods Road;
- To consider and act on amendments to the Twin Brook Recreation Area Policies and Rules;
- To set shellfish license allocations for 2005;
- To set a public hearing date to consider and act on a Class I Restaurant License for Reynold Michaud, d/b/a Rey's Cumberland Café Inc, 172 Gray Road, for the period February 2005-February 2006;
- To set a public hearing date to consider and act on the Golf Club/ Restaurant Liquor License and Special Amusement Permit for Val Halla Golf Course, Val Halla Road, for the period January 2005-January 2006;
- To set a public hearing date to adopt updated maximums to the MMA General Assistance Ordinance for 2005;
- To set a public hearing date to consider and act on the Greely High School swimming pool license for 2005; and
- Issuance of Municipal Warrant for Prosecuting Unlicensed Dog Owners/Keepers.

A complete agenda may be obtained at the Office of the Town Manager. Opportunity for public comment will be provided. Interested parties are invited and encouraged to attend.



**CUMBERLAND TOWN COUNCIL MEETING  
AND WORKSHOP SESSION**

**MONDAY, December 13, 2004**

The Cumberland Town Council will meet at 7:00 p.m., Monday, December 13, 2004 in Town Council Chambers, 290 Tuttle Road. The following items are among several expected to be considered:

- 2005 Automobile Graveyard and/or Junkyard Permits for Cumberland Salvage, 40 Blackstrap Road and Greenlaw's Salvage, 1 Longwoods Road;
- Shellfish license allocations for 2005;
- Issuance of Municipal Warrant for Prosecuting Unlicensed Dog Owners/Keepers.
- To hear a report from the Code Enforcement Officer re: adoption of the 2003 BOCA Code;
- To set a public hearing date for redistribution of sewer units;
- To set a public hearing date to act upon an easement with CMIT for the Curit property, Chebeague Island, and
- To set a public hearing date to accept Rock Ridge Run.

Prior to the meeting, and beginning at 6:00 p.m., the Town Council and Val Halla Board of Trustees will meet in WORKSHOP regarding Val Halla's alcohol policy. A complete agenda is available at the Office of the Town Manager. Opportunity for public comment will be provided during the regular meeting.

*emailed to Forecaster 12-6-04 @ 11:50am*