

AGENDA
Cumberland Town Council Meeting
Town Council Chambers
MONDAY, January 25, 2010

I. APPROVAL OF MINUTES

January 11, 2010

II. MANAGER'S REPORT

III. PUBLIC DISCUSSION

IV. LEGISLATION AND POLICY

- 10 – 006 To hear a report from the Lands & Conservation Commission re: Vernal Pools Phase I.
- 10 – 007 To hear a presentation from Economic Development Director, Alyssa Daniels re: The Cumberland Maine Business Association.
- 10 – 008 To hear a report from the Finance Committee Chair re: FY'10 2nd quarter financials and to set dates for FY'11 municipal budget meetings.
- 10 – 009 To receive a Certificate of Sufficiency of Petition from the Town Clerk and to hold a Public Hearing to act on setting a March 2, 2010 Special Municipal Overrule Referendum Election date.
- 10 – 010 To authorize the Town Manager to process Senior Circuit Breaker Program payments.
- 10 – 011 To appoint Chris Bolduc as Director of Public Services.
- 10 – 012 To hold a Public Hearing to consider and act on amending Section 204.14.4.3 (Industrial District – Side Setback) of the Cumberland Zoning Ordinance.
- 10 – 013 To set a Public Hearing date (February 8th) to consider and act on a Mobile Service Cart License for Val Halla Golf Course for the period of February 2010 – February 2011.

V. NEW BUSINESS

- VI. EXECUTIVE SESSION:** pursuant to Title 36 M.R.S.A., § 841, re: Poverty Abatement Request for property identified as Map U19/Lot 06.

VII. ADJOURNMENT

WARRANT
CUMBERLAND TOWN COUNCIL
NOTICE OF PUBLIC HEARING

The Cumberland Town Council will meet at 7:00 p.m. Monday, January 25, 2010, in Town Council Chambers, 290 Tuttle Road, to consider and act on setting a March 2, 2010 Special Municipal Referendum Election to place the following Overrule Referendum Question

Before the Cumberland Voters:

“Do you support the Town Council’s decision of December 14, 2009, to issue bonds and expend up to \$4,500,000.00 for Major Road Reconstruction, Shoulder, Drainage, and Bicycle and Pedestrian Safety Improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road, and along Route 88 from 800 feet North of Teal Road to the Falmouth Town Line?”

A true copy attested: Tamara P. O'Donnell

Date: 1-14-10

Posted by: Nadene M. Daniel

Date: 1-14-10

MINUTES

01/11/10

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, January 11, 2010

I. CALL TO ORDER @ 6:00 P.M.

Present: Chairman Copp, Councilors Perfetti, Porter, Storey-King, Stiles, and Moriarty.
Councilor Turner arrived at 6:02 p.m.

II. APPROVAL OF MINUTES

December 28, 2009

Motion by Councilor Stiles, seconded by Councilor Moriarty, to approve the minutes as amended.

VOTE: UNANIMOUS PASSAGE 6-0 (Councilor Turner out)

III. RECESS TO EXECUTIVE SESSION: pursuant to 1 M.R.S.A., Section 405(6)(E) Consultation with Legal Counsel re: possible litigation.

Motion by Councilor Stiles, seconded by Councilor Perfetti, to recess to Executive Session pursuant to Title 1 M.R.S.A., Section 405(6)(E) for consultation with legal counsel re: possible litigation.

VOTE: UNANIMOUS PASSAGE 7-0

TIME: 6:06 p.m.

IV. RECONVENE TO REGULAR SESSION @ 7:00 P.M.

Motion by Councilor Stiles, seconded by Councilor Turner, to reconvene to regular session.

VOTE: UNANIMOUS PASSAGE 7-0

TIME: 7:02 p.m.

V. MANAGER'S REPORT

The Town Manager informed the council and public that the town will offer a computer collection event at the Drowne Road Public Works Garage on Saturday, January 16, from 9:00 to 11:00 a.m.

VI. PUBLIC DISCUSSION

William ('Bill') Landis, long-time Recreation and Public Services Director, announced his retirement from the Town of Cumberland. "I am going to be leaving the Cumberland community at the end of June to pursue other endeavors." He and his college-aged daughter plan to move to either the west coast or the Carolinas. "As of May, it will be 19 years that I had the privilege to serve the residents of Cumberland. I've served as Recreation Director for 17 of the 19 years." Bill is affectionately known as "Coach Bill" to many of Cumberland's youth. "It will be tough to walk away from the youth. They get you by the heart." He explained he felt it appropriate to notify the Town Manager now "so that he could prepare for the process...and give myself time to bring closure in the community." Bill hopes the transition time will allow him to "move on without a hole in the department. Somebody will pick up without a beat. I will see you around in the next six months to say my goodbyes." Chairman Copp expressed the council's gratitude for Bill's service and dedication to the youth and community. "You will be missed." Chairman Copp explained that when he informed his niece of Bill's retirement "She literally started crying." The Town Manger described Bill as "somebody we're not going to be able to

replace in Cumberland. Your compassion and commitment to this community is unparalleled. You bring goodwill wherever you go. You set the standard...for the consummate public employee. We're going to miss you. We truly wish you success."

VII. LEGISLATION AND POLICY

10 – 001 To hold a Public Hearing to repeal and replace the Cumberland Floodplain Management Ordinance.

Code Enforcement Officer William Longley explained that this ordinance replacement consists mainly of "housekeeping issues." The current Cumberland Floodplain Management Ordinance is a 1996 version with 1999, 2002, 2005, 2007 and 2009 updates. This evening's replacement ordinance incorporates all of the updates in addition to amendments prepared and recommended by the state. Councilor Stiles also noted that without this ordinance a Cumberland homeowner could not purchase flood insurance. Councilor Moriarty asked about a flood zone map. Mr. Longley responded that the existing 1984 flood plain map is expected to be revised over the next year. No public comments.

Motion by Councilor Stiles, seconded by Councilor Moriarty, to repeal the current Cumberland Floodplain Management Ordinance and replace it with the updated Floodplain Management Ordinance as prepared by the State of Maine Planning Office.

VOTE: UNANIMOUS PASSAGE 7-0

10 – 002 To hold a Public Hearing to consider and act on a Class I Liquor License and Special Amusement Permit for The Sparrow's Nest, d/b/a Viking Grill, for the period of February 2010 – February 2011.

Town Manager Shane stated the business license and permit applications are in order for council approval and introduced Mr. Charlie Sparrow, owner of the Viking Grill. Mr. Sparrow stated the past license year was a difficult one due primarily to rain days. However, during times without rain "We did exactly what we expected to do. I've learned a great deal. I've streamlined" processes and I anticipate a "good year next year." The Viking Grill offers Friday evening specials and will continue to do so throughout this winter. "Friday nights are going very, very well." Saturday hours are provided for our outdoor winter enthusiasts who utilize Val Halla for sledding and other winter activities. Sunday brunch is offered from 9 am to 1:00 p.m. "It is filled every weekend." The banquet facility has "already doubled the weddings" booked last year. "We're excited about that." The recent New Years Eve event was very successful and due to its success, Mr. Sparrow is considering offering additional special occasion events at the Grill. The Town Manager noted that the Viking Grill is not requesting a golf cart vending license at this time. "It makes (me) no money," explained Mr. Sparrow, who also noted that the vendor cart license may be considered at a later date.

Motion by Councilor Porter, seconded by Councilor Turner, to approve the Class I Liquor License and Special Amusement Permit for The Sparrow's Nest, d/b/a Viking Grill, for the period of February 2010 – February 2011.

VOTE: PASSAGE 6-0-1 (Councilor Storey-King abstained)

10 – 003 To hold a Public Hearing to consider and act on the road acceptance of Chet's Way. ~TABLED TO 02/22/10

The Town Manager explained that an additional right-of-way is shown on the planning board file map for this subdivision. The Planning Board requested an amendment to the map and the developer has agreed to put this right-of-way on paper to create the connectivity requested by the Planning Board.

Motion by Councilor Perfetti, seconded by Councilor Storey-King, to table the item to February 22, 2010.

VOTE: UNANIMOUS PASSAGE 7-0

10 – 004 To hold a Public Hearing to consider and act on authorize the, purchase and installation of a Veterans Monument at Moss Side Cemetery.

The Town Manager presented slides showing the monument prototype which he debuted at the last council meeting. The Monument Committee viewed monuments on display in several Maine communities and particularly liked the monument located in Holden. The committee voted “to be extremely inclusive” with the names of veterans included in Cumberland’s monument. The center of the three slab monument will contain the “commemorative stone” inscribed with the symbol of every branch of service. The stones to the right and left of the center stone will contain the names of Cumberland veterans. The committee estimates a Phase One budget of \$15,000 and to date \$7,000 has been collected through the combination of miscellaneous and Main Street flag donations. The Manager requested authorization to purchase the stone and continue private fundraising efforts.

Mr. Bob Heyner, West Cumberland, commented “I’m very, very much behind this” project, noting especially the “veterans are going to fundraise. It’s nice that this is a veterans’ project. Nobody can get their hand in the fish bowl” and hijack the funds or effort because they don’t like how tax money is being spent.

Motion by Councilor Porter, seconded by Councilor Storey-King, to authorize the Town Manager to issue a purchase order not to exceed \$9,475.00 to Collette Monuments, Inc., for the purchase and installation of a Veterans Monument at Moss Side Cemetery.

VOTE: UNANIMOUS PASSAGE 7-0

Motion by Councilor Stiles, seconded by Councilor Storey-King, to authorize the Town Manager to proceed with the collection of donations for the Veterans’ Monument at Moss Side Cemetery.

VOTE: UNANIMOUS PASSAGE 7-0

10 – 005 To set a Public Hearing date (January 25th) to consider and act on amending Section 204.14.4.3 (Industrial District – Side Setback) of the Cumberland Zoning Ordinance.

Motion by Councilor Moriarty, seconded by Councilor Stiles, to set a Public Hearing date (January 25th) to consider and act on amending Section 204.14.4.3 (Industrial District – Side Setback) of the Cumberland Zoning Ordinance.

VOTE: UNANIMOUS PASSAGE 7-0

VIII. NEW BUSINESS

Councilor Turner – acknowledged Don Smith’s passing – he was a town father for North Yarmouth for many years and spent his life supporting sports and children’s activities.

Councilor Perfetti – a productive Sustainability Task Force meeting last week – he wished to squash rumors re: North Yarmouth Memorial School – no conclusions have been made by the committee.

Councilor Porter – also noted the passing of Ross Baston and Don Smith; true leaders of North Yarmouth - they gave of themselves their entire lives; our great loss is with Bill Landis’ retirement - he has served the kids and parents of this community for years and there is no way his work can be replaced by one individual; I’m happy for him but he leaves a void that will take a long time to fill.

Councilor Storey-King – she was asked to request whether Harland Storey would serve as the town’s ambassador at the Cumberland County 250th celebration and he agreed; Greely High School is a silver-medal winner in the US World & News Report as one of the top high schools in the country – an honor earned three years in a row.

Motion by Councilor Storey-King, seconded by Councilor Perfetti, to appoint Harland Storey as ambassador of Cumberland to the Cumberland County 250th Celebration Committee.

VOTE: UNANIMOUS PASSAGE 7-0

Chairman Copp – noted recent passing of Rolly Powers who lived in Cumberland over 60 years - he could fix anything and was a great guy who will be sadly missed by everybody in town; he thanked the police and fire department “deeply” for their finding and response to a fire at the building next door to Copp Motors - great job by both departments; also thanked the Manager for the fire hydrant in front of his building.

Stiles – none

Moriarty – none

Town Manager – he will request Senior Circuit Breaker Funding at the next council meeting - application deadline is this week; a rabies clinic at Town Hall on Saturday from 9-11 am.

IX. ADJOURNMENT

Motion by Councilor Perfetti, seconded by Councilor Turner, to adjourn.

VOTE: UNANIMOUS PASSAGE 7-0

TIME: 7:49 a.m.

Respectfully submitted,

Nadeen Daniels, CMC
Cumberland Town Clerk

January 25, 2010

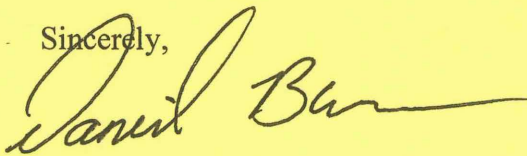
William R. Shane, Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Dear Bill,

The Cumberland Municipal Employees Association voted last week to extend the contract for one year, at a zero percent wage increase.

We all hope that these measures will help the Town and that brighter days are ahead for all of us.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel Burr". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Daniel Burr
CMEA President

AGREEMENT
between
TOWN OF CUMBERLAND
and
PUBLIC WORKS/ VAL HALLA MAINTENANCE EMPLOYEES
ASSOCIATION

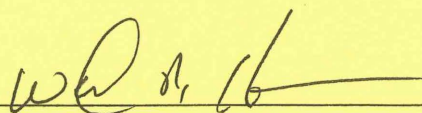
The Town of Cumberland (Town) and the Public Works/Val Halla Maintenance Employees Association (Association) agree to the following:

The Town and the Association agree to extend the current collective bargaining agreement between the parties from July 1, 2010 through June 30, 2011. All terms and conditions of the current Agreement shall remain in effect with two exceptions as follows:

- A. Hourly pay rates will remain at current FY '09/10 levels.
- B. The employee health insurance premium contribution will increase from 10% to 20%; however, the employee is eligible to reduce the premium increase by fully participating in the requirements of the Wellness Program as established by the Administration in January 2010."

TOWN OF CUMBERLAND


Dated: 1-25-10

By: 

William R. Shane, Town Manager

PUBLIC WORKS/ VAL HALLA
MAINTENANCE EMPLOYEES
ASSOCIATION

Dated: 1-25-10

By: 

Daniel J. Burr, President

Tammy O'donnell

From: William Shane
Sent: Monday, January 25, 2010 9:42 AM
To: Tammy O'donnell
Subject: FW: Overrule vote

William R. Shane, P.E.
Town Manager
290 Tuttle Road
Cumberland, Maine 04021

Tel: 207-829-2205
Fax: 207-829-2224
Cell: 207-232-5258

Please be advised that pursuant to Title I M.R.S.A. Section 402(3), a public record includes any written, printed or graphic matter or any mechanical or electronic data in the possession or custody of an agency or public official that has been received or prepared for use in connection with the transaction of public or governmental business and contains information relating to the transaction of said business; therefore, the public is advised that any correspondence whether by traditional method or e-mail with Town offices or Town officials, with certain limited exceptions, is a public record and is available for review by any interested party.

From: Kenneth M. Cole, III [mailto:KCole@JBGH.com]
Sent: Monday, January 25, 2010 8:35 AM
To: William Shane
Subject: Overrule vote

Bill: The Council has on its agenda tonight a required public hearing on the overrule petition regarding the Foreside Road bond. A question has been raised as to whether it is proper to both hold the public hearing and schedule the referendum. Article X, Section 1 of the Charter states that within 14 days after the public hearing, the Council shall call a special town election. As long as the Council's vote to schedule the election follows the public hearing, there is nothing improper with that vote being taken at the same meeting as the public hearing. Ken

Kenneth M. Cole III
Jensen Baird Gardner & Henry
Ten Free Street
P.O. Box 4510
Portland, ME 04112
(207) 775-7271
(207) 775-7935 (fax)
kcole@jbgh.com

REQUIRED DISCLOSURE:

United States Treasury Regulations require us to inform you that any tax advice contained in this communication and any attachment or enclosure is not intended or written by us to be used, and cannot be used, by any taxpayer for the purpose of avoiding tax penalties.

DISCLAIMER:

This e-mail and any file or attachment transmitted with it, is only intended for the use of the person and/or entity to whom it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the recipient of this message is not the intended recipient or otherwise responsible for delivering the message to the intended recipient, be notified that any disclosure, distribution or copying of this information is strictly prohibited. If you received this communication in error, destroy all copies of this message, attachments and/or files in your possession, custody or control and any other copies you may have created, and notify the sender at (207) 775-7271 or at the sender's e-mail address listed above.

PETITION PROCESS TIMELINE For OVERRULE

Cumberland Town Charter, Article X, Section 1. Petition for Overrule of Action by Council. The following shall be subject to overrule by referendum as follows: (a) All Ordinances. The process is outlined by example below.

	March 2, 2010 <u>PROPOSED DATES</u>	June 8, 2010 <u>DEADLINE</u>
Bond authorized by TC	12/14/09 (regular mtg)	
Petition filed (Charter: must be filed w/in 30 days of enactment; valid signatures of not less than 10% of registered voters (561+/-))	1/13/10	1/13/10
Signatures Verified	1/13/10	1/13/2010
Notice of Public Hearing Posted as a Warrant – at least 7 days prior to hearing	1/14/10	1/14/2010
Public Hearing held by TC (Charter: PH must be held w/in 30 days of filing date - 30A-2528(5): requires the PH to be held at least 10 days before a vote)	1/25/10 (regular mtg) (see Ken's e-mail)	1/25 /10
Call for Election (Charter says election must be called within 14 days after PH)	1/25/10	1/25/10
Absentee Ballot sent to printer	1/25/10	2/25/10
Absentees available (30 days in advance of election)	2/01/10	5/09/10
Specimen Posted (at least 4 days before election)	2/01/10	6/04/10
Election Held (majority vote required)	3/02/10 Earliest Special Election Date	6/08/10 Regular Election Required

We have followed the guidelines outlined in the Town Charter and they have been reviewed and approved by the Town Attorney.

Cumberland Election History.xlsx

Year		June	% Total		November	% Total		OTHER Elections
1985					1475	35%		Library Expansion %Best Guess
1988								Dec-13-1988 Harris 2232 - 50%++
2000		649	13%		4522	90%		
2001		1177	23%		2213	43%		
2002		1783	35%		3762	74%		
2003		711	14%		4024	79%		
2004		1502	27%		5063	84%		9/21/04 Auditorium 1556 - 28%
2005		415	7%		3260	56%		
2006		1341	23%		4238	73%		
2007		1767	31%		1871	35%		
2008		1406	26%		4898	83%		
2009		1906	33%		3958	68%		May 26, 2009 BVR1 583 - 10%
								June 16, 2009 BVR2 917 - 16% - Separate
			23 AVG%					25% AVG *

Special Election Costs - March 2nd, 2009

Program Machines	\$475
Absentee Ballots - 250	\$70
Regular Ballots- 1,500	\$435
Staffing	
2 Election Workers \$7.50 x13 hours	\$195
	<u>\$1,175</u>

Regular June Election June 8, 2009

CERTIFICATE OF SUFFICIENCY OF PETITION

I, Nadeen M. Daniels, CMC, being the duly appointed Town Clerk in Cumberland, Maine, do hereby certify that I have examined the petition instruments filed with me between 8:00 a.m. January 7, 2010 and 5:00 p.m. January 13, 2010 pursuant to the Cumberland Town Charter and State of Maine Election laws and have found them to contain a total of 714 signatures. 578 valid signatures are required to initiate an Overrule Referendum Election regarding the Town Council's decision to issue bonds for the road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements to Route 88. I hereby further certify that the petitions submitted during this period contain the requisite 578 valid signatures.

June 7, 2007 - Forestlake
1,767 voters out of 5777
31%

June 9, 2009 - Main St.
Credit union -
1,906 voters 33%
out of 5,850

June 10, 2008
State Primary & Municipal
1,406 voters out of 5,452
Registered voters 26%

Sept -04 MSAD Bond Referendum

Nadeen M. Daniels, CMC
Town Clerk

NOTICE
Cumberland Town Council
January 25, 2010 Public Hearing
re: Special Overrule Referendum Election

The Cumberland Town Council will meet at 7:00 p.m. Monday, January 25, 2010, in Town Council Chambers, Town Hall, 290 Tuttle Road, to consider and act on setting a March 2, 2010 Special Municipal Referendum Election date to place the following Overrule Referendum question on the ballot:

"Do you support the Town Council's decision of December 14, 2009 to issue bonds and expend up to \$4,500,000 for major road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road, and along Route 88 from 800 feet north of Teal Road to the Falmouth Town Line?"

**TOWN OF CUMBERLAND
VOTERS' PETITION PAPER FOR SECRET BALLOT VOTE ON OVERRULE
OF ACTION BY CUMBERLAND TOWN COUNCIL**

To The Municipal Officers of the Town of Cumberland, Maine:

WE, the undersigned voters of the Town of Cumberland, Maine, qualified to vote in all town affairs, hereby request that you place the following question before the voters for their consideration at a secret ballot referendum (30-A M.R.S.A. §2528(5)) to be held March 2, 2010:

"Do you support the Town Council's decision of December 14, 2009 to issue bonds and to expend up to \$4,500,000 for Major Road Reconstruction, Shoulder, Drainage, Bicycle and Pedestrian Safety Improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road and along Route 88 from 800' North of Teal Road to the Falmouth Town Line?"

Signature	Printed Name	Street Number & Address	Cumberland
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**TOWN OF CUMBERLAND
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Signature	Printed Name	Street Number & Address	Cumberland
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Circulator's Oath

I, _____, of _____, Maine, on oath, depose and say that: to the best of my knowledge and belief the signatures herein contained are genuine and those of the person purported to be; **I personally circulated and witnessed each signature on this form**; each signer has signed no more than one petition; each signer had the opportunity to read the petition before signing; and this petition

contains _____ number of signatures.

Person Circulating this Paper

Subscribed and sworn to by the said _____ on this _____ day of _____, 20 _____.

Before me, _____
(Town Clerk) (Notary Public)

Tammy O'donnell

From: Nadeen Daniels
Sent: Wednesday, January 13, 2010 5:19 PM
To: William Shane
Subject: Certificate of Sufficiency
Attachments: CERTIFICATE OF SUFFICIENCY OF PETITION.doc

Hi,

I have just spoken with Mr. Higgins to inform him that he has acquired a sufficient number of valid signatures to send the Route 88 Overrule Question to referendum. I indicated the Town Council will receive this certificate today and that I will proceed to advertise and prepare ballots for a March 2, 2010 special election date. A 1/25 public hearing notice will run in the Press Herald on Friday, and in the Notes and Forecaster next week. At the 1/25 meeting, the council must move to receive my certification and set a special referendum election date. I have contacted my printer and been informed they can print ballots for me with a quick turnaround. A 30-day absentee period means I need to make absentees available on January 28th and I am still talking with the printer to meet that date. If printing and delivery delay the absentees a few days to a week, I will issue paper copies of the ballot until I receive the absentees.

Nadeen Daniels
Town Clerk/HR Director
290 Tuttle Road
Cumberland, ME 04021
phone: 207-829-2205, ext. 302
fax: 207-829-2224

DISCLAIMER: Please be advised that pursuant to Title 1 MRSA, Section 402(3), a public record includes any written, printed or graphic matter or any mechanical or electronic data in the possession or custody of an agency or public official that has been received or prepared for use in connection with the transaction of public or governmental business and contains information relating to the transaction of said business; therefore, the public is advised that any correspondence whether by traditional method or e-mail with the town offices or town officials, with certain limited exceptions, is a public record and is available for review by any interested party.

Tammy O'donnell

From: Nadeen Daniels
Sent: Wednesday, January 13, 2010 6:06 PM
To: Brenda Stiffler
Cc: William Shane
Subject: motion

Hi,

Here's the agenda wording for #10-009: To receive a Certificate of Sufficiency of Petition from the Town Clerk and to hold a Public Hearing to act on setting a March 2, 2010 Special Municipal Overrule Referendum Election date.

Here's the motion wording:

I move to receive the Town Clerk's Certificate of Sufficiency of Petition and to set a Special Election date of March 2, 2010 to hold an Overrule Referendum Election to place the following question before the voters:

"Do you support the Town Council's decision of December 14, 2009 to issue bonds and expend up to \$4,500,000 for major road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road, and along Route 88 from 800 feet north of Teal Road to the Falmouth town line?"

Nadeen Daniels
Town Clerk/HR Director
290 Tuttle Road
Cumberland, ME 04021
phone: 207-829-2205, ext. 302
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NOTES FOR COUNCIL MEETING JANUARY 25, 2010:

Cost of ballots - absentee	.28 each	250 = \$70.00	- Delivered Thursday -
-regular	.29 each	1500 = \$435.00	
Program the machines	-	\$475.00	←
Approx. total cost	-	\$980.00	
Plus two election workers @ \$7.00 each -		\$182.00	
Total approx. cost	-	\$1,162.00	

~~\$252~~ Timing of Year

Same cost for election regardless of the date.

Absentee ballots have to be available 30 days prior to the election, which would be January 28, 2010.

The time between the Public Hearing and the Election is 30 days.
springbornstaffing®
 the office specialists

Notice of Election to be posted 4 days before the Election.

$$250 \times .28 = 70.00$$

Forest Lake Overrule Election:

Held

Credited

Held

June

5,452

m

Ann

09

Absentees - 30 days
 in advance
 1/28

Time b/twn Public Hearing and Elec
 min 10 days

Notice of Election - 4 days
 B4 elec

27 registered voters).

50 registered voters).

ing.com

of 26% (1,406 voters out of

a 1 year extension

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, January 25, 2010

7:00 p.m. Call to Order

I. APPROVAL OF MINUTES

January 11, 2010

II. MANAGER'S REPORT

III. PUBLIC DISCUSSION

IV. LEGISLATION AND POLICY

10 – 006 (a) To receive a Certificate of Sufficiency of Petition from the Town Clerk, and
(b) To hold a Public Hearing to act on setting a Special Municipal Referendum
Election date.

10 – 007 To appoint Chris Bolduc as Director of Public Services.

10 – 008 To hear a presentation re: The Cumberland Maine Business Association.

10 – 009 To hear a report from the Finance Committee Chair re: FY'10 2nd quarter financials and to
set dates for FY'11 municipal budget meetings.

10 – 010 To authorize the Town Manager to process Senior Circuit Breaker Program payments, not
to exceed \$47,936.22.

10 – 011 To hold a Public Hearing to consider and act on amending Section 204.14.4.3 (Industrial
District – Side Setback) of the Cumberland Zoning Ordinance.

~TABLED TO 02/22/10

10 – 012 To set a Public Hearing date (February 8th) to consider and act on a Mobile Service Cart
License for Val Halla Golf Course for the period of February 2010 – February 2011.

V. NEW BUSINESS

VI. EXECUTIVE SESSION: pursuant to Title 36 M.R.S.A., § 841, re: Poverty Abatement
Request for property identified as Map U19/Lot 06.

VII. ADJOURNMENT

AGENDA
CUMBERLAND TOWN COUNCIL MEETING
290 Tuttle Road, Town Hall
Monday, August 9, 2004

6:00 – WORKSHOP with Val Halla Board of Trustees

7:00 – CALL TO ORDER

I. APPROVAL OF MINUTES

II. MANAGER'S REPORT

III. PUBLIC DISCUSSION

IV. LEGISLATION AND POLICY

- 04 – 096.** To hold a public hearing to consider and act on the authorization for the submission of a CDBG grant to study affordable housing for Chebeague Island.
- 04 – 097.** To set an election date of September 21, 2004 for a SAD 51 Referendum Election and countersign Warrant.
- 04 – 098.** To set a public hearing date to consider and act on a Mass Gathering Permit for the Cumberland Soccer Club's Labor Day Tournament at Twin Brook.
- 04 – 099.** To set a public hearing date to consider and act on the Chebeague Island Hall Bottle Club License.
- 04 – 100.** To set a public hearing date to consider and act on a Fire Protection Ordinance and related amendments to the Zoning and Subdivision Ordinances.
- 04 – 101.** To set a public hearing date to consider and act on a Contract Zone request for Dr. Hanson's property at 371 Tuttle Road.
- 04 – 102.** To set a public hearing date to consider and act on a Restaurant/Lounge Liquor License and Special Amusement Permit for the Slow Bell Café, 2 Walker Road, Chebeague Island.
- 04 - 103.** To hear a presentation from Councilor Savasuk and Town Manager on Commercial Zones.
- 04-104.** To set a public hearing date to consider and act on application by Megan Murphy, d/b/a Out to Sea Bakery, 31 South Road, Chebeague Island for a Victualer's License.
- 04-105.** To set a public hearing date to consider and act on an amendment to sections 204.6, Local Business (LB), and 204.7, Highway Commercial District (HC), of the Cumberland Zoning Ordinance, to except home occupations from site plan review.

NEW BUSINESS

V. ADJOURN

MEMBERS OF THE TOWN COUNCIL

William Stiles, Chairman	829-6679	wcstiles@maine.rr.com	Donna Damon	846-5140	publicservant1@aol.com
Mark Kuntz	829-6482	chinook96@msn.com	Harland Storey	829-3939	cstorey@gwi.net
Michael Savasuk	781-3061	mxslaw@maine.rr.com	Jeffrey Porter	829-4129	mesit5@aol.com
Stephen Moriarty	829-5095	smoriarty@nhdlaw.com	web:		www.cumberlandmaine.com

III. PUBLIC DISCUSSION

Chairman Stiles opened the public discussion portion of the meeting at 7:13 pm.

There was no discussion.

The public portion of the meeting was closed at 7: 14 pm.

IV. LEGISLATION & POLICY

04-096. To hold a public hearing to consider and act on the authorization for the submission of a CDBG grant to study affordable housing for Chebeague Island.

Manager Shane stated that part of the requirements of the Community Development Block Grant is to hold a public hearing that is advertised. At the last meeting, the council was asked to suspend the rules to authorize the agreement.

Beth Howe, a resident of Chebeague and the Chairperson for the Islands Committee, stated that she wrote the grant that the Council has authorized. Housing values on the island have been going up dramatically. Between 1998 and 2003, the increase on valuation on the island was 62%. One quarter of the population of Chebeague Island is over the age of 65. There are no heads of households under the age of 35. One third of households have children under the age of 18. The median income for the year 2000 was \$32,000; the mainland median income was \$68,000. There are three possible constituencies that the market study could possibly find out:

1. The elderly, who mostly own their own homes and have no desire to move
2. Young families, both on the island and those off the island who may be interested in moving to the island
3. Single young people who have trouble finding places if they don't live with family

Councilor Damon stated that one couple has been without a house for 10 years, living in 4 different places. a winter rental is available but a summer rental is more difficult. Single mothers are also having difficulty finding housing.

Henry Whetham stated that he has lived on the island for most of his life. He would like to stay on the island, but is having difficulty finding affordable housing.

Justin Doughty explained that he grew up on Chebeague Island and would like to continue living there.

Robert Vail, a resident of Cumberland, stated that the town could have a right of refusal. There may be several properties that are going to be coming on the market in the near future; it would be a good opportunity for the Town to obtain property for affordable housing.

Anne Thaxter, a summer resident of Chebeague Island, stated that she is intending to retire there. Her concern was to have a community of mixed ages; not just a retirement community.

Councilor Damon moved that the Town Manager is authorized to sign a grant application request for a CDBG grant to study affordable housing on Chebeague Island.

Seconded by Councilor Savasuk.

VOTE: UNANIMOUS (5)

04-097. To set an election date of September 21, 2004 for a SAD 15 Referendum Election and countersign Warrant.

Manager Shane explained that, as a member of the SAD district, the Town Council is required to authorize the election.

Councilor Damon moved to set an election date of September 21, 2004 for an SAD 51 Referendum Election and to countersign the Warrant.

Seconded by Councilor Savasuk. VOTE: IN FAVOR: 4 OPPOSED: 1 (Kuntz)

04-098. To set a public hearing date to consider and act on a Mass Gathering Permit for the Cumberland Soccer Club's Labor Day Tournament at Twin Brook.

Manager Shane stated that this event is an annual event that is very well attended by many youth organizations throughout the state.

Councilor Kuntz moved to set a public hearing date of August 23, 2004 to consider and act on a Mass Gathering Permit for the Cumberland Soccer Club's Labor Day Tournament at Twin Brook.

Seconded by Councilor Damon.

Discussion:

Councilor Storey inquired as to increasing the fees at Twin Brook.

Manager Shane replied that the Twin Brook Advisory Committee would be reviewing the fees.

VOTE: UNANIMOUS (5)

04-99. To set a public hearing date to consider and act on the Chebeague Island Hall Bottle Club License.

Manager Shane explained that this is an annual renewal.

Councilor Storey moved to set a public hearing date of August 23, 2004 to consider and act on the Chebeague Island Hall Bottle Club License.

Seconded by Councilor Savasuk. VOTE: UNANIMOUS (5)

04-100. To set a public hearing date to consider and act on a Fire Protection Ordinance and related amendments to the Zoning and Subdivision Ordinances.

Manager Shane stated that the Planning Board has approved the Fire Protection Ordinance and is making the appropriate amendments to the Zoning and Subdivision Ordinances and hope to have the final ordinance ready by September 13, 2004.

Councilor Kuntz moved to set a public hearing date of September 13, 2004 to consider and act on a Fire Protection Ordinance and related amendments to the Zoning and Subdivision Ordinances.

Seconded by Councilor Storey. VOTE: UNANIMOUS (5)

04-101. To set a public hearing date to consider and act on a Contract Zone request for Dr Hanson's property at 371 Tuttle Road.

Manager Shane explained that at the July meeting, Dr. Hanson requested that a contract zone be placed on his property so that he could develop four rental units, which would be new construction; the existing facility would be replaced with a new structure. The Planning Board has endorsed the request and is sending it back to the Town Council with four conditions:

1. Rents be affordable, as defined by language of the contract zone
2. Rental units be rented with preferential preference be given to existing residents of the property, town and SAD 51 employees
3. The Planning Board reviews the project for site plan review
4. The architectural design shall be subject to design review to assure the historical architecture And integrity is maintained in the center of town

Councilor Damon stated that she understood that Dr. Hanson's original intent was to rehab the existing building.

4/9 Get letters out

4-9-84 - at Lake R^{public} hearings on moratorium

TOWN OF CUMBERLAND

MEETING OF THE TOWN COUNCIL

MONDAY, MARCH 26, 1984

Committee
Committee
Appts

I. Call to order at the Town Office at 7:00 P.M.

II. Approval of the Minutes

III. Manager's Report

Put 90% for
be for committee

IV. Public Discussion - Ho ^{by} has a rental of Elm. School.

V. Legislation and Policy

84-28 To set date for special town election on petition for proposed ordinance on police service.

84-29 To discuss the issuance of uncommitted sewer permits and the setting of a moratorium therefor.

RB
and letter
- her letter
- no action
- this time
- 3 locations
- do not intend to
- we believe
- obligation
- no
- for
- will

VI. Correspondence - m. Wyatt - No Action

VII. New Business

VIII. Adjourn to 1) Executive session on land acquisition Workshop a) Chebeague Island Transportation Company re: Industrial Revenue Bond and, b) Sewer allocation study

Yarmouth ordinance

Jim 1st request

In some zones
commercial parking
to have more - 1st
approved by bd of appeals
for harbour area
on Cousins Island - LOR
no reference to that
 zoning does not allow
- 1000% - contact
Richard Hayden

Dick moon - made point
that 3/22/84 was 1st time we
heard of holding tank

IF holding tank used - it would
take 45% of tank pumping type
of capacity. It uses 50% of over
peak flow volume

moon -
Go to 206 pm
suggestions on commercial
Rev. day at 1 u
over allocations
over 2000

Partika - No on line experience
adding to much & something could
go round

R.B.B.

TOWN OF CUMBERLAND

MEETING OF THE TOWN COUNCIL

MONDAY, APRIL 9, 1984

- I. Call to order at the Town Office at 7:00 P.M..
- II. Approval of the Minutes
- III. Manager's Report
- IV. Public Discussion
 - 84-30 To hold a public hearing on the proposed zoning ordinance.
 - 84-31 To discuss sewer use permits
 - 84-32 To authorize the Town Manager to execute an inducement agreement for Chebeague Island Transportation Company pertaining to revenue obligation securities.
 - 84-33 Nominating Committee appointments
 - 84-34 To award winter sand bid
 - 84-35 To award dump body/material spreader bid
- VI. Correspondence
- VII. New Business
- VIII. Adjourn *Ballow & Chapman - re building lot problem - Pinewood Lodge Rd area*

6255
CALL CHAPMAN & Ballou

I. The meeting was called to order by the Chairman at 7:00 P.M.

II. Approval of the Minutes
Councilor Bates moved to approve the minutes of the previous meeting as written.
Seconded by Councilor Ahlers 5 - Yes
1 - Abstention (Moon)

III. Manager's Report - None

IV. Public Discussion
Present at the meeting was Margery Hodgkin who requested premission to rent one room of the Cumberland Elementary School for a private school for pre-school children from Sept. 1984 to June 1985.
Mrs. Hodgkin was informed by the Chairman that her request would be taken under consideration after the Building Committee is appointed.

V. Legislation and Policy

84-28 To set date for special town election on petition for proposed ordinance on police service.
Councilor Ahlers moved to set the date of June 12, 1984 as the date for the referendum on the proposed ordinance on police service.
Seconded by Councilor Bates Unanimous

84-29 To discuss the issuance of uncommitted sewer permits and the setting of a moratorium therefor.
The Town Manager explained this is an agenda item as requested by the Council at a workshop with Portland Water District and E. C. Jordan Co.
Present at the meeting was Mr. Carruthers of E. C. Jordan who explained a breakdown of the user units in the Cumberland sewer system and a summary of units in the reserved category.
A lengthy discussion followed after which Councilor Bates made the following motion:
WHEREAS the Comprehensive Plan calls for a particular type of housing some of which has been applied for proposing sewer usage and,

WHEREAS the Zoning Ordinance provides for certain special exceptions under which some applications have been applied for requesting sewer usage and,

WHEREAS the Subdivision Ordinance provides for the necessity of an appropriate agency certifying that proposed subdivisions won't overburden any municipal system including the sewer and,



MEMORANDUM

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: August 19, 2005
Re: Chebeague Island Secession Petition

On Monday evening, Herb Maine will serve us with a letter from the Town Clerk certifying the signatures on the petition for secession. So we can avoid a special election, I have asked the Chairman to consider the following schedule for Monday night's meeting:

1. **August 22, 2005** receive the petition and schedule the Public Hearing as required by law for **Sept. 13th (Tues), Sept 14th (Wed) or Sept 15th (Thur)**.
2. Set the **Referendum** date at the Public Hearing for **November 8, 2005** with separate ballots for the Session question and a unique color for the secession territory.

Change of Events:

1. **Petition Served** and Voters names and Signatures Certified by Town Clerk
2. Set **Public Hearing** date within 30 days of certification of signatures. (no restrictions for participation – Resident or Non-resident)
3. **Set Referendum** not less than 30 days, but no more than 120 days.
4. If the referendum is approved by a majority of CI resident's, the **Town Council will vote** at a meeting to "support" or "not support" the Secession petition.
5. If supported by the Council- The petition forwarded to the legislature subject tot the negotiated terms. Chairman appoints a **two member subcommittee** to work with Secession Committee and develop a draft agreement to be approved by entire council after review by the Town Attorney.
6. If **not Supported**- then we have 30 days to mutually select an **arbitrator** to work through the issues including terms of secession. If we cannot select an arbitrator than we will be appointed one by the state. If after 6 months, the state selected arbitrator cannot resolve the differences, then the Legislature will take over the process.

Councilor Moriarty moved, seconded by Councilor Kuntz, to amend the agenda to include a new item to discuss and establish a date for the required public hearing and to discuss and establish a date for the required advisory referendum within the secession territory and to determine whether the advisory referendum should include the entire town or just the proposed secession territory.

VOTE: UNANIMOUS 6-0

Chairman Stiles indicated this item would be dealt with at this time. The Town Manager has recommended a public hearing date of September 15, 2005. Councilor Damon requested the SAD be invited to attend.

Councilor Moriarty moved, seconded by Councilor Storey, that the statutory public hearing be scheduled for Thursday, September 15, 2005, 7:00 p.m. here at Town Hall.

VOTE: UNANIMOUS 6-0

Councilor Kuntz moved, seconded by Councilor Turner, to set a referendum date of Tuesday, November 8, 2005.

VOTE: UNANIMOUS 6-0

Councilor Moriarty clarified that the referendum in the "secession territory" is also advisory, not binding. The town has the option to hold the vote "on a town wide or a municipality wide basis as well, provided that the votes are kept separately and accounted for separately." He believes that a town-wide vote is preferable because the secession impacts "not just the proposed (secession) territory but the town as a whole."

Councilor Moriarty moved, seconded by Councilor Storey, that the advisory referendum to take place on November 8, 2005 be held in the entire Town of Cumberland, and not just the proposed secession territory.

VOTE: UNANIMOUS 6-0

The Town Manager clarified that the petition committee of five, comprised of Beverly Johnson, Jeff Putnam, Mabel Doughty, Mark Dyer, and Dave Stevens, may by a majority vote "withdraw the petition for secession" so, "there's a lot of work that will have to be done pending even a positive outcome in November."

"Conversely," Councilor Damon noted, "even if the mainland part of the advisory referendum is overwhelmingly opposed to it, it still goes forward if they choose to have it go forward."

No public comments received.

Councilor Storey moved, Councilor Moriarty seconded, to include land acquisition as an Executive Session item.

VOTE: UNANIMOUS 6-0

Clerk

TOWN OF CUMBERLAND

MEETING OF THE TOWN COUNCIL - MONDAY, OCTOBER 24, 1988

PLEASE NOTE: EXECUTIVE SESSION - LAND ACQUISITION -
TO BE HELD AT 6:30 PM.

- I. Call to order at the Cumberland Municipal Center at 7:00 p.m.
- II. Approval of Minutes
- III. Manager's Report
- IV. Public Discussion
- V. Legislation and Policy
 - 88-117 To hold a Public Hearing to adopt amendments to the Zoning Ordinance regarding Bed & Breakfast Inns, Day Care Facilities, and Residential Care Facilities.
 - 88-118 To hold a Public Hearing on the application of Val Halla Golf and Recreation Center for a malt, spiritous, and vinous liquor license.
 - 88-119 To consider action regarding purchase of Harris Estate.
 - 88-120 To discuss complaints of water contamination in West Cumberland.
 - 88-121 To authorize "no parking" on Lawn Avenue, Maple Street, Main Street (Farwell Avenue to Tuttle Road), and Tuttle Road (Main Street to Meadow Way).
 - 88-122 To discuss policy for sewer extensions.
 - 88-123 Nominating Committee appointments.
 - 88-124 To sign election warrant, set time to open polls and approve appointments of the wardens for the November 8, 1988 Presidential Election.
 - 88-125 To set date for Public Hearing on amendment to Solid Waste and Recycling Ordinance regarding wood products.
- VI. Correspondence
- VII. New Business
- VIII. Adjourn

*Call DEP Meeting
NUS Copies out*

MEMBERS OF THE TOWN COUNCIL

Stephen Moriarty, Chairman	829-5095		
Alvin Ahlers	829-3159	E. Stephen Murray	781-2771
Robert Harmon	829-3685	William Putnam	846-4412
Robert Humphreys	829-5795	David Williams	829-3865

COUNCIL MINUTES
OCTOBER 24, 1988

88-119 To consider action regarding purchase of Harris Estate.

Richard Sawyer reviewed his appraisal of the Harris property and answered questions from the Council and the public.

Councilor Putnam moved that the Town of Cumberland issue its bonds and/or notes in the amount of Four Million Dollars to acquire and improve the Harris Estate off the Foreside Road in said Town of Cumberland at such rate and on such terms as the Council shall determine and that the Council be further authorized to sell the house and several acres surrounding it thereafter, either separately or together, to reduce the cost of acquisition and future development thereof to the taxpayers of the Town of Cumberland.

Councilor Ahlers seconded.

	Vote:	5	in favor
		1	opposed (Williams)
		1	abstention (Murray)

88-120 To discuss complaints of water contamination in West Cumberland.

The NUS report on well testing done in West Cumberland has been completed and delivered to the Town. It was felt by the Council that someone from DEP should attend the next Council meeting to review and explain the findings of the report.

Councilor Humphreys moved to hold the November 14, 1988 Council meeting at the West Cumberland Recreation Hall on Blackstrap Road.

Councilor Harmon seconded. Vote: Unanimous

88-121 To authorize "no parking" on Lawn Avenue, Maple Street, Main Street (Farwell Avenue to Tuttle Road), and Tuttle Road (Main Street to Meadow Way).

Councilor Humphreys moved to authorize the Police Chief to implement "no parking between the hours of 6 a.m. and 4 p.m.; on Lawn Avenue, Maple Street, Main Street (Farwell Avenue to Tuttle Road), and Tuttle Road, (Main Street to Meadow Way).

Councilor Ahlers seconded. Vote: Unanimous

Councilor Humphreys moved to authorize the Police Chief to implement "no parking between the hours of 6 a.m. and 4 p.m. weekdays only; on Lawn Avenue, Maple Street, Main Street (Farwell Avenue to Tuttle Road), and Tuttle Road, (Main Street to Meadow Way).

Councilor Williams seconded.

RB

TOWN OF CUMBERLAND

MEETING OF THE TOWN COUNCIL - MONDAY, NOVEMBER 28, 1988

PLEASE NOTE: The Council will hold a workshop on Public Safety Dispatch at 7:00 p.m.

call Bunsy prior to meeting
I. Call to order at the Cumberland Municipal Center at 8:00 p.m.

II. Approval of Minutes

III. Manager's Report - *Request for labels / private use / ph. in bathroom on C.D.*

Not Done
IV. Public Discussion

V. Legislation and Policy

88-134 To reschedule date of referendum vote on Harris property from December 6, 1988 to December 13, 1988.

88-135 To sign election warrant, set time to open polls and approve appointments of the wardens for the referendum election.

88-136 To set date for Public Hearing on extension of moratorium on residential subdivisions in the Town of Cumberland. *12/12*

88-137 To set date for Public Hearing to adopt amendment to the Zoning Ordinance regarding Bed & Breakfast Inns. *12/12*

88-138 To accept Meadow Way as a town way.

88-139 To accept a section of Friar Lane as a town way.

VI. Correspondence

VII. New Business - *Ad For Porcuster*
SAD - Conf. room *(manus a volunteer Wagner Comm)*

Executive Session on Union Negotiations and non-union salaries. *5% OK - Next Agenda*

VIII. Adjourn

MEMBERS OF THE TOWN COUNCIL

Stephen Moriarty, Chairman 829-5095

Alvin Ahlers 829-3159

Robert Harmon 829-3685

Robert Humphreys 829-5795

E. Stephen Murray 781-2771

William Putnam 846-4412

David Williams 829-3865

*YAR - 1st - Business plan ? or just emergency line
12 - 02 - how do you feel re year gear up*

TOWN OF CUMBERLAND

SPECIAL MEETING

MEETING OF THE TOWN COUNCIL - WEDNESDAY, NOVEMBER 30 1988

I. Call to order at the Greely High School Auditorium at 7:00 pm.

II. Legislation and Policy

88-140 To hold a Public Hearing on petition for referendum to overrule Council order to authorize the issue of bonds and/or notes in the amount of four million dollars to acquire and improve the Harris Estate in the Town of Cumberland.

III. Adjourn

MEMBERS OF THE TOWN COUNCIL

Stephen Moriarty, Chairman	829-5095	E. Stephen Murray	781-2771
Alvin Ahlers	829-3159	William Putnam	846-4412
Robert Harmon	829-3685	David Williams	829-3865
Robert Humphreys	829-5795		

TOWN OF CUMBERLAND
MINUTES OF THE MEETING OF THE TOWN COUNCIL
NOVEMBER 30, 1988

SPECIAL MEETING

Present: Stephen Moriarty, William Putnam, Robert Humphreys, Robert Harmon, David Williams

Absent: E. Stephen Murray, Alvin Ahlers

I. The meeting was called to order by the Chairman at the Greely High School Auditorium at 7:00 p.m.

II. Legislation and Policy

88-140 To hold Public Hearing on petition for referendum to overrule Council order to authorize the issue of bonds and/or notes in the amount of four million dollars to acquire and improve the Harris Estate in the Town of Cumberland.

The Chairman gave a brief history of the process to date concerning the issue of the Harris property acquisition and explained the procedure to be followed through the referendum vote.

Tex Haueser, Planner, reviewed the results, concerning coastal access, from the survey conducted for the comprehensive plan study.

Steve Sawyer, engineer, reviewed results of the 1979 Coastal Access Study and explained that the Harris property is located in the second most desirable zone for water access. He also stated that in his opinion the needed permits are obtainable and the property is workable as a park and for ocean access.

The Town Manager reported on the financial status of the Town. He stated that state law would allow the the town to have a debt of up to 39 million dollars. The current debt is approximately 1.2 million. He also explained the funding and its effect on the tax rate.

Bill Dean, accountant with Runyon, Kersteen, Ouellette & Co., reported on how Cumberland compares with other towns concerning the debt ratio per capita. He compared Cumberland with 7 other area towns and Cumberland's ratio is currently the lowest. If 2 million were added to that, it still would be below average.

COUNCIL MINTUES
NOVEMBER 30, 1988

The Chairman opened the public portion of the hearing.

Tom Peterson, representing a group supporting the purchase of the Harris property, spoke of the reasons why they feel this property should be purchased by the Town.

Those attending the hearing who wished to speak were allowed to do so and questions were answered by the officials who were present, including town attorney Kenneth Cole.

Norman Poole, representing a group opposed to the purchase of the Harris property, spoke of the reasons why this group opposes the purchase.

The Chairman closed the public portion of the hearing.

Chairman Moriarty urged all present to vote on this issue on December 13, 1988.

III. Adjourn

The meeting was adjourned at 9:45 p.m.

Charlene A. Doyle
Charlene A. Doyle
Deputy Town Clerk

Every R.D. on areas of concern besides sewer (83 memo on
criticism of not providing leadership etc

TOWN OF CUMBERLAND

MEETING OF THE TOWN COUNCIL

MONDAY, NOVEMBER 25, 1985

I. Call to order at the Town Office at 7:00 P.M.

II. Approval of the Minutes

III. Manager's Report

(Cute suggested)
Coke River represents
Don Grants
SAD letter + response
only - Layout subdivision filed
Diction (Tom Leahy) cap-
manhattan Leahy

IV. Public Discussion

V. Legislation and Policy

Budget
learn -
what activity
d pp do, 11th
ry during
hurch fair -
report to council
12/9.

concern re public events - no police coverage -
church fair - foot patrol - down one area

85-118 To appoint Library Building Committee

refer to Appri committee

85-119 To authorize Town Manager to borrow up to \$700,000
for library expansion for a term of 20 years through
the Maine Municipal Bond Bank.

85-120 To set golf and tennis fees

see sheet

85-121 To act upon report of Town Buildings Committee

OK - \$1000 to study.

85-122 To discuss all terrain vehicles

85-123 To appoint 1986 Budget Chairman

85-124 To set date for public hearing to consider appli-
cations of Thomas Greenlaw and Cumberland Auto
Salvage Inc. for automobile graveyard and/or junk-
yard permits

85-125 Executive session on non-union salaries

VI. Correspondence

VII. New Business

VIII. Adjourn

Items tentatively scheduled for December 9th meeting:

- . Award audit bid
- . Life Safety Code
- . Public hearing on zoning ordinance amendment

MEMBERS OF THE TOWN COUNCIL:

Beverly S. Johnson, Chairman, 846-4850

Robert B. Humphreys 829-5795

Daphne G. Warren 829-5711

Robert L. Cram 781-2577

Richard G. Moon 829-3608

Daniel W. Bates 781-4276

Jeffrey H. Butland 829-5357

TOWN OF CUMBERLAND
MINUTES OF THE MEETING OF THE TOWN COUNCIL
NOVEMBER 18, 1985

Present: All

- I. The meeting was called to order by the Chairman at 7:00 P.M.
- II. Approval of the Minutes
Councilor Humphreys moved to amend the minutes as follows:
Page 4 - Line 19 - "Councilor Humphreys requested the record show that the United Way may be supported individually by each member.
Seconded by Councilor Bates
The minutes were then accepted unanimously as amended.
- III. ~~Manager's Report - (deferred until later in the meeting)~~
- IV. Public Discussion
Mary Louise Smith requested the library issue be made an agenda item for the next meeting and the Council be prepared to appoint a building committee and take action since the vote of November 5th shows that the public was in favor of an addition to the Prince Memorial Library.
Chairman Johnson stated this would be an agenda item for the November 25th meeting.
- V. Legislation and Policy
- 85-113 To hold a public hearing on land acquisition.
Present at the meeting was Donna Damon who gave a slide presentation and brief history of the property.
Discussion followed including uses for the land, maintenance and upkeep and method of payments.
- Councilor Cram moved that the Town of Cumberland purchase from Sanford E. Doughty of Chebeague Island in said Town of Cumberland the parcel of land shown as Lot 18 on Map I-1 of Cumberland Assessors Plans, which lot has a frontage of three hundred sixty (360) feet, more or less, on Chandler's Cove and contains 7.7 acres, more or less, for the price of fifty thousand dollars, payable in three annual payments and on condition that said premises be used in perpetuity by the tax payers of the Town of Cumberland and their guests for recreational purposes only.
Seconded by Councilor Bates
- Councilor Bates moved to amend the motion to authorize the Town Manager to execute any agreements necessary including promisory notes which would enable the purchase.

TOWN OF CUMBERLAND

MEETING OF THE TOWN COUNCIL

MONDAY, SEPTEMBER 23, 1985

- I. Call to order at the Greely High School at 7:00 P.M.
- II. Approval of the Minutes
- III. Manager's Report *None*
- IV. Public Discussion
- V. 85-96 To consider issuance of a \$700,000 bond to expand the Prince Memorial Library. *Bon brought up Yarmouth. Nov Bond referendum*
- 85-97 To hold a public hearing on amendment to the Flood Hazard Ordinance.
- 85-98 To consider relocation of municipal offices to Cumberland Elementary School.
- 85-99 To accept donation of land from the Minat Corporation. *7600 Sq. Ft. for parking.*
- 85-100 To consider request of Cumberland Estates for sewer user units under Article VII of the Sewer Use Ordinance.
- 85-101 Nominating Committee appointments *Bill Sumner & CATV*
- VI. Correspondence
- VII. New Business
- Executive session on land acquisition *Union Negotiations - Advice in sewer & Tele. on*
- VIII. Adjourn to workshop on Life Safety Code

Item tentatively scheduled for October 7th meeting:

- . To discuss sewer capacity

① Forest Lake Road Petition

Members of the Town Council:

Beverly S. Johnson, Chairman, 846-4850
Robert B. Humphreys 829-5795
Daphne G. Warren 829-5711
Robert L. Cram 781-2577

Richard G. Moon 829-3608
Daniel W. Bates 781-4276
Jeffrey H. Butland 829-5357

Memorandum to the Town Council..... meeting of September 23rd

Item 85-96 As a result of the meeting of the trustees of Prince Memorial Library the Council scheduled an agenda item to consider the issuance of a \$700,000 bond for the purposes of expanding the Prince Memorial Library. It is my understanding that the library will make a presentation to the Council and to the public.

Item 85-97 Enclosed in your packet is correspondence from FEMA to me with a suggestion that we incorporate additional language as a part of the Flood Hazard Ordinance in order that we be in compliance with their rules. Please review that letter for the additional language they have requested we incorporate as a part of our ordinance.

Item 85-98 This item is a continuance of a discussion held by the Council recently for a workshop and is on the agenda for Monday evening to allow the Council to consider remarks made by the Town Building Committee regarding this issue and the report by E. C. Jordan regarding handicapped access.

Item 85-99 As you know, the Minat Corporation has offered to the Town land along Val Halla Road for the purpose of additional parking. I have been advised by the Town Attorney that the Council should go on record as accepting that land as a gift.

Item 85-100 Enclosed in your packet is a letter to me from Cumberland Estates requesting sewer user units under Article VII of the Sewer Use Ordinance and offering to pay for such units as part of the upgrade. To be consistent with Council action, I would ask that this item be tabled until the Town Engineer can comment on the impact that this request would have on the system and advise me in writing of that impact.

Item 85-101 I have discussed two needed appointments with the Chairman of the Nominating Committee.

Under new business, I would ask that you review a letter which we received recently from Council of Governments discussing a proposed aerial flyover which would provide us with updated aerial photographs of the Town of Cumberland. This is an extremely favorable price and I would suggest \$1,000 be appropriated from the Contingent Fund. As you will note in the letter, they are requesting that the towns advise them of any interest by the middle of October which is the reason I have asked that this be acted upon tonight under new business. Both Mr. Littlefield and myself feel that this is a very worthwhile expenditure primarily because our last aerial photos are dated in 1959 and we can certainly use an updated set. We have discussed this in the past and to flyover the Town of Cumberland for these purposes would cost approximately \$5,000.

AGENDA
Cumberland Town Council Meeting
Town Council Chambers
MONDAY, January 25, 2010
7:00 p.m. Call to Order

I. APPROVAL OF MINUTES

January 11, 2010

II. MANAGER'S REPORT

III. PUBLIC DISCUSSION

IV. LEGISLATION AND POLICY

- 10 – 006 (a) To receive a Certificate of Sufficiency of Petition from the Town Clerk, and
(b) To hold a Public Hearing to act on setting a Special Municipal Referendum
Election date.

10 – 007 To appoint Chris Bolduc as Director of Public Services.

10 – 008 To hear a presentation re: The Cumberland Maine Business Association.

10 – 009 To hear a report from the Finance Committee Chair re: FY'10 2nd quarter financials and to
set dates for FY'11 municipal budget meetings.

10 – 010 To authorize the Town Manager to process Senior Circuit Breaker Program payments, not
to exceed \$47,936.22.

10 – 011 To hold a Public Hearing to consider and act on amending Section 204.14.4.3 (Industrial
District – Side Setback) of the Cumberland Zoning Ordinance.
~TABLED TO 02/22/10

10 – 012 To set a Public Hearing date (February 8th) to consider and act on a Mobile Service Cart
License for Val Halla Golf Course for the period of February 2010 – February 2011.

V. NEW BUSINESS

**VI. EXECUTIVE SESSION: pursuant to Title 36 M.R.S.A., § 841, re: Poverty Abatement
Request for property identified as Map U19/Lot 06.**

VII. ADJOURNMENT

MOTIONS

MOTIONS

10 – 006 (a) I move to receive the Town Clerk's Certificate of Sufficiency of Petition.

(b) I move to set a Special Election date of _____ to hold a Special Municipal Referendum Election to place the following question before the voters:

"Do you support the Town Council's decision of December 14, 2009 to issue bonds and expend up to \$4,500,000 for major road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road, and along Route 88 from 800 feet north of Teal Road to the Falmouth town line?"

10 – 007 I move to appoint Chris Bolduc as Director of Public Services.

10 – 008 No action necessary.

10 – 009 I move to set the following dates for FY'11 municipal budget meetings:

- Monday, February 15th – Budget Workshop w/ the Finance Committee, 8:00 a.m.
- Monday, February 22nd – Presentation of Manager's Budget to Town Council, 7:00 p.m.
- Saturday, February 27th - Town Council Budget Workshop, 8:00 a.m.
- Monday, March 8th – Public Hearing on FY'11 Budget, 7:00 p.m.

10 – 010 I move to authorize the Town Manager to process Senior Circuit Breaker Program payments, not to exceed \$47,936.22.

10 – 011 I move to table this item to February 22, 2010 pending Planning Board review and recommendation.

10 – 012 I move to set a Public Hearing date of February 8th to consider and act on a Mobile Service Cart License for Val Halla Golf Course for the period of February 2010 – February 2011.

MANAGER'S REPORT

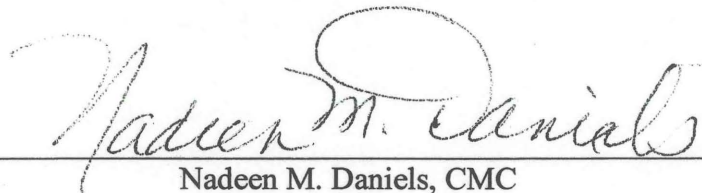
ITEM

10-006

- (a) To receive a Certificate of Sufficiency of Petition from the Town Clerk, and
- (b) To hold a Public Hearing to act on setting a Special Municipal Referendum Election date.

CERTIFICATE OF SUFFICIENCY OF PETITION

I, Nadeen M. Daniels, CMC, being the duly appointed Town Clerk in Cumberland, Maine, do hereby certify that I have examined the petition instruments filed with me between 8:00 a.m. January 7, 2010 and 5:00 p.m. January 13, 2010 pursuant to the Cumberland Town Charter and State of Maine Election laws and have found them to contain a total of 714 signatures. 578 valid signatures are required to initiate an Overrule Referendum Election regarding the Town Council's decision to issue bonds for the road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements to Route 88. I hereby further certify that the petitions submitted during this period contain the requisite 578 valid signatures.



Nadeen M. Daniels, CMC
Cumberland Town Clerk

Seal





TOWN OF CUMBERLAND

290 Tuttle Road • Cumberland, Maine 04021

NOTICE

Cumberland Town Council

January 25, 2010 Public Hearing

re: Special Overrule Referendum Election

The Cumberland Town Council will meet at 7:00 p.m. Monday, January 25, 2010, in Town Council Chambers, Town Hall, 290 Tuttle Road, to consider and act on setting a March 2, 2010 Special Municipal Referendum Election date to place the following Overrule Referendum question on the ballot:

“Do you support the Town Council’s decision of December 14, 2009 to issue bonds and expend up to \$4,500,000 for major road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road, and along Route 88 from 800 feet north of Teal Road to the Falmouth Town Line?”

PPH - 1/15+16
NOTES - 1/18

FORECASTER - 1/21

NOTICE
Cumberland Town Council
January 25, 2010 Public Hearing
re: Special Overrule Referendum Election

The Cumberland Town Council will meet at 7:00 p.m. Monday, January 25, 2010, in Town Council Chambers, Town Hall, 290 Tuttle Road, to consider and act on setting a March 2, 2010 Special Municipal Referendum Election date to place the following Overrule Referendum question on the ballot:

“Do you support the Town Council’s decision of December 14, 2009 to issue bonds and expend up to \$4,500,000 for major road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road, and along Route 88 from 800 feet north of Teal Road to the Falmouth Town Line?”

*Posted at Town Hall, Food Stop, Prince Memorial,
and Allen's Farm on Thursday 1/14/10*

**OFFICIAL BALLOT
TOWN OF CUMBERLAND, MAINE
SPECIAL REFERENDUM ELECTION
MARCH 2, 2010**

INSTRUCTIONS TO VOTERS

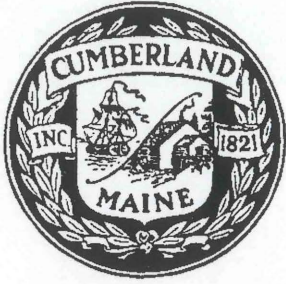
Complete the oval () to the LEFT of your choice, like this: (). Completing the YES oval means you are in favor, completing the NO oval means you are opposed. If you make a mistake, you may request a new ballot. If you tear, deface or wrongly mark the ballot, please return it and obtain another. DO NOT ERASE.

OVERRULE REFERENDUM QUESTION

- YES "Do you support the Town Council's decision of December 14, 2009 to issue bonds and expend up to \$4,500,000 for major road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road, and along Route 88 from 800 feet north of Teal Road to the Falmouth town line?"
- NO

ITEM 10-007

To appoint Chris Bolduc as Director of Public Services.



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: January 18, 2010
Re: Appointment of Chris Bolduc, Public Service Director

The Town Charter clearly states the Town Council must approve the initial appointment of all Department Heads:

ARTICLE IV Personnel Management

Section 4. Town Council: Appointments

A majority of the Town Council must approve the initial appointment of all department heads when recommended for employment by the Town Manager. Except as specified above, the Council shall not otherwise participate in appointments, and neither the Council nor any of its members shall direct or request the appointment of any person to office by the Manager.

It is with great pride and confidence I am recommending that Christopher Bolduc be appointed as the new Public Services Director. Chris will continue to be responsible for all Capital Projects, Town Buildings and actively participate on the Administrative Management Team. Chris's new responsibilities will include Highway Operations, Solid Waste & Recycling, Parks, Val Halla Grounds and the West Cumberland Recreation Hall.

Chris has transitioned well from his former role as Rescue Chief. His value to our organization grows daily and he truly is one of our most talented Department Heads. His versatility, attitude, work ethic and compassion are traits difficult to find in one person. Chris has received increasingly more responsibility each week over the past 10 months and he has risen to every challenge.

I am truly fortunate to have such a dedicated and talented staff in Cumberland. Chris Bolduc's appointment will add to an already exceptional Team.

ITEM 10-008

To hear a presentation re: The Cumberland Maine Business
Association.



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: January 18, 2010
Re: CMBA – Cumberland Maine Business Association

Alyssa Daniels will be presenting information related to our Kick-off event on February 3, 2010 at Val Halla for our newly formed Cumberland Business Association. Alyssa has accomplished more in 1 month than I have been able to get off the ground for 12 months. She is representing us on the Falmouth- Cumberland Chamber Board and is currently pursuing appointment to the Regional Chamber Policy Board. The unfortunate crash in our economy has put her plans on hold to practice law even though she has passed the bar examine in Maine and Massachusetts. The poor economy has become our good fortune because she has the energy and technical skills to put us in front of the pack in community Economic Development. She has developed the website for the CMBA and will give you overview of the website at your meeting. She has developed and mailed our first Economic Newsletter and is working on a "How To" guide for businesses interested in Cumberland. Her communication skills are excellent and she fully understands all of the new social media (face book, twitter and all that other stuff) that we will be using to launch our own Business Association.

Her position is funded through TIF funds, since economic development is a primary purpose of the funds. She has agreed to stay through February to complete the foundation of our Economic Development Plan. I hope to meet with her in mid-February and review what's next.

Brief Bio

Alyssa is a Maine native, who attended Portland schools and graduated Magna Cum Laude from the University of Southern Maine in 2006 with a Bachelor of Arts in Communication. During her sophomore year of college, Alyssa began interning for the Cumberland Town Manager and quickly became elevated to Communications Director, serving for over two years before leaving to attend Maine School of Law in the fall of 2006. During law school, Alyssa interned for the law firm of Jensen Baird Gardner & Henry, the Cumberland County Sheriff's Office, and the public accounting firm Baker Newman Noyes. In May 2009, Alyssa earned her Juris Doctorate and within just a few short months successfully passed both the Maine and Massachusetts bar exams.



CUMBERLAND MAINE BUSINESS ASSOCIATION

290 Tuttle Road • Cumberland, Maine 04021
Phone (207) 829-2206 • Fax (207) 829-2224
www.thecmba.com

MEMORANDUM

DATE: January 20, 2010
TO: Cumberland Town Council
FROM: Alyssa Daniels
RE: CMBA Inaugural Event – Wednesday, February 3rd

I. What is the CMBA?

The Cumberland Maine Business Association was formed in January and currently consists of 38 member businesses. The goal of this new association is to connect Cumberland business owners with one another and the town in order to provide extensive support and resources.

II. Is this a Chamber of Commerce?

The CMBA is not a Chamber of Commerce and does not intend to become one. However, the CMBA and the Town will take advantage of and build upon our existing relationships with the Falmouth/Cumberland Community Chamber and the Portland Regional Chamber by notifying CMBA members of Chamber events and networking opportunities.

III. What resources will the CMBA provide?

The new CMBA website (www.thecmba.com) will be launched at the February 3rd CMBA Inaugural Event. The website will serve as CMBA's greatest asset, featuring a discussion forum for business owners to post questions or offer suggestions and advice; a business of the month section where consumers can print coupons or sign-up to receive them automatically via email; an interactive map of Cumberland displaying available commercial properties, current photographs, broker contact information and permitted zoning uses; and a business directory displayed both alphabetically and by business category.

In addition to the website, I will provide printed materials to businesses interested in relocating to Cumberland. Those materials highlight the benefits of doing business in Cumberland and outline the steps necessary to establishing a business here. More importantly, I will assist business owners and their brokers, architects, contractors, or engineers through each step of the process from site selection to grand opening.



Cumberland Maine Business Association


[Home](#) [Member Directory](#) [Resources](#) [About CMBA](#) [Relocate](#) [Success Stories](#)



PHOTO: JACOB HARRIS



The **CMBA** was formed in January 2010 to connect Cumberland business owners with one another and to create an extensive network of support and resources. The **CMBA** also provides information and guidance to businesses interested in expanding or relocating in Cumberland. This site was developed with business owners in mind and our goal is to supply all of the resources necessary for your business to succeed and grow in Cumberland. Some of the site's highlights include: a discussion forum where Cumberland business owners can post questions and offer suggestions on a variety of issues from snow plowing to internet marketing; a comprehensive member directory including web site and email links as well as easy directions to any of our businesses; and an interactive map displaying available commercial properties with zoning and permitted use details.



Cumberland Maine Business Association

[Home](#) [Member Directory](#) [Resources](#) [About Cumberland](#) [Relocate](#) [Success Stories](#)

Complete Directory: Excel PDF
Includes Business Name, Contact, Title, Address, Phone, Web site, Email & Business Category

Alphabetical Listing:
Includes Business Name, Contact, Title & Business Category
B C D H L M S W

Directory by Business Category:
Includes Business Name, Contact, Address & Phone

[Agriculture](#) [Animal Care](#) [Automotive](#) [Business Service](#) [Financial Service](#)
[General Contractor](#) [Healthcare](#) [Insurance](#) [Personal Service](#) [Restaurant](#) [Retail](#)

ITEM 10-009

To hear a report from the Finance Committee Chair re: FY'10 2nd
quarter financials and to set dates for FY'11 municipal
budget meetings.

2nd Quarter Budget Summary

Fiscal Year 2009-10

TOWN OF CUMBERLAND
YEAR-TO-DATE BUDGET REPORT

Through December 31, 2009

Department	2009-10			2008-09
	Budget	YTD Expenses	Used	Used
General Administration	\$ 1,091,637	\$ 627,121	57.4%	54.8%
Public Safety	\$ 1,798,658	\$ 936,897	52.1%	51.0%
Public Works	\$ 1,620,975	\$ 789,570	48.7%	51.8%
Parks & Recreation	\$ 636,015	\$ 395,097	62.1%	66.8%
Library	\$ 372,533	\$ 184,906	49.6%	49.9%
Other Expenses	\$ 348,150	\$ 166,663	47.9%	53.4%
Controllable Expense Total	\$ 5,867,968	\$ 3,100,253	52.83%	53.72%

Other Expenses	Budget	YTD Expenses	Used	Used
MSAD #51	\$ 10,931,093	\$ 5,448,352	49.8%	50.1%
Debt Service	\$ 740,062	\$ 379,379	51.3%	56.1%
County Tax	\$ 615,032	\$ 615,032	100.0%	100.0%
Cemetary Association	\$ 25,000	\$ 25,180	100.7%	100.0%
Capital Imp. Plan	\$ 532,538	\$ 532,538	100.0%	100.0%
Insurance	\$ 233,175	\$ 165,120	70.8%	86.3%
Other Expense Total	\$ 13,076,900	\$ 7,165,601	54.8%	55.2%
All Expenses Total	\$ 18,944,868	\$ 10,265,854	54.19%	54.74%

Deviation from Ideal Expenses, by Year



Revenues Through 12/31/09

Description	2009-2010			2008-09
	Budget	Actual	Percent Collected	%
Misc Revenues	\$ 2,438,077	\$ 1,164,816	47.8%	48.0%
Dept Revenues	\$ 980,001	\$ 377,888	38.6%	36.0%
Total Revenues	\$ 3,418,078	\$ 1,542,704	45.1%	44.4%

Selected Revenue Lines	Budget	Actual	09-10	08-09
Excise Tax	\$ 1,298,000	\$ 708,188	55%	50%
Building Permits	\$ 35,000	\$ 18,082	52%	36%
State Revenue Sharing	\$ 650,000	\$ 302,789	47%	54%
Winter Recreation	\$ 60,000	\$ 59,500	99%	83%
Bags/Universal Waste	\$ 245,000	\$ 83,233	34%	32%

What this all means

- Expenses are more in line than the previous year, and are trending correctly as well
- Thus far, it has been a milder winter than the previous two, which should yield better results in the coming months
- Revenues are mostly showing very early signs of improvement, but this is offset by decreased state revenues
- At this stage, no need to make drastic changes, but we are still close to the edge.

The big concern

Property Tax Collections through 12/31

	2007-08	2008-09	2009-10
Tax Commitment	\$ 15,762,627	\$ 15,901,519	\$ 16,612,279
Taxes Collected	\$ 7,834,910	\$ 7,869,338	\$ 8,144,221
Percent Collected	49.71%	49.49%	49.03%
% Difference		-0.22%	-0.68%
\$\$ Difference		\$ (34,609)	\$ (113,014)

ITEM 10-010

To authorize the Town Manager to process Senior Circuit
Breaker Program payments.



M E M O R A N D U M

TOWN OF CUMBERLAND, MAINE

290 TUTTLE ROAD

CUMBERLAND, MAINE 04021

TEL: 207-829-2204 FAX: 829-2224

To: William R. Shane, Town Manager
From: William Healey, Town Assessor
Date: January 20, 2010
Re: FY 2010 Senior Circuit Breaker Totals

Bill,

81 people have applied for the Town's Senior Circuit Breaker refund this year. 74 applicants have been approved for refunds totaling \$42,686.22. I am still waiting for 7 applicants to supply me with confirmation of their State Refund. I have estimated these pending applications at \$750.00 each bringing the total refunds to approximately \$47,936.22. Please let me if you have any questions or concerns.

2008-2009 Cumberland Senior Circuit Breaker Program

Applicant	Town Reimbursement	Notes	Mailing Address	Town	State	Zip Code
Alan Smith	\$577.68		62 Mill Road	Cumberland	ME	04021
Annette M.L. Tibbetts	\$750.00		9 Winn Road	Cumberland	ME	04021
Antonio Desimon	\$750.00		12 Prince Street	Cumberland	ME	04021
Arthur Greco	\$481.19		2 Carriage Road	Cumberland	Fsde ME	04110
Barbara Butler	\$750.00		8 Willow Lane	Cumberland	ME	04021
Betty Long*	\$750.00	*Need Proof of 2009 State Refund	224 Foreside Road	Cumberland	Fsde ME	04110
Beverly Daoust	\$750.00		72 Gray Road	Cumberland	ME	04021
Cedric Porter	\$750.00		6 Pine Lane	Cumberland	Fsde ME	04110
Charles Kirk	\$393.00		190 US Rte One #355	Falmouth	ME	04105
Charlotte Copp	\$750.00		21 Blackstrap Road	Cumberland	ME	04021
Christopher O'Meara	\$750.00		P.O. Box 282	Cumberland	ME	04021
Dale Butterworth	\$750.00		5 Butterworth Farm Road	Cumberland	ME	04021
David B. Moody Jr.	\$655.26		P.O. Box 5	Cumberland	ME	04021
Donald E. Olen Sr.*	\$750.00	*Need Proof of 2009 State Refund	6 Pine Ridge Road	Cumberland	Fsde ME	04110
Donald Jacobson*	\$750.00	*Need Proof of 2009 State Refund	17 Crystal Lane	Cumberland	ME	04021
Donald Myers	\$184.50		268 Gray Road	Cumberland	ME	04021
Donald S. Rawnsley	\$605.00		382 Main Street	Cumberland	ME	04021
Dorothy Hill	\$400.00		45 Hawthorne Court	Cumberland	ME	04021
Eileen Gagel	\$669.55		32 Pleasant Valley Road	Cumberland	ME	04021
Eleanor Anderson	\$750.00		259 Gray Road	Cumberland	ME	04021
Elizabeth Mildrum*	\$750.00	*Need Proof of 2009 State Refund	20 Lawn Avenue	Cumberland	ME	04021
Elizabeth Moody	\$448.27		P.O. Box 337	Cumberland	ME	04021
Ellen Turner	\$674.26		42 Foreside Road	Cumberland	Fsde ME	04110
Evelyn H. Thurston	\$211.17		133 Middle Road	Cumberland	ME	04021
Flossie Barton	\$750.00		328 Greely Road	Cumberland	ME	04021
Frances Palmer	\$750.00		179 Blanchard Road	Cumberland	ME	04021
Frances S. Casey	\$750.00		46 Foreside Road	Cumberland	Fsde ME	04110
Frank Woodbury	\$311.79		163 Bruce Hill Road	Cumberland	ME	04021
Frederick Maitland	\$265.92		8 Bea Lane	Cumberland	ME	04021
Gerald Miller	\$601.70		16 Hedgerow Drive	Cumberland	ME	04021
Glenna Eliason	\$216.67		42 Hawthorne Court	Cumberland	ME	04021
Herbert Powers Jr.	\$750.00		57 Old Farm Road	Cumberland	ME	04021
Irene Turner	\$750.00		P.O. Box 106	Cumberland	ME	04021
Jacqueline Fossett	\$750.00		52 Hawthorne Court	Cumberland	ME	04021
Jack Glatte	\$587.86		P.O. Box 214	Cumberland	ME	04021
James Lynch	\$750.00		7 Blackstrap Road	Cumberland	ME	04021
Jean Soule	\$750.00		9 Pinewood Drive	Cumberland	ME	04021
Jean M. Spear	\$713.55		78 Middle Road	Cumberland	ME	04021

2008-2009 Cumberland Senior Circuit Breaker Program

Applicant	Town Reimbursement	Notes	Mailing Address	Town	State	Zip Code
Jeannette Sylvester	\$750.00		72 Middle Road	Cumberland	ME	04021
Joan McCarthy	\$750.00		25 Woodside Drive	Cumberland	ME	04021
John Handcock	\$514.94		374 Main Street	Cumberland	ME	04021
John Kennedy	\$125.74		21 Blanchard Road	Cumberland	ME	04021
John Lanese	\$130.21		24 Farwell Avenue	Cumberland	ME	04021
Johnny Spaulding	\$234.79		76 Skillin Road	Cumberland	ME	04021
Judith Dow	\$750.00		5 Starboard Lane	Cumberland	Fsde ME	04110
Judith Morrow	\$750.00		19 Wildwood Blvd	Cumberland	Fsde ME	04110
Karl Nielsen	\$494.13		246 Gray Road	Cumberland	ME	04021
Kathleen Taylor	\$750.00		P.O. Box 322	Cumberland	ME	04021
Kathryn Perkins*	\$750.00	*Need Proof of 2009 State Refund	3 Sparhawk Lane	Cumberland	ME	04021
Keith Clark	\$750.00		13 Crestwood Road	Cumberland	ME	04021
Kenneth Snitger	\$722.24		105 Tuttle Road	Cumberland	ME	04021
Leonard Taylor Jr.	\$476.59		41 Hawthorne Court	Cumberland	ME	04021
Margelia Potter	\$667.76		56 Blanchard Road	Cumberland	ME	04021
Maria P. MacVane	\$283.57		44 Hawthorne Court	Cumberland	ME	04021
Marian Day	\$750.00		58 Harris Road	Cumberland	ME	04021
Mary Ramsbotham	\$296.61		P.O. Box 26	Cumberland	ME	04021
Maryella Rawnsley	\$750.00		191 Harris Road	Cumberland	ME	04021
Mavis Estabrook	\$359.92		255 Gray Road	Cumberland	ME	04021
Nelson Haynes	\$601.42		104 Harris Road	Cumberland	ME	04021
Norma C. Pulkinen*	\$750.00	*Need Proof of 2009 State Refund	325 Tuttle Road	Cumberland	ME	04021
Norman Burnell	\$449.25		P.O. Box 156	Cumberland	ME	04021
Normand Moreau	\$668.23		7 Frye Drive	Cumberland	ME	04021
Olga Hammons*	\$750.00	*Need Proof of 2009 State Refund	29 Skillins Road	Cumberland	ME	04021
Patricia Copp	\$463.47		38 Interurban Drive	Cumberland	ME	04021
Philip Chase	\$598.67		258 Main Street	Cumberland	ME	04021
Philip Stanhope	\$606.55		20 Stanhope Lane	Cumberland	ME	04021
Richard Anderson	\$750.00		P.O. Box 215	Cumberland	ME	04021
Richard Day	\$750.00		3 Friar Lane	Cumberland	ME	04021
Robert Carlson	\$466.17		1 Brookside Drive	Cumberland	ME	04021
Robert Curneil	\$568.62		291 Blanchard Road	Cumberland	ME	04021
Robert Dyke	\$750.00		P.O. Box 234	Cumberland	ME	04021
Robert Eaton	\$564.08		420 Greely Road Ext.	Cumberland	ME	04021
Robert Erwin	\$695.61		3 Shady Run Lane	Cumberland	ME	04021
Robert Gatcombe	\$493.06		11 Sparhawk Lane	Cumberland	ME	04021
Roland Powers	\$325.28		37 Skillin Road	Cumberland	ME	04021
Ruth Wright	\$478.66		2 Longview Street	Cumberland	ME	04021

2008-2009 Cumberland Senior Circuit Breaker Program

Applicant	Town Reimbursement	Notes	Mailing Address	Town	State	Zip Code
Sidney Stratton	\$671.76		67 Old Farm Road	Cumberland	ME	04021
Valerie P. Wyman	\$564.03		8 Linden Court	Cumberland	ME	04021
William Brown	\$245.17		250 Gray Road	Cumberland	ME	04021
William McGonagle	\$750.00		2 Broad Cove Way	Cumberland Fside	ME	04110
William Thurston	\$750.00		211 Blanchard Road	Cumberland	ME	04021
	Reimbursement Total					
	\$47,936.22					

Please note: **Bold italics** are estimated refunds.

ITEM 10-011

To hold a Public Hearing to consider and act on amending
Section 204.14.4.3 (Industrial District – Side Setback) of the
Cumberland Zoning Ordinance.

TABLED TO 02/22/10

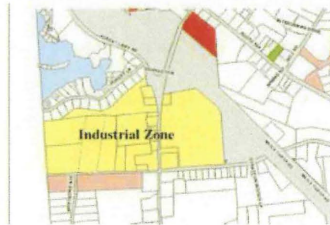
**PLANNING BOARD MEETING
TOWN OF CUMBERLAND
Cumberland Town Hall - 290 Tuttle Road
Cumberland, Maine 04021
Tuesday, January 19, 2010 - 7:00 p.m.**

** Meeting cancelled to
February 16th.*

- A. *Call to Order*
- B. *Roll Call*
- C. *Approval of Minutes of December 15, 2009*
- D. *Consent Calendar / De minimus Change Approvals:*
There are no consent calendar items.
- E. *Hearings and Presentations:*

1. **Public Hearing: To recommend to the Town Council an amendment to Section 204.14.4.3 (Industrial District – Side Setback) as follows:**

Side: 15 feet; Note: where a proposed non-residential use will abut an existing residential zone, the side setback shall be 75' of which 25' will be a landscaped buffer consisting of vegetation, fencing or a landscaped berm or a combination of the three. Provided that within the 15 foot setback, a buffer consisting of vegetation and/or fencing is installed and maintained by the owner.



2. **Public Hearing: Recommendation to the Town Council on rezoning the portion of Map R07, Lot 53 currently in the Rural Residential 2 (RR2) district to Industrial (I) David Chase, Applicant / Owner.**



3. **Public Hearing: Minor Subdivision Amendment to Falls Brook Meadows, to remove Note # 4 on the plan dated 4/26/79 "The land (Lot 1A & 1B) is for single-family residences only and may not be subdivided". Tax Assessor Map R04, Lot 31B, in the Rural Residential One (RR1) district. Edward Libby, Owner, Applicant.**

- F. *Administrative Matters:*
- G. *Adjournment:*



MEMORANDUM

PLANNING DEPARTMENT
TOWN OF CUMBERLAND, MAINE

Date: December 22, 2009
To: William Shane, Town Manager
From: Carla Nixon, Planning Director
Subject: MODIFICATION to Draft Zoning Ordinance Changes to the Industrial District

As you are aware, I have been working on several changes to the Industrial district in West Cumberland. Specifically, I have suggested additional uses that are typically allowed in such a district and I have suggested deleting a few that are currently permitted, but should not be for environmental and other reasons.

At its meeting on December 15th, the Planning Board voted unanimously to forward a positive recommendation to the Council on the changes provided to them. You have a Notice of Decision that details their motion from that meeting. However, I am writing this memo to suggest that the Council make a modification to the language that has been forwarded to them by the Planning Board because two issues have been brought to my attention since the Planning Board voted. The first issue was raised just after the Planning Board meeting when Rob and Rick Storey approached me to explain they had concerns about the setback and buffering/landscaping requirement when a non-residential use abuts a residential zone. They explained that in their situation their property line is within the actual slope of the pit banking and that to landscape for screening would mean that new trees would need to be over 80' tall to provide screening from the top of the slope. I told them that there would be a "reasonableness" factor applied by the Planning Board, but that it was a valid concern and I would consider how to address it. The second issue was brought to me today. I met with the engineer preparing a site plan application for the land now owned by David Chase...the former Pike gravel pit on Blackstrap Road and we realized that the existing building on the site can not meet the proposed requirement that *where a non-residential use will abut an existing residential zone, the side setback shall be 75' of which 25' will be a landscaped buffer consisting of vegetation, fencing or a landscaped berm or a combination of the three*. The existing building on the site is located only 20 feet from the zoning district boundary line for an RR 2 district. Further complicating this situation is that the parcel owned by David Chase actually straddles two different zoning districts: Industrial and RR2, so while he owns the land across the zoning boundary line, he is unable to comply with this requirement. The two solutions to the problem are: 1) to expand the Industrial district to include his entire parcel, and/or 2) to modify the proposed language so that this setback requirement does not create the problem expressed by the Storey brothers and now Mr. Chase.

I would suggest therefore that the Town Council consider a motion as follows:

To adopt the proposed changes contained in the draft as recommended by the Planning Board at is December 15, 2009 meeting with one change: that Section 204.14.4.3 (side setback) be changed to read: Side: 15 feet. The rest of the language should be removed as shown below in red font.

- ~~Gasoline stations;~~
- ~~Day care centers and nursery schools, subject to the provisions of Sec. 408A and Site Plan Review; [Amended, effective 12/13/89]~~
- .Boarding Kennel
- .Private Kennel
- .Home occupations; [Amended, effective 12/13/89],
- Home Based Occupations; [Amended, effective 2/12/07]
- Private Heliport, Personal Use, subject to Site Plan Review and to the provisions of Section 419;
- Sewer pumping stations, subject to the provisions of Sec. 419.4; [Amended, effective 12/13/89];
- Antennas as defined in Sec. 100, subject to Site Plan Review, and Section 433; [Adopted, effective 12/13/99]
- .Above ground utility transmission lines not located within public ways;
- Uses and buildings accessory to those above;

204.14.3: The following lot standards shall apply in the Industrial district:

- .1 ~~80,000~~ 40,000 square feet minimum lot size;
- .2 ~~200~~ 100 feet minimum lot frontage on a public right-of-way;

204.14.4: The following setbacks are required for all structures in the Industrial District:

- .1 Front: ~~100~~ 45 feet;
- .2 Rear: ~~65~~ 50 feet;
- .3 Side: ~~20 15 feet; with a combined width of 50 feet, but neither side shall be less than 100 feet if it adjoins a residential district. Note: where a proposed non-residential use will abut an existing residential zone, the side setback shall be 75' of which 25' will be a landscaped buffer consisting of vegetation, fencing or a landscaped beam or a combination of the three.~~

NEW DEFINITIONS

Contractor's Space. A facility consisting of one or more individual units for contractors to utilize for the storage, inventory and prefabrication of materials associated with construction.

Extraction and Processing of Earth Materials: The excavation, processing or storage of soil, topsoil, peat, loam, sand, gravel, rock or other mineral deposits.

Low impact industrial: Industrial activity involving the manufacturing, packaging, assembly, or distribution of finished products from previously prepared material, including but not limited to the following: bakeries, breweries, bottling, printing and publishing, pharmaceuticals, machine shops, precision instruments, tool and die shops and the packaging of foods.

ITEM 10-012

To set a Public Hearing date (February 8th) to consider and act on a Mobile Service Cart License for Val Halla Golf Course for the period of February 2010 – February 2011.

MAINE DEPT OF
PUBLIC SAFETYSTATE OF MAINE
Liquor Licensing & Inspection Division

164 State House Station

Augusta ME 04330-0164

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

SUPPLEMENTARY QUESTIONNAIRE FOR
Auxiliary Mobile Golf Cart License

1. Exact Name Of Golf Course:

Val Halla2. Name, birth date and telephone number of each person authorized to operate and sell from mobile golf cart.
(All operators of the mobile service bar must be 21 years of age and have successfully completed alcohol server education)

NAME	DATE OF BIRTH	TELEPHONE	T.I.P.S. I.D. number
<u>n/a</u>	<u>Municipality</u>		

3. Are all operators of the mobile service bar employees of the golf course?

Yes4. DOES THE OPERATOR OF THE MOBILE SERVICE BAR HAVE MEANS TO MAKE
IMMEDIATE CONTACT WITH AN EMPLOYEE AT THE LICENSED ON-PREMISE
LOCATION AT THE COURSE ? YES ✓ NO

Describe.

Radio and Cell phone5. How many additional security employees will be on the course to ensure adherence to the laws and rules
applying to the selling, serving and consumption of alcohol? Two

6. Do you have signs on cart stating legal age for service and consumption?

Yes7. Are signs posted stating that patrons may not bring alcoholic beverages on to the golf course or licensed
premise? Yes How Many? ThreeLocation. Viking Grill, Pro Shop, Deck

STATE OF MAINE

Dated at: Cumberland, Maine Cumberland ss
City/Town
On: January 25, 2010
Date

The undersigned being: ☐ Municipal Offices ☐ County Commissioners of the

☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____
Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653
Title 28A, Maine Revised Statutes and hereby approve said application.

Signature	Print Name

TOWN OF CUMBERLAND



Administration Department
290 Tuttle Road
Cumberland, ME 04021

Phone: (207)829-2205
Fax: (207)829-2224
WEB: www.cumberlandmaine.com

FAX TRANSMITTAL FORM

TO: Diane

FROM: Nadeen Daniels

FAX: 287-3424

DATE: 5-18-10

TIME: 3:40pm

PAGES: 3
Including Cover

COMMENTS:

Hi Diane -

Here's our ^{mobile} Golf Cart
license application.

Thanks
Nadeen Daniels

TOWN OF CUMBERLAND



Administration Department
290 Tuttle Road
Cumberland, ME 04021

Phone: (207)829-2205
Fax: (207)829-2224
WEB: www.cumberlandmaine.com

FAX TRANSMITTAL FORM

TO: Diane

FROM: Nadeen Jarvis

FAX: 287-3424

DATE: 5-18-10

TIME: 3:40pm

PAGES: 3
Including Cover

COMMENTS:

Hi Diane -
mobile

05/18/2010 14:40 2078292224

TOWN OF CUMBERLAND

P.001

*** TX REPORT ***

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**MAINE DEPT OF
PUBLIC SAFETY**

STATE OF MAINE
Liquor Licensing & Inspection Division
164 State House Station
Augusta ME 04330-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

**APPLICATION FOR AUXILIARY LICENSE - \$100.00****Check Payable: Treasurer State of Maine**

The undersigned hereby applies for an auxiliary license and certifies that the applicant is the holder of a spirituous, vinous and malt restaurant, hotel license or club license located at a ski area / golf course.

1. Full Name of Applicant: Town of Cumberland
(PLEASE PRINT) Last First Middle Initial

Date of Birth: _____ Telephone No. 829-2205 Fax: 829-2224

Address: 290 Tuttle Rd, Cumberland ME 04021
Mailing Address City/Town State Zip Code

2. Describe auxiliary premise and the location at the ski/golf area: Mobile Golf Cart
traveling on/between 18 hole course

3. Do you have all necessary permits from the Department of Human Services for your auxiliary premise?
Yes ☒ No ☐

4. What is the distance from the premise to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premise to the main entrance of the school, school dormitory, church chapel or parish house by the ordinary course of travel? 1.5 miles

Which of the above is nearest? church

NOTE: The above application must be signed by the individual(s) or a duly authorized officer of the corporation executing the application and approved by the Municipal Officers/County Commissioner and filed with the Liquor Licensing & Inspection Division.

Dated at: Cumberland ME on May 18, 20 10
City/Town State Date

Nadeen Daniels

Town Clerk for the Cumberland Town Council

Nadeen Daniels

Signature of Individual(s), or Duly Authorized Officer of Corporation, or If Partnership by Members of Partnership

Print Name

STATE OF MAINE

Dated at: Cumberland, Maine Cumb County ss
On: May 18, 2010
City/Town
Date

The undersigned being: ☒ Municipal Offices ☐ County Commissioners of the

☐ City ☒ Town ☐ Plantation ☐ Unincorporated Place of: Cumberland
Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

Signature	Print Name
<u>Nadeen Daniels for Town Council</u>	<u>Nadeen Daniels</u>
<u>Town Clerk</u>	

TOWN OF CUMBERLAND



Administration Department
290 Tuttle Road
Cumberland, ME 04021

Phone: (207)829-2205
Fax: (207)829-2224
WEB: www.cumberlandmaine.com

FAX TRANSMITTAL FORM

TO: Liquor Licensing
FROM: Nadeen Daniels Town Clerk
FAX: 287-3424
DATE: 5-10-10 TIME: 9:10 am

PAGES: 4
Including Cover

COMMENTS:

Hi - We have not received our
Mobile Lppl Cart License yet and have

05/17/2010 08:04 2078292224

TOWN OF CUMBERLAND

P.001

*** TX REPORT ***

JOB NO.	MODE	NO.	DESTINATION TEL/ID	START TIME	PAGE	RESULT
1923	TX	ECM 001	92873424	05/17 08:03	004	OK 00'38

TOWN OF CUMBERLAND



Administration Department
290 Tuttle Road
Cumberland, ME 04021

Phone: (207)829-2205
Fax: (207)829-2224
WEB: www.cumberlandmaine.com

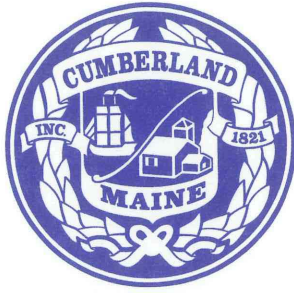
FAX TRANSMITTAL FORM

TO: Liquor Licensing
FROM: Nadeen Daniels Town Clerk
FAX: 287-3424
DATE: 5-10-10 TIME: 9:10 am

PAGES: 4
Including Cover

COMMENTS:

Hi - We have not received our
Mobile Golf Cart License yet and have
a tournament coming right up so I thought
I would fax you a copy of my original
letter. Any chance you can fax me a
copy of our license until the original
arrives in the mail? Thank You
Nadeen Daniels
829-3318



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

May 3, 2010

Maine Dept of Public Safety
Liquor Licensing & Inspection Division
164 State House Station
Augusta, ME 04330-0164

Dear Liquor Licensing Division:

Please be advised that the Cumberland Town Council unanimously approved an Auxiliary Mobile Golf Cart License at its public advertised meeting held January 25, 2010.

The mobile golf cart license will be operated under the direction of the town at the municipal Val Halla Golf Course in Cumberland.

Please send the license to my attention for delivery to the golf course.

Sincerely,

Nadeen Daniels
Cumberland Town Clerk

/attachment

MAINE DEPT OF PUBLIC SAFETY

STATE OF MAINE
Liquor Licensing & Inspection Division

164 State House Station

Augusta ME 04330-0164

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



SUPPLEMENTARY QUESTIONNAIRE FOR Auxiliary Mobile Golf Cart License

1. Exact Name Of Golf Course:

Val Halla

2. Name, birth date and telephone number of each person authorized to operate and sell from mobile golf cart.
(All operators of the mobile service bar must be 21 years of age and have successfully completed alcohol server education)

NAME	DATE OF BIRTH	TELEPHONE	T.I.P.S. I.D. number
<u>n/a</u>	<u>Municipality of Cumberland</u>		

3. Are all operators of the mobile service bar employees of the golf course?

Yes

4. DOES THE OPERATOR OF THE MOBILE SERVICE BAR HAVE MEANS TO MAKE IMMEDIATE CONTACT WITH AN EMPLOYEE AT THE LICENSED ON-PREMISE LOCATION AT THE COURSE? YES ☒ NO ☐

Describe.

Radio and Cell phone

5. How many additional security employees will be on the course to ensure adherence to the laws and rules applying to the selling, serving and consumption of alcohol? Two

6. Do you have signs on cart stating legal age for service and consumption?

Yes

7. Are signs posted stating that patrons may not bring alcoholic beverages on to the golf course or licensed premise?

Yes

How Many?

Three

Location.

Viking Grill, Pro Shop, Deck

STATE OF MAINE

Dated at: Cumberland, Maine Cumberland ss
City/Town

On: January 25, 2010
Date

The undersigned being: ☒ Municipal Offices ☐ County Commissioners of the

☐ City ☒ Town ☐ Plantation ☐ Unincorporated Place of: Cumberland
Maine

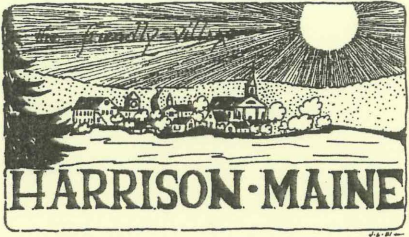
Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

Signature

Print Name

<u>Madeline Denial for the Town Council</u>	<u>Madeline Denial for the Town Council</u>

NEW BUSINESS



TOWN OF HARRISON

Telephone (207)583-2241 • Fax (207)583-6240 • www.harrisonmaine.org

7 January 2010

To: Ecomaine Owner Communities

From: Harrison Board of Selectmen

Subject: Proposed Borrowing

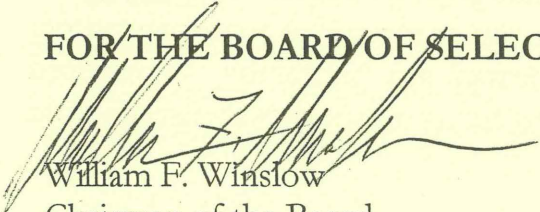
The Harrison Board of Selectmen at their meeting of January 5th, 2010 voted unanimously to direct the Town Manager to vote no on the borrowing that Ecomaine is proposing. Therefore, the Harrison Town Manager who represents Harrison on the Ecomaine Board of Directors will vote in opposition to both the \$1,000,000 term loan and the \$3,000,000 revolving line of credit.

The Board of Selectmen believes that to add \$4 million dollars in additional debt at a time of extreme fiscal distress for all communities as well as the State is simply irresponsible. As a result of numerous reductions in revenues, cities and towns in Maine are cutting services, eliminating positions and implementing other cost cutting measures. It is our opinion that major reductions should be taken to ensure Ecomaine's ability to meet debt service as well as unforeseen expenses rather than taking on more debt.

To put this proposed plan in perspective; it would be like a home owner using a credit card to pay the mortgage and other basic expenses. Further, the Town of Harrison suggests to owner communities that privatization of Ecomaine should be formally considered immediately. Please feel free to contact me or our Town Manager if you have any questions.

Respectfully,

FOR THE BOARD OF SELECTMEN



William F. Winslow

Chairman of the Board

Certificate of Appreciation

presented to

Town of Cumberland

on this 2nd day of December 2009

for

Support of the Cumberland County Swiners
4-H Club in 2009

William C. D.

Leader of C & S Swiners

Benjamin W. Prible

President of C & S Swiners

[illegible]

NOTICE
Cumberland Town Council
January 25, 2010 Public Hearing
re: Special Overrule Referendum Election

The Cumberland Town Council will meet at 7:00 p.m. Monday, January 25, 2010, in Town Council Chambers, Town Hall, 290 Tuttle Road, to consider and act on setting a March 2, 2010 Special Municipal Referendum Election date to place the following Overrule Referendum question on the ballot:

"Do you support the Town Council's decision of December 14, 2009 to issue bonds and expend up to \$4,500,000 for major road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road, and along Route 88 from 800 feet north of Teal Road to the Falmouth Town Line?"

Brenda Stiffler

From: Brenda Stiffler
Sent: Thursday, January 14, 2010 8:16 AM
To: 'Joan Wogaman'
Subject: Public Hearing Ad for Friday & Saturday

Attachments: Document1.doc



Document1.doc (30 KB)

i Joan,

Am I in time to get this in tomorrow and Saturday?

Brenda Stiffler
Executive Assistant
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021
phone: 207-829-2205 x300
fax: 207-829-2224

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

From: Nadeen Daniels
Sent: Wednesday, January 13, 2010 5:42 PM
To: Brenda Stiffler
Cc: William Shane
Subject: Document1

Hi,

Here is the public hearing notice. Please run it in the Press Herald this Friday and Saturday, and the Notes and the Forecaster next week.

Thanks
Nadeen

Brenda Stiffler

From: Brenda Stiffler
Sent: Thursday, January 14, 2010 8:26 AM
To: 'The Notes'
Subject: Public Hearing Ad

Attachments: Document1.doc



Document1.doc (30
KB)

ood morning,

Can we run this in the next edition (which comes out when?). Please let me know. Thank you!!

Brenda Stiffler
Executive Assistant
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021
phone: 207-829-2205 x300
fax: 207-829-2224

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

From: Nadeen Daniels
Sent: Wednesday, January 13, 2010 5:42 PM
To: Brenda Stiffler
Cc: William Shane
Subject: Document1

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Thanks
Nadeen

Brenda Stiffler

From: Brenda Stiffler
Sent: Thursday, January 14, 2010 8:26 AM
To: 'Megan M. McPhee'
Subject: PH Ad for next week

Attachments: Document1.doc



Document1.doc (30 KB)

ere is one...I will have another one to you a.s.a.p.

Thank you!!

Brenda Stiffler
Executive Assistant
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021
phone: 207-829-2205 x300
fax: 207-829-2224

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

From: Nadeen Daniels
Sent: Wednesday, January 13, 2010 5:42 PM
To: Brenda Stiffler
Cc: William Shane
Subject: Document1

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Thanks
Nadeen

PUBLIC NOTICE**NOTICE
Cumberland
Town Council
January 25, 2010
Public Hearing
re: Special Overrule
Referendum Election**

The Cumberland Town Council will meet at 7:00 p.m. Monday, January 25, 2010, in Town Council Chambers, Town Hall, 290 Tuttle Road, to consider and act on setting a March 2, 2010 Special Municipal Referendum Election date to place the following Overrule Referendum question on the ballot:

"Do you support the Town Council's decision of December 14, 2009 to issue bonds and expend up to \$4,500,000 for major road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road, and along Route 88 from 800 feet north of Teal Road to the Falmouth Town Line?"

3883968

Brenda Stiffler

From: Joan Jensen [jjensen@pressherald.com]
Sent: Thursday, January 14, 2010 8:49 AM
To: Brenda Stiffler
Subject: Re: Public Hearing Ad for Friday & Saturday

Attachments: Cumberland 1_15.pdf



Cumberland
1_15.pdf (51 KB)

Hi Brenda,

All set to run your ad tomorrow and Saturday.
The cost is \$80.04.
Thank you,
Joan

Joan Jensen
Legal Advertising
Portland Press Herald/Maine Sunday Telegram P.O. Box 1460 Portland, ME 04104 Tel. (207)
791-6157 Fax (207) 791-6910 Email jjensen@pressherald.com

Brenda Stiffler wrote:

> <<Document1.doc>> Hi Joan,

>

> Am I in time to get this in tomorrow and Saturday?

>

> Brenda Stiffler

> Executive Assistant

> Town of Cumberland

> 290 Tuttle Road

> Cumberland, ME 04021

> phone: 207-829-2205 x300

> fax: 207-829-2224

> -----Original Message-----

> From: Nadeen Daniels

> Sent: Wednesday, January 13, 2010 5:42 PM

> To: Brenda Stiffler

> Cc: William Shane

> Subject: Document1

>

>

>

>

> Hi,

>

> Here is the public hearing notice. Please run it in the Press Herald

> this Friday and Saturday, and the Notes and the Forecaster next week.

>

> Thanks

> Nadeen

>

> Please be advised that pursuant to Title 1 M.R.S.A. Section 402(3), a public record includes any written, printed or graphic matter or any mechanical or electronic data in the possession or custody of an agency or public official that has been received or prepared for use in connection with the transaction of public or governmental business and contains information relating to the transaction of said business; therefore, the public is advised that any correspondence, whether by traditional method or e-mail with Town offices or Town officials, with certain limited exceptions, is public record and is available for review by any interested party.



**Cumberland Town Council Meeting
Monday, January 25, 2010**

The Cumberland Town Council will hold its regular meeting @ 7:00 p.m. on Monday, January 25, 2010 in the Town Council Chambers. An opportunity for public comment will be provided. The following items will receive a public hearing:

- To receive a Certificate of Sufficiency of Petition from the Town Clerk and to hold a Public Hearing to act on setting a March 2, 2010 Special Municipal Overrule Referendum Election date.
- To appoint Chris Bolduc as Director of Public Services.
- To hear a presentation re: The Cumberland Maine Business Association.
- To hear a report from the Finance Committee Chair re: FY'10 2nd quarter financials and to set dates for FY'11 municipal budget meetings.
- To authorize the Town Manager to process Senior Circuit Breaker Program payments.
- To hold a Public Hearing to consider and act on amending Section 204.14.4.3 (Industrial District – Side Setback) of the Cumberland Zoning Ordinance.
- To set a Public Hearing date (February 8th) to consider and act on a Mobile Service Cart License for Val Halla Golf Course for the period of February 2010 – February 2011.
- **EXECUTIVE SESSION:** pursuant to Title 36 M.R.S.A., § 841, re: Poverty Abatement Request for property identified as Map U19/Lot 06.

Additional agenda items will receive consideration and action. Please refer to the town's website: www.cumberlandmaine.com for a complete agenda.

Brenda Stiffler

From: The Notes [thenotes@maine.rr.com]
Sent: Thursday, January 14, 2010 12:38 PM
To: Brenda Stiffler
Subject: RE: Public Hearing Ad

Attachments: Town of Cumberland, 3x4 1-19 .pdf



Town of
Cumberland, 3x4 1-19

Yes Brenda here it is. Please let me know. Thanks.....Mark

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

From: Brenda Stiffler [mailto:bstiffler@cumberlandmaine.com]
Sent: Thursday, January 14, 2010 8:26 AM
To: The Notes
Subject: Public Hearing Ad

<<Document1.doc>> Good morning,

Can we run this in the next edition (which comes out when?). Please let me know. Thank you!!

Brenda Stiffler
Executive Assistant
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021
phone: 207-829-2205 x300
fax: 207-829-2224

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Cc: William Shane
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No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.432 / Virus Database: 270.14.138/2618 - Release Date: 01/13/10 07:35:00



TOWN OF CUMBERLAND

290 Tuttle Road • Cumberland, Maine 04021

NOTICE

Cumberland Town Council

January 25, 2010 Public Hearing

re: Special Overture Referendum Election

The Cumberland Town Council will meet at 7:00 p.m. Monday, January 25, 2010, in Town Council Chambers, Town Hall, 290 Tuttle Road, to consider and act on setting a March 2, 2010 Special Municipal Referendum Election date to place the following Overture Referendum question on the ballot:

"Do you support the Town Council's decision of December 14, 2009 to issue bonds and expend up to \$4,500,000 for major road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road, and along Route 88 from 800 feet north of Teal Road to the Falmouth Town Line?"



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Cumberland Town Council
January 25, 2010 Public Hearing
re: Special Overture Referendum Election

The Cumberland Town Council will meet at 7:00 p.m. Monday, January 25, 2010, in Town Council Chambers, Town Hall, 290 Tuttle Road, to consider and act on setting a March 2, 2010 Special Municipal Referendum Election date to place the following Overture Referendum question on the ballot:

"Do you support the Town Council's decision of December 14, 2009 to issue bonds and expend up to \$4,500,000 for major road reconstruction, shoulder, drainage, and bicycle and pedestrian safety improvements on portions of Wildwood Boulevard, Tuttle Road, Kings Highway, Sea Cove Road, Carriage Road, Hallmark Road, Town Landing Road, and along Route 88 from 800 feet north of Teal Road to the Falmouth Town Line?"

PUBLIC NOTICE
TOWN OF CUMBERLAND

The Cumberland Town Council Finance Committee will be meeting on Monday, January 25, 2010 at 6:30 p.m. in the West Conference Room of Town Hall.