

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, August 9, 2010

7:00 p.m. Call to Order

I. APPROVAL OF MINUTES

July 26, 2010

II. MANAGER'S REPORT

Project Update:

- Route 88 – Sea Cove
- Range Road – Final paving Phase I (September)

III. PUBLIC DISCUSSION

IV. LEGISLATION AND POLICY

- 10 – 109** To hold a Public Hearing to consider and act on setting the FY'11 tax rate as recommended by the Tax Assessor.
- 10 – 110** To hold a Public Hearing to appoint Tamara O'Donnell as Town Clerk, Election Warden and Registrar of Voters.
- 10 – 111** To hold a Public Hearing to set rates at which interest will be paid for delinquent and over paid taxes, and to authorize applying tax payments to the oldest unpaid taxes.
- 10 – 112** To hold a Public Hearing to consider and act on a Mass Gathering Permit and Victualer's Licenses for the 139th Cumberland Fair to be held from September 26 – October 2, 2010 at the Cumberland Fairgrounds.
- 10 – 113** To hold a Public Hearing to consider and act on a Mass Gathering Permit and Victualer's Licenses for Nassau Broadcasting for Maine's Ultimate Fall Yard Sale to be held at the Cumberland Fairgrounds on Saturday, October 9, 2010 from 9:00 a.m. to 2:00 p.m.
- 10 – 114** To hold a Public Hearing to consider and act on setting October 18th – 22nd as Bulky Waste Pick-Up Week.
- 10 – 115** To set a Public Hearing date (August 23rd) to consider and act on setting a fee for staff review of site plans at \$250.00 per plan.
- 10 – 116** To set a Public Hearing date (August 23rd) to consider and act on a Victualer's License application for The Barnyard Restaurant, located at the Cumberland Fairgrounds, for the period of August 23, 2010 through June 30, 2011.
- 10 – 117** To hear a report from the Finance Committee Chair re: FY'10 4th quarter financials.

V. NEW BUSINESS

VI. ADJOURNMENT

MOTIONS

MOTIONS

10 – 109 I move to set the municipal tax rate for FY'11 at \$15.30.

10 – 110 I hereby move to appoint Tamara O'Donnell to the following offices, effective Thursday, August 19, 2010:

- Town Clerk, pursuant to the Cumberland Town Charter and MRSA 21-A §505;
- Election Warden, pursuant to MRSA 21-A §501; and
- Registrar of Voters, pursuant to MRSA 21-A §101, with said term to expire on December 31, 2010.

10 – 111 I move to adopt the interest rates recommended by Maine Municipal Association for overpayment and delinquent taxes for FY'11 as follows: 7% for delinquent taxes and 3.5% for overpayment of taxes.

Be it further Ordered, all payments for taxes and personal property shall be applied to the oldest unpaid taxes.

10 – 112 I move to approve the Mass Gathering Permit, Victualer's Licenses, and Special Off Premise Catering Permit, for the 139th Cumberland Fair to be held from September 26 – October 2, 2010 at the Cumberland Fairgrounds.

10 – 113 I move to approve the Mass Gathering Permit and Victualer's Licenses for Nassau Broadcasting for Maine's Ultimate Fall Yard Sale to be held at the Cumberland Fairgrounds on Saturday, October 9, 2010 from 9:00 a.m. to 2:00 p.m.

10 – 114 I move to set October 18th – 22nd as Bulky Waste Pick-Up Week.

10 – 115 I move to set a Public Hearing date of August 23rd to consider and act on setting a fee for staff review of site plans at \$250.00 per plan.

10 – 116 I move to set a Public Hearing date of August 23rd to consider and act on a Victualer's License application for The Barnyard Restaurant, located at the Cumberland Fairgrounds, for the period of August 23, 2010 through June 30, 2011.

10 – 117 No action necessary.

MINUTES

JULY 26, 2010

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, July 26, 2010

7:00 p.m. Call to Order

Present: Chairman Storey-King, Councilors Turner, Copp, Porter, Perfetti, Stiles and Moriarty

I. APPROVAL OF MINUTES

July 12, 2010

Motion by Councilor Moriarty, seconded by Councilor Perfetti, to approve the minutes as presented.

VOTE: 6-0-1 Abstention (Councilor Porter)

II. MANAGER'S REPORT

There was a lot of flooding and washout areas during last week's storm. The Fire, Police and Public Services departments were all in place, ready to go, and handled the calls and situations very well.

Project Update:

▪ Route 88

There was a lot of washout last week due to so much rain in a short period. It has been fixed and is holding up well.

The construction crew will begin working on Sea Cove Road next week, beginning at the outfall and moving up toward Route 88.

There have been complaints of low hanging tree limbs on Range Road and on Route 88. When a tree limb is less than 14' in height above the pavement surface, the Town is liable to ensure that vehicles can clear the low hanging tree limbs. That is why the branches in those areas have been cleared.

▪ Range Road

The first layer of pavement is almost to the intersection of Bruce Hall Road. There is still some additional waterline work to be done at that intersection, which is scheduled to occur over the next few days. Please try to avoid that area if possible and find an alternate route. Curbing and driveway aprons were completed today.

Councilor Stiles suggested that road closed signs be placed at the intersection.

▪ West Cumberland Playground

The Recreation Advisory Committee met with West Cumberland residents to discuss the dangerous playground equipment at the West Cumberland athletic field. A subcommittee will meet in September to strategize a plan for types of new equipment, placement of the new equipment and fundraising.

Last week, our Town Clerk, Nadeen Daniels, submitted her resignation as Town Clerk and Human Resources Director. Nadeen has worked for the Town for 8 years and had informed the Town Manager then that she only wanted to work for 5 more years. We were fortunate to have had her for 3 years longer than we thought we would. We have had plenty of time to develop a transition plan and are being left in excellent shape due to the planning and training of staff. Tammy O'Donnell's official appointment at Town Clerk will be brought before the Council on August 9th, to be effective on August 19th, Nadeen's last day with the Town. Nadeen has worked in the

Municipal Sector for over 30 years. He and many others in our community will miss her compassion and commitment to detail and her incredible work ethic. She has worked with many people in the community and has made it a better place for her service here. It will be an emotional day on August 19th, Nadeen is a great person and a great friend who will be greatly missed.

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

10 – 099 To hold a Public Hearing to consider and act on adding Section 402.6 (Deer Feeding and Baiting) to the Cumberland Zoning Ordinance, as recommended by the Planning Board. ***ITEM TABLED FROM 6/28/10***

Motion by Councilor Copp to remove this item from the table, seconded by Councilor Turner.

VOTE: 6-0 UNANIMOUS PASSAGE

Linda Emery of Crystal Lane reiterated a couple of points that are important to her. There were 970 cases of Lyme disease last year in Maine. This year, the cases have tripled. Other infections transmitted by Lyme ticks include a disease similar to malaria; the other two are parasitic infections that kill white blood cells. These infections can go undiagnosed for years, even if the person is being treated for Lyme disease. The CDC recommends discouraging deer from coming onto private property. One deer can carry 100 ticks, and one tick can lay up to 3,000 eggs, potentially delivering 300,000 ticks to your yard. No good comes from feeding deer as it disturbs the natural activity of the herd, and their digestion for the winter is altered naturally so they are not supposed to be supplemented. Mrs. Emery said that she understands that enforcement of this ordinance is questioned, but feels that there are other laws on the books that are not necessarily enforceable, but are in place if we need them. She thanked the Council for listening.

Councilor Turner said that he has thought a lot about this issue over the past two weeks, and now has some reservations. The fact is we are creating an unenforceable law. When we create a law that is unenforceable, we teach people to disrespect the law. A strong educational component to this matter is a must, but to create an ordinance the we acknowledge is unenforceable, takes local government in a direction of tying peoples hands where they ought to be left to their own devices. The pro to this issue is that it might be a deterrent, but the reality is that it is not enforceable. As much as he sympathizes with those who suffer from Lyme disease, he feels that it has no correlation to feeding deer. Perhaps baiting should be allowed in order to decrease some of the deer population.

Councilor Moriarty said that this ordinance might be difficult, but not impossible to enforce. Such is the case with many pieces of legislation on the books, at both the local and state level. This is more an exercise in education and deterrence. The recently passed ordinance on chickens also has some components that are not enforceable. The data that we have is dramatic. In 2008, there were 780 confirmed cases in Maine (in that year, that figure had quadrupled over the previous 5 years). In 2009, there were 970 cases (190 more than the previous year). Cumberland and York Counties combined, tallied up to almost 56% of all cases reported statewide. According to the Maine Center of Disease Control, as of the end of June of this year, there have been approximately 275 reported cases of Lyme disease. This is almost twice as many as the mean average of the reported cases over the previous 5 years. Councilor Moriarty said that while the data may not be overwhelming, it is clear that if we can do something to reduce the spread of the disease by discouraging people from feeding deer and

encouraging deer to come into areas that they would not normally come, that is a positive thing. For that reason, he will support the motion.

Councilor Stiles there is an abundance of deer in the state. He has deer tracks on his property nearly every day and he does not feed or approve of the feeding of deer. Feeding deer does not increase the deer population, only Mother Nature can do that. Actually, feeding deer can decrease the population, since improper feeding could be detrimental to the deer herd. Deer destroy orchards and foundation plants. "Deer ticks" are found on many other animals. Literature indicates that the best way to decrease tick exposure is by keeping lawns mowed, edges trimmed, removal of brush and leaves around houses, and the use of professionally applied insecticide to control the nymph stage of ticks. The Animal Control Officer has indicated that this ordinance would be difficult to enforce at best. It would be difficult to prove if someone was feeding birds or deer. Councilor Stiles said that while he does not support the feeding of any wild animal, to support this ordinance would mean taking away our personal freedom. He would support an educational campaign warning of the dangers of feeding any wild animal.

Councilor Perfetti thanked Mrs. Emery for her patience. This process has been tedious and she has not taken any of it personally. He said that it is common to enact laws that are not enforceable. Banning deer feeding will not prevent new cases of Lyme disease. State Biologists discourage deer feeding to protect the health of the herd, not because of Lyme disease. A public education campaign would be the best thing to come out of this issue. He will not vote for this item because it will not prevent Lyme disease, and because all the statistics to measure new cases of Lyme disease are at the state and the county level. Even if we could prevent Lyme disease, we cannot measure it in Cumberland.

Councilor Porter said that it is absolutely not true that this ordinance is not enforceable. If someone is feeding deer and it is witnessed by a neighbor and the police are called, it can be dealt with. Hunting needs to occur in this community. That is one way to decrease the deer population. Lyme disease is very detrimental. Even if it is the wrong decision to pass this item, and if the Council has overreacted, have we hurt anyone in the process? Absolutely not. Even if there is marginal benefit, we have helped somebody. Councilor Porter referred to a letter from Scott Lindsay of the State Department of Wildlife supporting the ordinance.

Councilor Perfetti pointed out that he felt the Mr. Lindsay's letter was simply stating that the ordinance was a good one, but didn't offer a professional opinion that it would help to prevent Lyme disease, he simply supported the ban on deer feeding.

Councilor Copp thanked the Emery's for bringing this issue forward and for all their hard work. His concern is that this will cause feuds between neighbors. It can be enforced, but the Animal Control and Code Enforcement Officers will likely be swamped dealing with this issue alone. Through education, people will learn that feeding deer is hurting, not helping the deer population.


Chairman Storey-King said that she would follow up with the Town Manager regarding public outreach efforts to include signage, links on the town website, and other brainstorming ideas. She thanked Mrs. Emery for the great job that she did.

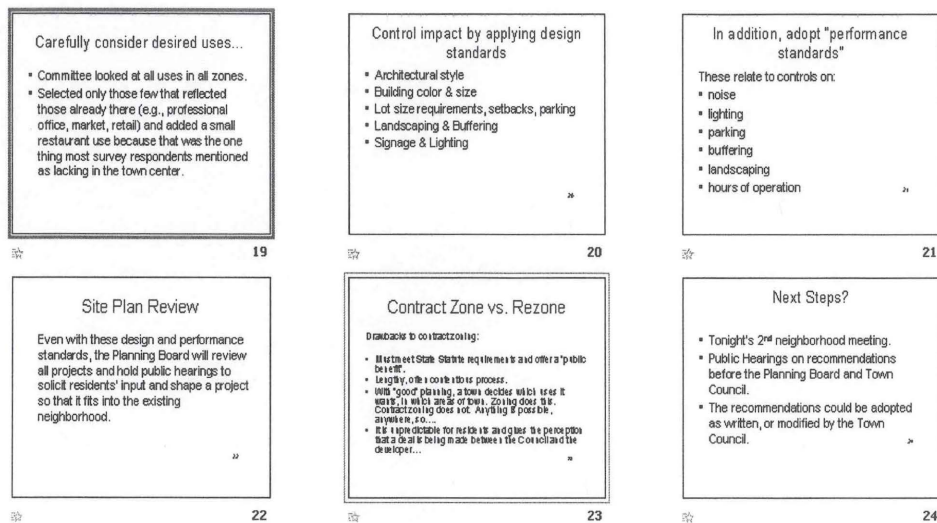
Motion by Councilor Porter, seconded by Councilor Moriarty to add Section 402.6 (Deer Feeding and Baiting) to the Cumberland Zoning Ordinance, as recommended by the Planning Board.

VOTE: 3 – 4 (Councilors Stiles, Perfetti, Copp and Turner opposed) MOTION FAILED

10 – 100 To hear a report from the Town Center Advisory Committee and forward same to the Planning Board for recommendation.

Town Manager Shane introduced Jim Orser, the Chair of the Town Center Advisory Committee who introduced and thanked the committee members who were present. He thanked the committee Council Liaisons, Councilors Moriarty, Perfetti and Porter. He also thanked Carla Nixon and Pam Bosarge for their hard work. Mr. Foley's presentation is below:

<p>Town Center Advisory Committee Presentation June 10, 2010</p>	<p>HANDOUTS</p> <ul style="list-style-type: none"> • FAQ's • District Standards • Design Standards • Map 	<p>What is the Town Center Advisory Committee?</p> <ul style="list-style-type: none"> • 10 members, appointed Council • 3 Council Liaisons. • Began meeting in September, 2009 • Met 2x/month for over 8 months • Council charge asked for a report by 4/1/10...taking the time needed.
<p>Council Charge</p> <p>The duties of the TCAC "include but shall not necessarily be limited to" the following:</p> <ol style="list-style-type: none"> 1. Determine and assess the desires of Cumberland residents relative to the geographical area described above; 2. Review the history of zoning in the area described above; 3. Review the current zoning for the area described above; 	<ol style="list-style-type: none"> 4. Review contract zone provisions of the current zoning ordinance; 5. Review and consider current and future best practice of land use and land use planning in town centers; 6. Make recommendation to the Cumberland Town Council regarding zoning changes, if any, in the area described above. 	<p>Why did the Town Council decide to appoint a committee to look at this area of town?</p> <ul style="list-style-type: none"> • Request by residents to take a comprehensive look at this area of town as had been done for Route 100 and the Doane Property. • 2009 Comprehensive Plan calls for a committee to develop recommendations on the future of Main Street. • Comprehensive plan survey showed there was support for allowing more diverse uses on Main Street.
<p>First, a look at the Comp Plan's Goals & Recommended Actions</p> <ul style="list-style-type: none"> • Goal: Develop a plan for Main Street that reflects the vision of all town residents for this area's future potential as a center of the community. • Action: Implement the recommendations of the Main Street Committee and add those recommendations to this comprehensive plan. 	<ul style="list-style-type: none"> • Goal: Facilitate the development of a diverse economic base that includes the provision of routine goods and services at the local level. • Action: Consider rezoning of Main Street to allow for mixed uses such as professional offices, markets, small restaurant, or hardware store, in an effort to reduce the need for vehicle use, encourage walking, and creating a place for local jobs. 	<ul style="list-style-type: none"> • Goal: Encourage higher density development to areas which are served by public water and sewer. • Goal: Work towards creating a more "livable" community....
<ul style="list-style-type: none"> • Action: Strive to create a mix of homes, jobs, services and amenities in areas with proximity to town services. • Action: Encourage/allow for a variety of housing types to meet the needs of single residents, young families and seniors so that the ability to stay in the community for a lifetime is possible for all income levels. • Action: Establish design guidelines and performance standards for the Main Street area that will ensure compatibility w/ existing residences. 	<ul style="list-style-type: none"> • Goal: Create, protect, and enhance "Social Places" where residents can gather together. • Action: Relax zoning on Main Street to allow for a small restaurant or coffee shop. 	<p>Comp Plan – Land Use Summary</p> <ul style="list-style-type: none"> • Future Land Use section of the plan—discussion of "growth" and "rural" areas. • The MDR district was designated as a growth area, and more specifically, the statement "Many residents expressed the view that Main Street is the town center and that there should be a mix of low-intensity uses allowed."
<p>Comp Plan Survey</p> <ul style="list-style-type: none"> • See Handout. • Responses broken down by use and specific areas of town. 	<p>Study Area</p> <ul style="list-style-type: none"> • Initial: (Council Charge) "from the Moss Side Cemetery to the intersection of Title and Shawward Road. To include that portion of Shawward Road to the River from the area of Shawward Road and the former Log Cabin extending east to the Cumberland Civil War Fire Station." • THEN...added lower Main Street. • Deleted the area following 1st neighborhood mtg. • Final area extends from Title to Moss Side Cemetery 	<p>Current Map</p> 
<p>Process</p> <ul style="list-style-type: none"> • Began with a site walk: Library to Farrell. • Committee reviewed historic uses and current uses. • Then reviewed the variety of uses allowed in all the zoning districts in town. • Considered if additional uses were desirable & appropriate. • Understood that change is inevitable; better to plan for it than react to it. 	<p>History of Businesses on Main Street</p> <ul style="list-style-type: none"> • Prior to zoning (1949): Tavern, wagon/carriage repair, general store, brickyard/kill, boat building, blacksmith, greenhouses, slaughterhouse, orchards, turkey farm, service station. • Post Zoning: Continued agriculture, market/take out and service station, TV/repair shop, pharmacy, doctor/dentist/lawyer offices. 	<p>Committee Consensus....</p> <ul style="list-style-type: none"> • Expand the types of uses to create a more live-able town center <u>but</u> without changing the character of the area. <p>How to do this?</p>



Councilor Moriarty explained that since this is an amendment to the current zoning ordinance, the Council is required to send it to the Planning Board to hold a public hearing and make a recommendation to the Town Council, which will hold another public hearing before acting on it.

Motion by Councilor Porter, seconded by Councilor Copp, to forward the Town Center Advisory Committee Final Report to the Planning Board to hold a Public Hearing and submit a recommendation to the Town Council.

VOTE: 7 – 0 UNANIMOUS PASSAGE

10 – 101 To hold a Public Hearing to consider and act on increasing sewer user fees.

Motion by Councilor Porter, seconded by Councilor Perfetti, to increase sewer user fees 3% for the period of August 1, 2010 – July 31, 2011, as recommended by the Town Manager.

VOTE: 7 – 0 UNANIMOUS PASSAGE

10 – 102 To set a Public Hearing date (August 9th) to consider and act on setting the FY'11 tax rate as recommended by the Tax Assessor.

Town Manager Shane said that Tax Assessor, William Healey will be present at the August 9th meeting to recommend setting the tax rate at \$15.30 per 1,000. This is the same number presented during the April budget hearings.

Motion by Councilor Stiles, seconded by Councilor Moriarty to set a Public Hearing date of August 9th to consider and act on setting the FY'11 tax rate as recommended by the Tax Assessor.

VOTE: 7 – 0 UNANIMOUS PASSAGE

- 10 – 103** To set a Public Hearing date (August 9th) to set rates at which interest will be paid for delinquent and over paid taxes, and to authorize applying tax payments to the oldest unpaid taxes.

Motion by Councilor Stiles, seconded by Councilor Turner, to set a Public Hearing date of August 9th to set rates at which interest will be paid for delinquent and over paid taxes, and to authorize applying tax payments to the oldest unpaid taxes.

VOTE: 7 – 0 UNANIMOUS PASSAGE

- 10 – 104** To set a Public Hearing date (August 9th) to consider and act on a Mass Gathering Permit and Victualer's Licenses for the 139th Cumberland Fair to be held from September 26 – October 2, 2010 at the Cumberland Fairgrounds.

Motion by Councilor Stiles, seconded by Councilor Moriarty, to set a Public Hearing date of August 9th to consider and act on a Mass Gathering Permit and Victualer's Licenses for the 139th Cumberland Fair to be held from September 26 – October 2, 2010 at the Cumberland Fairgrounds.

VOTE: 7 – 0 UNANIMOUS PASSAGE

- 10 – 105** To set a Public Hearing date (August 9th) to consider and act on a Mass Gathering Permit and Victualer's Licenses for Nassau Broadcasting for Maine's Ultimate Fall Yard Sale to be held at the Cumberland Fairgrounds on Saturday, October 9, 2010 from 9:00 a.m. to 2:00 p.m.

Motion by Councilor Copp, seconded by Councilor Stiles, to set a Public Hearing date of August 9th to consider and act on a Mass Gathering Permit and Victualer's Licenses for Nassau Broadcasting for Maine's Ultimate Fall Yard Sale to be held at the Cumberland Fairgrounds on Saturday, October 9, 2010 from 9:00 a.m. to 2:00 p.m.

VOTE: 7 – 0 UNANIMOUS PASSAGE

- 10 – 106** To set a Public Hearing date (August 9th) to consider and act on setting October 18th – 22nd as Bulky Waste Pick-Up Week.

Motion by Councilor Turner, seconded by Councilor Stiles, to set a Public Hearing date of August 9th to consider and act on setting October 18th – 22nd as Bulky Waste Pick-Up Week.

VOTE: 7 – 0 UNANIMOUS PASSAGE

- 10 – 107** To set a Public Hearing date (August 9th) to appoint Tamara O'Donnell as Town Clerk.

Motion by Councilor Copp, seconded by Councilor Perfetti, to set a Public Hearing date of August 9th to appoint Tamara O'Donnell as Town Clerk.

VOTE: 7 – 0 UNANIMOUS PASSAGE

10 – 108 To authorize the Town Manager to sign a Police Department Mutual Aid Agreement within District II.

Town Manager Shane explained that this done every 5 – 7 years. The signing of this agreement allows the municipalities listed to assist each other with police matters and combined training. The Town Attorney has reviewed the agreement and has recommended endorsing it.

Councilor Porter said that he noticed that the Sherriff's Department is not listed on the document.

Town Manager Shane said that they likely fall under the County Charter. They do assist us and we assist them when needed for serious matters. This agreement includes only police departments in our district, not the Sheriff's Department or the State Police.

Motion by Councilor Copp, seconded by Councilor Perfetti, to authorize the Town Manager to sign a Police Department Mutual Aid Agreement within District II, in accordance with the attached document.

VOTE: 6 – 1 (Councilor Porter opposed) MOTION PASSED

V. NEW BUSINESS

Councilor Turner – asked the Town Manager if the leash law requires a dog to be leashed at all times. Town Manager Shane responded that State Law says that a dog must be under voice command at all times. A community can adopt a local ordinance requiring leashing, but there is no local ordinance that is more strict than State Law.

Councilor Turner said that in most instances, voice command is not effective.

Councilor Copp – He and his wife went to the Sparrows Nest for dinner recently. Excellent food at an excellent value.

In the Council Packets is a letter from the Maine Department of Marine Resources, stating that they will be conducting a shoreline survey in Cumberland over the next month. Is this due to the clam-flats being closed?

Town Manager Shane responded that DMR will be working with the Police Department to primarily concentrate on the non-sewer areas and doing visual inspections of the coastline (500 feet back). Our last round of water tests were more positive, but the troubling issue with the water testing seems to be with the culvert that comes across Powell Road that runs back to Greely Road. This historically has been the problem area with pollution. We now have two additional testing points, which isolates a portion of the shoreline, therefore allowing a portion to (hopefully) be opened in the near future for digging.

Councilor Porter – he feels that there are a lot of people in the community that don't think very highly of public servants at the national, state or local level. In his 20+ years of working in the public sector, he has worked with amazing people at the local level, state level, federal level, and world leaders, and he has yet to meet a public servant who is as dedicated and hard working as Nadeen Daniels. She is somebody whom we will not be able to replace. To make up for her loss in this community will be a huge effort because she brought so much. She will be missed by many.

Councilor Perfetti - None

Chairman Storey-King – On Wednesday at 7:00 p.m. at the Prince Memorial Library, James Nelson, a local maritime author will be talking about his latest book “George Washington’s Great Gamble”.

Councilor Stiles – A.H. Grover is doing a fantastic job on Range Road. It is a pleasure to watch them work. They are dedicated to their work and do a great job. Since the intersection at Bruce Hill Road will be closed, please let anyone you know who travels that road know about the closure so they can take an alternate route.

Councilor Moriarty - None

VI. EXECUTIVE SESSION pursuant to 1 M.R.S.A., § 405 (6)(C) re: real property acquisition.

Chairman Storey-King said that the Executive Session has been cancelled this evening.

VII. ADJOURNMENT

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

VOTE: 7 – 0 UNANIMOUS PASSAGE

TIME: 8:32 p.m.

Respectfully submitted by,



Brenda Moore
Executive Assistant

MANAGER'S REPORT

ITEM 10-109

To hold a Public Hearing to consider and act on setting the
FY'11 tax rate as recommended by the Tax Assessor.



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 *WH*
Date: July 21, 2010
Re: Rate for Tax Year 2010-2011

Bill,

While better than last year, the valuation increase from lot splits, new construction and additions is still lower than we typically average. With that being said, I would like to recommend a tax rate of \$15.30 per thousand for the Town's Fiscal 2011 Tax Year. Please see me if you have any questions or concerns.

ITEM

10-110

To hold a Public Hearing to appoint Tamara O'Donnell as
Town Clerk, Election Warden and Registrar of Voters.



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: July 22, 2010
Re: Town Clerk Appointment – Tammy O'Donnell

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 pleasure and confidence I am presenting for appointment Tammy O'Donnell as our new Town Clerk effective August 19, 2010. Tammy has served as Deputy Clerk for the past 3 years working closely with Nadeen Daniels our retiring Town Clerk.

Tammy will continue her responsibilities as Deputy Tax Collector and front office manager. I am confident that you will see the same commitment and high level of customer service you have experienced over the past 8 years.

Brief Bio

Tammy is a Maine native, who attended Bath schools. Tammy began work with the Town in 2000 as Deputy Tax Collector. She was promoted to Deputy Clerk in 2006. Tammy is a certified Maine Municipal Tax Collector and a Certified Maine Municipal Clerk. Currently, Tammy is the outgoing president of the Cumberland County Municipal Clerks Association. Tammy lives in Cumberland with her husband Doug and has three adult children all Greely High School graduates.

ITEM 10-111

To hold a Public Hearing to set rates at which interest will be paid for delinquent and over paid taxes, and to authorize applying tax payments to the oldest unpaid taxes.



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: July 22, 2010
Re: Interest Rates for Delinquent Sewer Fees and Real and Personal Property Taxes and Overpayments of Taxes

Annually the Maine Municipal Association (MMA) recommends an interest rate for delinquent sewer, real, and personal property taxes. MMA also recommends an interest rate to be paid on over-payment of taxes. The Town has historically used the rates recommended by the Maine Municipal Association.

This year's rate for Delinquent Taxes is: 7%
This year's rate for interest on overpayment of taxes is: 3.5%

Motion:

I move to use the recommended interest rates supplied by the Maine Municipal Association for Overpayment and Delinquent Taxes. For fiscal year 2011, 7.00% shall be assessed for delinquent taxes and 3.5% shall be credited toward overpayment of taxes.

Be it further ordered all payments for taxes and personal property shall be applied to the oldest unpaid taxes.

ITEM

10-112

To hold a Public Hearing to consider and act on a Mass Gathering Permit and Victualer's Licenses for the 139th Cumberland Fair to be held from September 26 – October 2, 2010 at the Cumberland Fairgrounds.

MEMORANDUM

To: William Shane, Town Manager

From: Tamara O'Donnell, Deputy Town Clerk

Re: Cumberland Fair

I held a meeting at 3:00 p.m., on Thursday, July 29, 2010, with Cumberland Farmer's Club President Don Doyle, and Bruce Flanigan, member Cumberland Farmers Club, Police Chief Charron, Deputy Chief Schools.

I reviewed in detail the requirements of the Mass Gathering Ordinance with Mr. Doyle. The following represents our mutual understanding:

- The operating hours of the fair are from 8:00 a.m. – 11:00 p.m. daily.
- Refuse will be picked up daily by 8:00 a.m. There are 500 – 50 gallon steel drums with liners throughout the fairgrounds. The contract is with Troiano Waste Services (See attached.)
- EMT and Rescue Services will be at the Fairgrounds full time all week long. They will be set up at the First Aid Booth. There will be a Fire Engine on site during opening day and closing day; and during assigned events throughout the week.
- The Cumberland Police Department will provide full coverage all week. Lt. Calder will be meeting with the head of security for the Cumberland Farmer's Club, Mr. Paul Dunham on August 10, 2010.
- All parking lots will be open and used. The New Gloucester Eagles Club is being hired to handle parking along with members of the farmer's club. There will be approximately 20 people per day directing parking.
- Administration of Victular's Licenses will be handled by the Cumberland Farmer's Club per agreement between the Farmer's Club and myself. You will be provided a list of all Victular's operating at the fair. (See attached list.)
- Eileen Wyatt and the Cumberland Fire Department will be doing on site inspections prior to opening day.
- One of the new activities this year at the Cumberland Fair will be Harness Racing. First Aid coverage will be provided by Cumberland Rescue.
- The opening day attraction will be comedian Bob Marley. Mr. Marley will perform by the grandstand. There will be no additional fee to see his performance other than the admission fee to the fair.
- Communication will be by 55 – 4 watt portable radios with communication available between fair staff and emergency personnel, fair staff's cell phones and on grounds public address system.
- Monday, Wednesday, and Thursday are bracelet days.
- Tuesday & Thursday are Senior Citizen days.
- The price of admission is \$9.00 on Sunday, Friday & Saturday; \$7.00 on Monday, Tuesday, Wednesday and Thursday.
- Expected attendance is 50,000 throughout the week.

I believe that we have covered all areas related to the Mass Gathering Permit application. I anticipate that the 139th annual Cumberland Fair will be a great success. The Cumberland Farmer's Club is very

cooperative with all aspects of the Mass Gathering Permit process. Best wishes to them for another successful event.

TOWN OF CUMBERLAND

Publication dates: _____
Publication names: _____
Date filed: 7-19-2010
Fee rec'd: 7-19-2010
Date ordinance received: 7-19-2010
Issued: _____
Denied: _____

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

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

Name of applicant: **Cumberland Farmers Club**

Address of applicant: **197 Blanchard Road, Cumberland, ME 04021**

Name of event: **Cumberland Fair**

Facility where the event will be held: **Cumberland Fairgrounds**

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

Name of promoter (if different from above): **Same as above**

Telephone number: **(207) 829-5531**

Will any food vendors be serving at the event? XXX yes _____ no (if yes, how many and
what types) **At least 20 booths serving food including pizza, hamburgers, french fries, hot dogs,
baked beans, fried dough, etc.**

Will any alcohol vendors be serving at the event? XXX yes _____ no (if yes, list names and attach a
copy of the vendors license to sell alcohol, describe alcohol that will be served) **Dogfish Café operating a
snack bar and beer garden (licensed by State of Maine)**

Date of event: **September 26 – October 2, 2010** Time (start and finish times): **8:00 am – 11:00 pm**

Number of tickets available: **Unlimited**

Expected attendance: **50,000 (entire event)**

Description of event: **Agricultural fair that includes parimutual harness racing, carnival rides,
motorsports events (truck & tractor pulls), musical acts, agricultural demonstrations, and Maine
Agricultural Day (an educational day for school children from several counties)**

Describe the three most recent outdoor performances of the group, performer, or event being proposed. Include location, date(s), number in attendance, promoter, or sponsoring person or organization.

1. 2009 Cumberland Fair

2. 2008 Cumberland Fair

3. 2007 Cumberland Fair

Description of facility:

A. Seating capacity: 5,000 permanent; 500 temporary

B. Other seating capacity: 150 festival; N/A standing room only

C. Number of toilets available: 40 permanent; 25 portable

D. Number of parking spaces available: 7,000 on-site; N/A off-site

E. Are all parking lots lighted (applicable only if event runs into the evening hours)

XXX yes; no, if no, which lots are not lighted _____

F: Source of portable water: **Portland Water District**

G: Refuse containers available, number and size: **500 – 50 gallon steel drums with liners**
2 – 40 yard roll – off dumpsters

H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse)

Troiano Waste Services

I. When will refuse be picked up? **Daily before 8:00 am**

Public Safety:

J. Describe first aid facilities: **8'x12' permanent facility staffed by Cumberland Rescue personnel**

K. Describe emergency facilities: **Rescue Booth – Cumberland Fire and Rescue and Police on grounds during the event**

L. Describe communication facilities: **55 - 4 watt portable radios with communication available between fair staff and emergency personnel, fair staff's cell phones and on grounds public address system**

M. Number of certified police officers: **Cumberland Police Chief to determine number of officers per shift**

N. Other security personnel (include company name and qualifications): **Cumberland Fair Security which includes retired Maine State Police officers**

O. Describe fire personnel: **Cumberland Fire Department**

Traffic Plan

P. Description of routes persons attending the event are likely to take, including number of traffic controllers and deployment descriptions: **Bruce Hill Road, Blanchard Road, Skillin Road, Range Road, Main Street, Route 100. Routes are clearly marked and pedestrian crosswalk is manned by Cumberland Police Department.**

Q. Describe methods used to publicize alternate routes of reaching the scene of the event: **Radio stations that are on site, local television stations, and newspaper advertisements**

R. Attach statement of availability of private towing firms to remove disabled vehicles.
Copp Motors, AAA of Northern New England

Crowd Management

S. Plan for discouraging those not holding tickets for the event from coming to the event site. **N/A**

T. Plan for preventing trespassing on private property in the area: **Cumberland Police Department foot patrols, Cumberland Fair staff**

U. Will all publicity stop as soon as it is apparent that the event is sold out? **XXX** yes _____ no

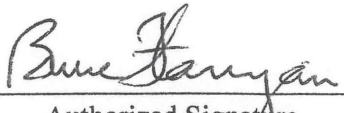
V. Description of how the event will be publicized, including how a sell-out will be publicized
Television and radio advertisements, posters, and fair flyers. Television and radio will be used to announce a sell-out

Other

W. Name of liability insurance **K & K Insurance**

Amount of coverage **\$5,000,000** amount of property insurance **\$5,000,000**

X. Preferred types of permanent guarantee (i.e..escrow account, irrevocable letter of credit)


Authorized Signature

On _____ (date), I received a copy of the Cumberland Mass
Gathering Ordinance _____ (authorized signature)

PAYMENT SUMMARY RECEIPT

TOWN OF CUMBERLAND
290 TUTTLE ROAD
CUMBERLAND ME 04021

DATE: 07/20/10 CUSTOMER#: 000000000
TIME: 11:23
CLERK: dflaniga

RECPT#: 52308 PREV BAL:
TP/YR: MS/2011 AMT PAID: 500.00
BILL: ADJSTMNT:
EFF DT: 07/19/10 BAL DUE:
MISCELLANEOUS PAYMENT

-----TOTALS-----

PRINCIPAL PAID:	500.00
INTEREST PAID:	.00
ADJUSTMENTS:	.00
DISC TAKEN:	.00

AMT TENDERED:	500.00
AMT APPLIED:	500.00
CHANGE:	.00

PAID BY: CUMB FARMERS CLUB
PAYMENT METH: CHECK
PAYMENT REF: 6574



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/20/2010

PRODUCER (207)780-1677 FAX: (207)780-6377

Cross Insurance-Portland

2331 Congress Street

PO Box 567

Portland

ME 04112

INSURED

Cumberland Farmers' Club

Attn: Garry Prevost

39 Samuel Road

Portland

ME 04103

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC #

INSURER A: Hanover Insurance Group, Inc.

22292

INSURER B: Philadelphia Ins Co

INSURER C: Maine Employers Mutual Ins Co

11149

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY				EACH OCCURRENCE
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	RBP756685406	7/1/2010	7/1/2011	MED EXP (Any one person)
					PERSONAL & ADV INJURY
					GENERAL AGGREGATE
					PRODUCTS - COMP/OP AGG
	GEN'L AGGREGATE LIMIT APPLIES PER:				
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident)
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)
	<input type="checkbox"/> HIRED AUTOS				
	NON-OWNED AUTOS				
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT
	<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC
					AGG
B	EXCESS / UMBRELLA LIABILITY				EACH OCCURRENCE
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE
	<input type="checkbox"/> DEDUCTIBLE	PHUB314383	7/1/2010	7/1/2011	
	<input checked="" type="checkbox"/> RETENTION \$				
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				<input checked="" type="checkbox"/> WC STATUS <input type="checkbox"/> OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N			E.L. EACH ACCIDENT
	If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE
		1810008422	5/24/2010	5/24/2011	E.L. DISEASE - POLICY LIMIT
	OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Re: Fair Sep. 26 - Oct 2

Refer to policy for exclusionary endorsements and special provisions.

CERTIFICATE HOLDER

829-2214

Town of Cumberland

290 Tuttle Road

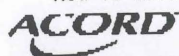
Cumberland, ME 04021

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Sara Pelczynski/AH1



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/20/2010

PRODUCER (207) 780-1677 FAX: (207) 780-6377

Cross Insurance-Portland

2331 Congress Street

PO Box 567

Portland

ME 04112

INSURED

Cumberland Farmers' Club

Attn: Gerry Prevost

39 Samuel Road

Portland

ME 04103

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NAIC #

INSURER A: Philadelphia Ins Co

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11149

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INSURER D:

INSURER E:

COVERAGES

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INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A		GENERAL LIABILITY	PHPK594000	7/1/2010	7/1/2011	EACH OCCURRENCE \$ 1,000,000
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
		<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person) \$ excluded
		GEN'L AGGREGATE LIMIT APPLIES PER:				PERSONAL & ADV INJURY \$ 1,000,000
		<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				GENERAL AGGREGATE \$ 5,000,000
						PRODUCTS - COMP/OP AGG \$ 3,000,000
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident) \$
		<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$
		<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
		<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident) \$
		<input type="checkbox"/> HIRED AUTOS				
		<input type="checkbox"/> NON-OWNED AUTOS				
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
		<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC \$
						AUTO ONLY: AGG \$
A		EXCESS / UMBRELLA LIABILITY	PHUB314383	7/1/2010	7/1/2011	EACH OCCURRENCE \$ 1,000,000
		<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE \$ 1,000,000
		<input type="checkbox"/> DEDUCTIBLE				
		<input checked="" type="checkbox"/> RETENTION \$ 0				
B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	1810008422	5/24/2010	5/24/2011	WC STATUTORY LIMITS, OTHER
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)				E.L. EACH ACCIDENT \$ 500,000
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE \$ 500,000
		OTHER				E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Re: Fair Sep. 26 - Oct 2

Refer to policy for exclusionary endorsements and special provisions.

CERTIFICATE HOLDER

329-2214

Town of Cumberland

290 Tuttle Road

Cumberland, ME 04021

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Sara Pelczynski/SMC

ACORD 25 (2009/01)

NS025 (200901)

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Troiano Waste Services, Inc.

P O Box 3541
Portland, Maine 04104-3541
Telephone: 207-767-2070

Rubbish
Containers
2 cy to
40 cu.yd.

July 23, 2010

The Cumberland Farmers Club
140 Bruce Hill Road,
Cumberland, ME 04021

Dear Mr. Prevost

We at Troiano Waste and Associated Septic would like to thank you once again for letting us provide you liquid and solid waste solutions for the 2010 Cumberland fair. As discussed we will have adequate cans and trucks on site daily to meet all your needs during the event.

Sincerely,

A handwritten signature in dark ink, appearing to read 'TJ Troiano'. The signature is fluid and stylized, with a long horizontal stroke extending to the right.

TJ Troiano
Troiano Waste Services, Inc.

Confirmed for 2010

FOOD VENDORS, 2009 CUMBERLAND FAIR (**Denotes incomplete contact info)

1. GraceBaptistChurch/21SummitTerrace No.Yarmouth, ME, /hamburgers, hot dogs, beverages, homemade desserts**
2. Festival Fair Kettle Korn / Donna Magnusson ,PO.Box838Montgomery,TX 77356. (936) 203-8047/ popcorn, lemonade RTF
rockymag@sbcglobal.net
3. Ye Old Fish & Chips/Kristy Alexander495Brunswick Rd.Richmond04357 /fried foods RTF (2 spots)
fishchips3@yahoo.com
4. Aunt Dees/White Dog/Sylvia Gordon170 Dow Rd., Standish, ME04084
749-5348/icecream, candy, soups RTF
gordoblizz@yahoo.com
5. Little Red Snack Shack//Lorraine Daggett 10 Academy St.Calais,ME04061
207-454-7078/ chicken , burgers, BBQ chicken, French fries, burgers FC
nicholas1212@verizon.net
6. Cole Farms / Brad Pollard, P.O. Box 679,Gray,ME.04039 657-4714 /soups, chowders, sandwiches, beverages FC
cfarms1@maine.rr.com
7. North Yarmouth CC Men's Club/Carl Wallace58Ledgewood Dr., Yarmouth, ME 04096. 847-3174 / hamburgers, hotdogs, soups, beverages FC
carlnadja@hotmail.com
8. Tuttle Rd. Church, Tuttle Rd., Cumberland, ME/ chowders, sandwiches, donuts
** MW
9. Fat Guy's (1 spot) Scott McGraw P.O. Box 452 Gray, ME 04039/ 233-6255
sausages, sandwiches
10. 2 spots, food court Marilyn Gilmore (see #9 Gillette Shows) pizza and sausage

11. Smokin' Bones & Feathers/Dan Girard P.O.Box 10596 Portland ME 04104 774-0580 / pulled pork, beef brisket sandwiches MW
info@smokinbonesbbq.com
12. Family Secrets/Dan Rubino 53 Codman St., Portland 04101 772-1471/ sausages, sandwiches, sodas, water. MW
famsecrest@yahoo.com
13. Kozy Kitchen/Cristina Lewis, Hennessey Dr. Portland 04103. 797-7860 /candy
MW
No Email
14. --- Dog Fish Cafe → (State lic)
15. Reggie's Sausage / Linda Jura, 191 Mt. Pleasant Rd., Union, ME 04862.
542-6583/sausage, steak, hot dogs, hamburgers BRF
lindajura60@yahoo.com
16. Alchter Hossain, 'Passage to India' 29 Wharf St. Portland, ME 04101
Veggies, chicken, lamb, Indian cuisine
17. Mike's Famous Franks / 669 Main St., Topsham ME hot dogs, sandwiches, beverages PA
**
18. Noel Swift 18 Beech Hill, Freeport, ME 04032/ Kettle Corn
19. Christopher Foods Lowell, MA, Pizza **
20. West Cumberland United Methodist Church/Donna Searles PO Box 426 Cumberland
998-2241/ homemade pies, burgers, hamburgers, hot dogs, sandwiches, soups and beverages Own Booth
No Email
21. Cumberland/North Yarmouth Lions Club/Ken Snitger 105 Tuttle Rd., Cumb.. 829-3466 / hamburgers, clam cakes, French fries, beverages MW
ksnitger@maine.rr.com

22. Country Bumpkins/Alfred & Linda Leigh P.O. Box 214, Washington, ME 04574-845-2983/ French fries, onion rings, fried clams PA
leiln5@aol.com
23. Ray's Candyland 28 Henry St., South Portland, ME 04106 767-3668
Or 318 8493/ fudge Ex
No Email
24. P.B. Honey/Marc Plaisted, 988 Wiscasset Rd., Pittston, ME 04345.582-8353/
honey products Ex
msplaisted@prodigy.net
25. PrimeTimeConcessions/Jeremy Godfrey 73 Wilson Circle, Lyndonville VT 05851.
(802) 535-9117 / Fried veggies, corn dogs, sweet potatoes, beverages Ex/side
lfdp42@yahoo.com
26. Stephanie Mahoney, Snow Cones **
27. Linda Bean's Perfect Maine Lobster Roll 473 Main St. Warren, ME 04864
Lobster rolls
28. Jackie O's, Brent and Debra Potter 61 Mason Rd. Vienna, ME 04360
Mini doughnuts, funnel cakes
30. EgyptCountryStore/67 Captain Pierce Rd. Scituate, MA. 02066
Coffee, candy, fudge, gifts BRF
egyptstation@yahoo.com
31. Giant Ice Cream Bar/Eugene Judkins 135 Fowlers Ldg. Hampden ME 478-0270
Ice cream, beverages
- 32.
33. Paradise Ice Cream Patti Forland-Williams, 8 Rhonda Drive, Scarborough, ME
04074 Ice Cream

2009 CUMBERLAND FAIR FOOD VENDORS (cont'd)

GILLETTE SHOWS

BETTY GILLETTE

1. Cotton Candy
2. Fried Dough
3. Ice cream
4. Lemonade

ARTHUR GILLETTE

5. Fried Dough
6. Cotton Candy
7. French Fries
8. Pizza

MARILYN GILMORE

9. Fred's Lunch

VAL KING

10. King Family Cookhouse

FRANK CUFF

11. French fries

MIKE PHILBRICK

12. Apple Crisp

ERIN & MARLENA

13. Pizza
14. Hot Sausage

JIM & LINDA STEVENS

15. French Fries

SCOTT CHESLEY

16. Pizza
17. Steak & Cheese

MAINE DEPT OF
PUBLIC SAFETY

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

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



APPLICATION FOR SPECIAL PERMIT FOR CATERING PRIVILEGES
OFF PREMISES \$10.00 (per day)

Check Payable: Treasurer State of Maine

License No.: 9177 Name of Licensee: THE DOGFISH CAFE - FREE ST

Mailing Address: 128 FREE ST

Town/ City: Portland State: ME Zip Code: 04101

Telephone: 772-5483 Fax: 879-2411

Title and Purpose of Event: CUMBERLAND FAIR

Location of Event: CUMBERLAND FAIR GROUNDS - GRAND STAND

Physical Address:

Town/City: CUMBERLAND State: ME Zip Code: 04021

☒ Indoor Event ☒ Outside Event (IF OUTSIDE AREA, DIAGRAM MUST BE INCLUDED)

Describe specific indoor and/or outdoor area to be licensed: BEER GARDEN AREA
AND OUTSIDE SEATING AREA ONLY. PERLED AREA

Date of Event: 9/26/10 - 10/3/10 Time - From: 12:00 To: 10:00 PM

Number of Persons Attending: 60,000

Name of Sponsor: CUMBERLAND FARMERS ASSOCIATION - MIKE TIMMONS

Address: 140 BRUCE HILL RD Town/City: CUMBERLAND

State: ME Zip Code: 04021 Telephone Number: 207-653-9783

E J Arland

Signature of Licensee or Corporate Officer

8-2-2010

Date

Edward J Arland

Print Name of Licensee or Corporate Officer

FOR USE ONLY BY DEPT. OF PUBLIC SAFETY - LIQUOR LICENSING

RESTRICTIONS:

[] APPROVED - PERMIT # _____ DATED: _____

[] NOT APPROVED

ISSUED BY: _____

OffPremCater / 2003



State of Maine

DEPARTMENT OF PUBLIC SAFETY Bureau of Liquor Licensing



License Number	Date of Issue	Date of Expiration
9177	10/07/2009	10/06/2010

THIS CERTIFICATE IS VALID ONLY BETWEEN THE DATE ISSUED AND EXPIRATION DATE APPEARING HEREIN. IT MAY BE USED ONLY FOR THE NAMED HOLDER AT THE LOCATION FOR WHICH ISSUED.

THE PERSON NAMED HEREIN IS AUTHORIZED TO SELL OR DISPENSE ALCOHOLIC BEVERAGES WITH ALCOHOLIC CONTENT PERMITTED BY LAW FOR THE PERMITS DESIGNATED BELOW.

THIS CERTIFICATE AND/OR EACH TYPE OF PERMIT REPRESENTED IS SUBJECT TO SUSPENSION, REVOCATION OR CANCELLATION AS AUTHORIZED BY TITLE 28-A OF THE REVISED STATUTES.

Owner(s): THE DOGFISH CAFE
Business: DOGFISH BAR & GRILLE, THE
128 FREE STREET
PORTLAND, ME

CODE	PERMIT TYPE/DESCRIPTION	FEE
1105	CLASS XI - SPIRITUOUS, VINOUS AND MALT LIQUOR - RESTAURANT/LOUNGE	\$1,500.00
2630	FILING FEE	10.00

Total Fees:

\$ 1,510.00

Every license shall be displayed on the licensed premises in a conspicuous location in that part of the premises where liquor is served or sold, where it can easily be seen.

Bureau of
Liquor Licensing

[Signature]
Commissioner

License fee is non-refundable

THE DOGFISH CAFE
128 FREE STREET
PORTLAND, ME 04101



TRACK

Outside seating
area.
Fenced in area

Beer Garden

Entrance/Exit
Beer Garden

GRAND STAND

B
A
T
H
R
O
O
M
S

Entrance to Grand Stand

Entrance to Grand Stand

TOWN OF CUMBERLAND

Publication dates: _____

Publication names: _____

Date filed: 7-19-2010

Fee rec'd: 7-19-2010

Date ordinance received: 7-19-2010

Issued: _____

Denied: _____

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

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

Name of applicant: **Cumberland Farmers Club**

Address of applicant: **197 Blanchard Road, Cumberland, ME 04021**

Name of event: **Cumberland Fair**

Facility where the event will be held: **Cumberland Fairgrounds**

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

Name of promoter (if different from above): **Same as above**

Telephone number: **(207) 829-5531**

Will any food vendors be serving at the event? XXX yes _____ no (if yes, how many and
what types) **At least 20 booths serving food including pizza, hamburgers, french fries, hot dogs,
baked beans, fried dough, etc.**

Will any alcohol vendors be serving at the event? XXX yes _____ no (if yes, list names and attach a
copy of the vendors license to sell alcohol, describe alcohol that will be served) **Dogfish Café operating a
snack bar and beer garden (licensed by State of Maine)**

Date of event: **September 26 – October 2, 2010** Time (start and finish times): **8:00 am – 11:00 pm**

Number of tickets available: **Unlimited**

Expected attendance: **50,000 (entire event)**

Description of event: **Agricultural fair that includes parimutual harness racing, carnival rides,
motorsports events (truck & tractor pulls), musical acts, agricultural demonstrations, and Maine
Agricultural Day (an educational day for school children from several counties)**

M. Number of certified police officers: **Cumberland Police Chief to determine number of officers per shift**

N. Other security personnel (include company name and qualifications): **Cumberland Fair Security which includes retired Maine State Police officers**

O. Describe fire personnel: **Cumberland Fire Department**

Traffic Plan

P. Description of routes persons attending the event are likely to take, including number of traffic controllers and deployment descriptions: **Bruce Hill Road, Blanchard Road, Skillin Road, Range Road, Main Street, Route 100. Routes are clearly marked and pedestrian crosswalk is manned by Cumberland Police Department.**

Q. Describe methods used to publicize alternate routes of reaching the scene of the event: **Radio stations that are on site, local television stations, and newspaper advertisements**

R. Attach statement of availability of private towing firms to remove disabled vehicles.
Copp Motors, AAA of Northern New England

Crowd Management

S. Plan for discouraging those not holding tickets for the event from coming to the event site. **N/A**

T. Plan for preventing trespassing on private property in the area: **Cumberland Police Department foot patrols, Cumberland Fair staff**

U. Will all publicity stop as soon as it is apparent that the event is sold out? **___XXX___**yes_____no

V. Description of how the event will be publicized, including how a sell-out will be publicized
Television and radio advertisements, posters, and fair flyers. Television and radio will be used to announce a sell-out

Other

W. Name of liability insurance **___K & K Insurance___**

Amount of coverage **__\$5,000,000__** amount of property insurance **__\$5,000,000__**

X. Preferred types of permanent guarantee (i.e..escrow account, irrevocable letter of credit)


Authorized Signature

On _____ (date), I received a copy of the Cumberland Mass
Gathering Ordinance _____ (authorized signature)

Town of CUMBERLAND, MAINE
Report of the HEALTH OFFICER

Restaurant/Take Out Name and Address:

LION'S CLUB - Cumberland Fairgrounds

State Licensure Human Services and Agriculture

Expires: _____ License #: NON profit

- 1.) Food Supply and Source Commercial
- 2.) Food Preparation and Protection Good practices observed
- 3.) Food Temperature All Refrigeration within normal limits
- 4.) Food Handlers Well Trained by Randy Bowler, a retired chef
- 5.) Equipment and Utensils Clean & properly stored
- 6.) Dishwashing using paper disposables
- 7.) Toxic Materials properly labelled & stored
- 8.) Water Supply Town water
- 9.) Waste Water Fair ground Leach Field
- 10.) Toilet and Hand Wash Facilities at Fair - clean & well supplied
- 11.) Maintenance of Physical Facilities in good repair
- 12.) Insect/Rodent Control no problems observed
- 13.) Rubbish contained
- 14.) Plumbing - Cross Connections N/A

Comments: This is a well run concession.

Eden L. Wyatt
Cumberland Health Officer

8-12-18
date

ITEM

10-113

To hold a Public Hearing to consider and act on a Mass
Gathering Permit and Victualer's Licenses for Nassau
Broadcasting for Maine's Ultimate Fall Yard Sale to be held at
the Cumberland Fairgrounds on Saturday, October 9, 2010 from
9:00 a.m. to 2:00 p.m.

MEMORANDUM

To: William Shane, Town Manager

From: Tamara O'Donnell, Deputy Town Clerk

Re: Maine's Ultimate Yard Sale

I held a meeting at 3:00 p.m., on Thursday, July 29, 2010, with Nassau Broadcasting Representative Patrick Collins Sr., Vice President, Don Doyle, President, Cumberland Farmers Club, and Bruce Flanigan, Cumberland Farmers Club. Police Chief Charron, Lt. Milt Calder, Deputy Chief Schools.

I reviewed in detail the requirements of the Mass Gathering Ordinance with Mr. Collins and Mr. Doyle. The following represents our mutual understanding:

- Event participators will register online through the ultimateyardsale.com site.
- Registration levels have been increased to 300 from the previous level of 250.
- Exact attendance levels are unknown, however, it was determined that 5,000 is likely. Therefore, the organizers will pay the Major Mass Gathering fee of \$500.00.
- Registration cost will be \$25.00 per 12 x 12 foot booth.
- Entrance fee for attendee is \$1.00 per person
- No parking fee will be charged.
- The event will be held Saturday, October 9, 2010 and occur within a fenced area.
- There will be no collection of the entrance fee at the gate. Vehicles will be flagged from the entrance to the parking area and the entrance fee will be paid after parking and at the gate of the fenced vendor area.
- The rain date is October 16, 2010.
- If the event is to be cancelled for any reason, a 24 hour notice will be provided by email to all participants and to the public through the broadcasting agency's seven radio stations.
- Registrants are required to set up between 5:00 a.m. and 8:00 a.m.
- Additional staff (6) have been hired by "At Work" flaggers to control parking.
- There will be another event being held in the Exhibition Hall during this event. There are not expected to be any issues, as the second event is very small and does not meet any of the requirements for a Minor Mass Gathering Permit.
- There will be 1 Paramedic, 1 EMT, and 1 Supervisor from the Fire Department on site.
- There will be 1 Fire Engine on site.
- There will be 3 police officers on duty at the event.
- Communication between parties will be by two way radio.
- Food Vendors will be handled exclusively through the Farmers' Club. I will work with Don Doyle to acquire a list of vendors and payment in advance of the event.

- Eileen Wyatt will conduct food vendor inspections during the set-up hours.
- A copy of the contract with Blow Brothers as well as a copy of the event insurance coverage naming the town as an additional insured is attached to the application.
- Deputy Chief Schools has approved a 15 foot space between each vendor row for emergency access.
- The police department has requested that the ancillary parking area on the opposite side of Blanchard Road be closed off to no parking in order to prevent traffic issues.
- Nassau Broadcasting will have approximately 15 employees in attendance throughout the event.
- Nassau Broadcasting will be broadcasting live during the event and have been made aware to prevent any noise issues.

I believe we have covered all areas related to the Mass Gathering Permit application. I anticipate that this event will be very successful and well managed. I hope the weather cooperates and they have a wonderful turnout. Thank you.

TOWN OF CUMBERLAND

Publication dates: Aug 9-2010
Publication names: _____
Date filed: _____
Fee rec'd: 7-19-2010
Date Ordinance received: 7-19-2010
Issued: _____
Denied: _____

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

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

Name of applicant: NASSAU BROADCASTING

Address of applicant: 477 CONGRESS ST. 3RD FL. ANNEX Tel. # 797-0780

Name of event: FALL ULTIMATE YARD SALE

Facility where the event will be held: CUMBERLAND FAIR GROUNDS

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

Name of promoter (if different from above): _____

Telephone number: _____

Date of event: 10/9/10 Time (start and finish times): 9AM - 2:00PM

Number of tickets available _____

Expected attendance 7,000+

Description of event: LARGE OUTDOOR YARD SALE HOSTED
AND PROMOTED BY NASSAU BROADCASTING

Will any food vendors be serving at the event? _____ yes; ☒ no (if yes, how many, and what types) FOOD VENDORS CONTRACTED FOR BY CUMBERLAND
FARMERS CLUB

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

Describe the three most recent outdoor performances of the group, performer, or event being proposed. Include location, date(s), number in attendance, promoter or sponsoring person or organization.

1. SPRING YARD SALE 6/12/10 - CUMBERLAND FAIR GROUNDS

2. FALL 09 YARD SALE - 9/19/09 - SCARBOROUGH DOWNS

3. _____

Description of facility: (CUMBERLAND FAIR GROUNDS)

- A. Seating capacity: _____ permanent; _____ temporary
B. Other seating capacity: _____ festival; _____ standing room only (sq. ft)
C. Number of toilets available: _____ permanent; 30 portable
D. Number of parking spaces available: 5,000 on-site; _____ off-site
E. Are all parking lots lighted (applicable only if event runs into evening hours)
_____ yes; _____ no, if no, which lots are not lighted _____

F. Source of potable water: _____

G. Refuse containers available, number and size: PROVIDED BY FAIRGROUNDS

H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse)
BLOW BROS.

I. When will refuse be picked up? 1

Public Safety:

J. Describe first aid facilities: CUMBERLAND FIRE & EMT

K. Describe emergency facilities: _____

L. Describe communication facilities: see attached memo

M. Number of certified police officers: 3

N. Other security personnel (include company name and qualifications): _____

O. Describe fire personnel: see attached memo

Other

P. Name of liability insurance VIGILANT INSURANCE Company
Amount of coverage 1,000,000; amount of property insurance 1,000,000

Q. Preferred type of performance guarantee (i.e., escrow account, irrevocable letter of credit)

Patricia Collier
Authorized signature

On 7-19-10 (date), I received a copy of the Cumberland Mass
Gathering Ordinance. _____ (authorized signature)

PAYMENT SUMMARY RECEIPT

TOWN OF CUMBERLAND
290 TUTTLE ROAD
CUMBERLAND ME 04021

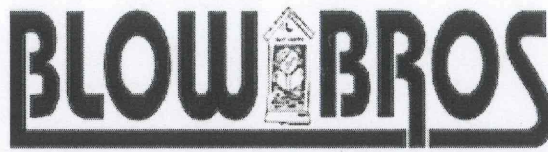
DATE: 07/19/10 CUSTOMER#: 000000000
TIME: 09:41
CLERK: abrushwe

RECEIPT#: 52284 PREV BAL: 500.00
TP/YR: MS/2011 AMT PAID:
BILL: ADJUSTMT:
EFF DT: 07/19/10 BAL DUE:
MISCELLANEOUS PAYMENT

-----TOTALS-----

PRINCIPAL PAID: 500.00
INTEREST PAID: .00
ADJUSTMENTS: .00
DISC TAKEN: .00
AMT TENDERED: 500.00
AMT APPLIED: 500.00
CHANGE: .00

PAID BY: MASSAU BROADCASTING
PAYMENT METH: CHECK
PAYMENT REF: 336865



" We're # 1 in the # 2 Business "

P.O. Box 221
Old Orchard Beach, ME 04072
PROPOSAL

July 21, 2010

TO: Nassau Broadcasting
Attn: Stan Manning
Phone: 207-712-6965
Email: smanning@nassaubroadcasting.com

RE: **Portable Toilet Rentals for Yard Sale at Cumberland County Fairgrounds on 10/9/10**

We hereby submit specifications and estimates for:

10 Standard Portable Units (\$ 55.00 per unit)	\$	550.00
3 Barrier Free Portable Units (\$ 85.00 per unit)	\$	255.00
Waterless Hand Sanitizer	\$	No Charge

*****DELIVERY TO BE 10/8/10, PICKUP TO BE 10/11/10

Price Includes: Delivery, Set Up, Pick-Up, Paper Goods, Chemicals, Deodorization and Disposal.

We propose hereby to furnish material and labor—complete in accordance with the above specifications for the sum of (\$ 805.00):

TERMS AND CONDITIONS

1. The customer agrees to pay all invoices related to the service of the portable sanitation facilities, including extra and overtime charges for any service rendered over and above normal servicing schedule. Customer authorizes uses of credit card number on file for all charges incurred in accordance with terms and conditions cited above. Blow Bros. reserves the right to prosecute any customer who intentionally issues a credit card or negotiating a worthless instrument knowing that it will not be honored by the maker or drawee in accordance with State of Maine Law.
2. The customer agrees to pay for any and all damage to or loss of the portable sanitation facilities as an insurer of cause or fault, except for reasonable wear and tear, while the portable sanitation facilities are at the site address.
3. Blow Bros. reserves the right to NOT remove, pump dry and lock the unit until account is paid in full. If lock is destroyed or continued use of unit occurs the customer will be subject to additional charges.
4. The customer agrees not to sell, rent, lease, or otherwise give up possession of the portable sanitation facilities listed herein without prior consent from BLOW BROS.
5. The customer agrees to keep the portable sanitation units clear and accessible for service trucks at all times and to assume any and all tow charges resulting from substandard site conditions.
6. The customer acknowledges that Blow Bros. will not be liable for any damages to pavement, curbing, lawns or any other property resulting from trucks servicing units placed at customer request.
7. The customer agrees to pay a **late charge of 1.5% per month** on the unpaid balance for all invoices over 30 days. This is an **Annual Percentage Rate of 18%**. The customer also agrees to pay costs of collection including attorney fees.

Payment to be made as follows:

C.O.D.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker's Compensation Insurance.

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

Payment will be made as outlined above.

***Must sign and fax back to (207)934-1723. A representative from Blow Bros. will contact you for completion of your detailed order.**

Date of Acceptance: _____

Authorized Signature: _____

Note: We may withdraw this proposal if not accepted within 30 days.

Signature: M. Brown
Margi Brown, Office Manager

ACORDTM CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 7/20/2010
PRODUCER Phone: 877-861-3220 Fax: 856-642-7708 Conner Strong Companies Inc Marlton NJ 08053		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
		INSURERS AFFORDING COVERAGE
INSURED Nassau Broadcasting Partners, L.P. 619 Alexander Rd., Third Floor Princeton NJ 08540		INSURER A: Vigilant Insurance Company 20397
		INSURER B: Federal Insurance Company 20281
		INSURER C: Great Northern Insurance Comp 20303
		INSURER D:
		INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADD'L	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	35796784	5/28/2010	5/28/2011	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$1,000,000 PRODUCTS - COMP/OP AGG \$1,000,000
B		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	73527087	5/28/2010	5/28/2011	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
B		EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$	79797386	5/28/2010	5/28/2011	EACH OCCURRENCE \$15,000,000 AGGREGATE \$15,000,000 \$ \$
C		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER	71649615	5/28/2010	5/28/2011	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$500,000 E.L. DISEASE - EA EMPLOYEE \$500,000 E.L. DISEASE - POLICY LIMIT \$500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 Certificate Holder and Cumberland Farmers Club/Cumberland County Fair, 197 Blanchard Rd., Cumberland, ME 04021 are additional insured, where required by written contract.

CERTIFICATE HOLDER

CANCELLATION 10 days notice for non-payment

Town of Cumberland Maine 290 Tuttle Rd Cumberland ME 04021	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE <i>W. Michael Thompson</i>
--	---

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

Tammy O'donnell

From: Nadeen Daniels
Sent: Wednesday, July 21, 2010 11:35 AM
To: 'Pat Collins'; chickenman15@roadrunner.com; chickenman15@roadrunner.com
Cc: Tammy O'donnell; Joe Charron; Dan Small; Nate Schools
Subject: RE: Blow Brothers and @work

Hi Pat,

I heard from the fairgrounds today that they would like the town to discuss logistics with you prior to the Mass Gathering Permit approval. They are concerned that not enough room was maintained between vendors at the last yard sale and would like to see the event more spread out to ensure sufficient access for customers and public safety vehicles. Please be advised that when we meet with the Public Safety Chiefs next week, this will be on our agenda.

Thanks very much,

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.

From: Pat Collins [mailto:pcollins@nassaubroadcasting.com]
Sent: Tuesday, July 20, 2010 4:08 PM
To: Nadeen Daniels
Subject: Blow Brothers and @work

Nadeen:

Attached is the confirmation from Blow Brothers for sanitation services at the Yard Sale and below is the confirmation of six flaggers from @work for the event. We have increased the number of flaggers from four to six. I will send the Certificate of Insurance separately. I thought we already had received it from our insurance company but apparently it has not arrived as of yet.

Thanks,
Pat

From: Tawni Ileaboya [mailto:tawni@atworkpersonnel.com]
Sent: Tuesday, July 20, 2010 3:39 PM
To: Stan Manning
Subject: Quote Letter

@WORKSERVICES

190 Riverside Street
Portland, ME 04103
207-772-6060
888-301-6223
207-772-6336 Fax
tawni@atworkpersonnel.com

E-Mail: linda@atworkpersonnel.com

July 20, 2010

Stan Manning
Nassau Broadcasting Company
477 Congress Street
Portland, ME 04101

Dear Mr. Manning:

Here are the rates for the six flaggers you will be using from @Work Personnel Services on October 9, 2010 at the Cumberland County Fairgrounds.

Pay/Hour
\$ 12.00

Bill/Hour
\$19.20

This bill rate includes all applicable taxes and insurance. @WORK does all the advertising, recruiting and screening for you. Should you have any questions please don't hesitate to contact me at (207)772-6060.

Sincerely,

Tawni Ileaboya
@Work Personnel
Account Manager
tawni@atworkpersonnel.com

Patrick Collins

Senior VP / Market Manager

Nassau Broadcasting Maine

107.5 Frank, 99.9 The Wolf, 106.3 The Bone,

WBACH - Maine's Classical Network, 870/1470 The Oldies Channel, 105.5 Frank, 99.3 The Wolf

PH: 207-797-0780 x202

Fax: 207-253-1929

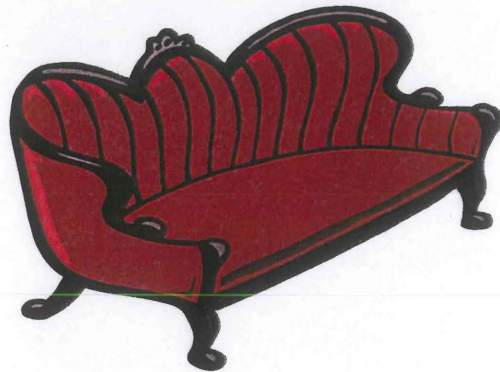
ITEM 10-114

To hold a Public Hearing to consider and act on setting
October 18th – 22nd as Bulky Waste Pick-Up Week.

FALL BULKY WASTE PICK-UP WEEK
OCTOBER 18th THROUGH OCTOBER 22nd

Items will be collected on your regular pick-up day.

Items accepted at curbside:

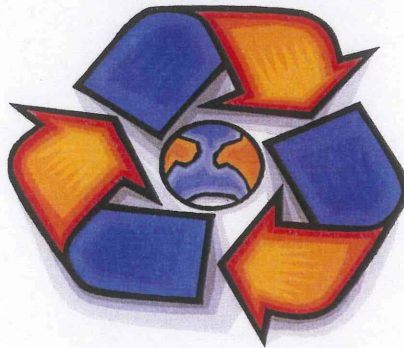


- Bathroom Fixtures
- Box Springs
- Cabinets
- Carpets
- Chairs
- Dressers
- Hot Water Tanks
- Large Metal Items
- Large Toys
- Mattresses
- Recliners
- Sofas
- Stoves
- Tables
- Washers & Dryers



Items NOT accepted at curbside:

- No wood products, including picnic tables or fencing
- No appliances containing Freon (e.g., refrigerators, freezers, dehumidifiers or air conditioners)
- No brush, construction/demolition/remodeling debris (C/D) including lumber, shingles, brick or cement
- No Hazardous Waste including oil, automotive or household batteries or mercury products.
- No propane tanks
- No cardboard
- No windows or glass items
- No yard or tree waste
- No liquid waste
- No plastic bags
- No clothing or textiles
- No tires (with rims)
- No computers or monitors
- No fluorescent light bulbs
- No TV's



Items not accepted curbside may be taken to Riverside Recycling in Portland for a fee. They are located at 910 Riverside Street and their number is 797-6200. Brush, Leaves, Grass Clippings and Waste Oil may be taken to the Public Works Garage and disposed of at the following times:

**Riverside Recycling – Monday – Saturday – 9:00 – 4:00
Drowne Road Garage - Tuesday – 11:00 – 3:00 & Saturdays – 9:00 – 12:30**

If you have any other questions, please contact the Cumberland Public Works Department for more information at 829-2220.

ITEM 10-115

To set a Public Hearing date (August 23rd) to consider and act on setting a fee for staff review of site plans at \$250.00 per plan.



M E M O R A N D U M

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

Date: August 3, 2010
To: William Shane, Town Manager
From: Carla Nixon, Planning Director
Subject: Amendment to Fee Ordinance for Staff Review Fee

As you know, the Council recently approved a staff review process for small site plans. In meeting with our first applicant, I realized we did not set a fee for this. After looking at what we charge for minor site plan review (\$450) and calculating the cost of noticing abutters and staff time, I am proposing we set a flat fee of \$250 with the optional collection of a consulting escrow of \$500 that would be used should there be a need to have an outside consultant review the plan for such things as entrance design, septic design, etc.

Please let me know if I can provide any additional information.

FEES & FINES ORDINANCE

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Alarm Systems

Application Fee	\$ 50.00
Annual Registration Fee	\$ 25.00

Non-emergency Fire and Police False Alarm Penalties:

	<u>Fire</u>	<u>Police</u>
3 rd Response	\$ 75.00	\$ 25.00
4 th Response	\$ 100.00	\$ 50.00

Each subsequent response shall be \$ 25.00 plus the amount of the previous response penalty

Late fee for failure to pay non-emergency false alarm penalties \$ 5.00 per day

All Terrain Vehicles

Violation Fines:

First Offense	\$ 100.00
Second and each subsequent offense	\$ 150.00

Board of Appeals

[adopted 4/11/05]

Application and Notice Fee	\$ 100.00
----------------------------	-----------

Building Permits

[adopted 4/11/05]

Residential – Minimum Fee	\$ 50.00
New Construction	
Finished Areas	\$.25 / sq. ft.
Unfinished Areas	\$.10 / sq. ft.
(*Note: Including all floor levels from the lowest floor to the highest floor level)	
Renovation and Alteration	\$ 10.00 / \$1,000
(Include written cost estimate)	
Commercial – Minimum Fee	\$ 100.00
New Construction	
Finished Areas	\$.30 / sq. ft.
Unfinished Areas	\$.10 / sq. ft.
(*Note: Including all floor levels from the lowest floor to the highest floor level)	
Decks and Sheds	\$ 25.00
(Up to 400 sq. ft. then \$.10 / sq. ft additional)	
Demolition Permits	\$ 25.00
Change of Use	\$ 50.00
(No charge if permit issued)	
Fines for Construction without Permit:	
1 st Offense	Double Fee
2 nd Offense	Double Fee
3 rd & Subsequent Offenses	\$ 2,500.00 Min
*Note: Based on twelve month permit activity for individual, contractor, or company. This includes Building, Plumbing and Electrical permits.	

Community **Antenna** **Television** **(CATV)**

Filing Fee	\$ 100.00
DVD Copy of live broadcast public meeting	\$ 10.00

Dog Control

Annual License	
Neutered/Spayed	\$ 6.00
Non-neutered/Non-spayed	\$ 11.00
Late Fee (After February 1 st)	\$ 15.00
At Large Fine	
1 st Offense	\$ 75.00
2 nd Offense	\$ 100.00
3 rd Offense	Up to \$ 500.00
Unlicensed Fine	\$ 100.00
Approval for dog release, administration and impounding fee	\$ 25.00

Electrical Permits

[adopted 4/11/05]

New Construction / Addition / Renovations	\$.05 / sq. ft.
(\$25.00 Minimum inspection fee)	
New Service / Upgrade	\$ 25.00
Swimming Pool	\$ 25.00
Administrative Fee (Required on all permits)	\$ 25.00
*Note: \$ 50.00 minimum fee for electrical permits	

Explosives Permit

\$ 20.00

Firearms

Violations	
First Offense	\$ 100.00
Second Offense	\$ 150.00
Subsequent Offenses	\$ 250.00

Library

Photocopies & Printing	\$.10/ page
Outgoing Fax	\$.50/page
(Incoming & toll-free numbers are free)	
Overdue Fees	
Adults	\$.10/item/day
Children	\$.05/item/day
Nonresident Borrowing	\$ 30.00/year

Mass Gathering

Minor Large Outdoor Event (500 – 4,999 persons)	\$ 250.00
Major Large Outdoor Event (greater than 5,000 persons)	\$ 500.00
PENALTY: Not less than \$500.00 nor more than \$1,000.00 per violation. Each day such violation continues shall constitute a separate offense.	

Moorings

Riparian	
1 st Mooring	\$ 25.00
Each subsequent	\$ 10.00
Commercial	
1 st Mooring	\$ 20.00
Each subsequent	\$ 10.00
Resident Recreational & Non-resident	
1 st Mooring	\$ 30.00
Each subsequent	\$ 10.00

Plumbing Permit

[adopted 4/11/05]

Internal Fees	\$ 9.00 / fixture
	\$ 36.00 Minimum
External Fees	
Complete Systems	
Engineered System	\$ 300.00
Non-Engineered System	\$ 150.00
Primitive System	\$ 150.00
Separate Laundry	\$ 52.50
Seasonal Conversion	\$ 75.00
Variance	\$ 30.00
Separate Parts of Systems	
Alternate Toilet Only	\$ 75.00
Disposal Field (Engineered)	\$ 225.00
Disposal Field (Non-engineered)	\$ 112.50
Treatment Tank only (Non-engineered)	\$ 75.00
Treatment Tank only (Engineered)	\$ 120.00
Holding Tank	\$ 150.00
Other Components	\$ 30.00
Variance	\$ 45.00
Subsurface Septic Surcharge	\$ 25.00

Public Swimming Pool

License to operate and maintain a public swimming pool	\$ 100.00 / year
Fine for operating a public swimming pool without a license	\$ 50.00 - \$ 100.00

Re-Inspection Fee

[adopted 4/11/05]

Building, Plumbing and Electrical

1 st	\$ 25.00
2 nd	\$ 25.00
3 rd or more	\$ 100.00

*Note: Re-inspection fees are assessed at the discretion of the Inspector

Re-Zoning or Contract Zone Fee

[adopted 4/11/05]

Staff Review	\$ 500.00
Zoning Map Change	\$ 350.00
Zoning Text Change	\$ 350.00
*Consulting Escrow	\$ 800.00

If both a Text and Map change collect for both.

Sewer Use

Sewer User Connection Fee	\$ 50.00
Board of Sewer Appeals - request for a hearing	\$ 50.00

Shellfish Permit

Resident Commercial	\$ 50.00
Non-resident commercial	\$ 100.00
Resident Recreational (Free over age 62)	\$ 25.00
Non-resident recreational (Free over age 62)	\$ 50.00
Monthly Licenses	
Resident	\$ 10.00
Non-resident	\$ 20.00
Over Age 62	Free
Daily Recreational (Free over age 62)	\$ 5.00

Shoreland Zoning

[adopted 4/11/05]

Staff Review	\$ 150.00
Planning Board Issued	\$ 250.00

Signs*[adopted 4/11/05]*

\$ 50.00

Site Plan Fees*[adopted 4/11/05]***Minor:**

Application <u>and Notice</u> Fee	\$ 100.00
Up to 5,000 sq. ft.	\$ 350.00
Consulting Escrow*	\$ 1,000.00

Major:

Application <u>and Notice</u> Fee	\$ 100.00
Up to 10,000 sq. ft.	\$ 500.00
Consulting Escrow*	\$ 1,500.00

Amendment:

Application and Notice Fee:	\$ 100.00
Staff Review Fee:	\$ 150.00
Consulting Escrow*	\$ 500.00

Staff Review Minor Site Plan:

<u>Application and Notice Fee:</u>	<u>\$100.00</u>
<u>Staff Review Fee:</u>	<u>\$150.00</u>
<u>Consulting Escrow*</u>	<u>\$500.00</u>

*Consulting Escrow fee may be reduced or increased depending on the scale and complexity of the project.

**Small Wind
Turbine**

Permit Fee	\$ 150.00
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**Special
Amusement
Permit**

Permit	\$ 50.00
Liquor License	\$ 10.00
Private Catering Certificate	\$ 10.00

**Stop Work Order
or Other Violation***[adopted 4/11/05]*

§30-A M.S.R.A. §4452 (fine per violation)	\$100.00 – \$2,500
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Subdivision*[adopted 4/11/05]*

Minor:

Application Fee	\$ 100.00
Planning Review Fee	\$ 500.00
Per Lot Fee	\$ 25.00
Consulting Escrow* (per lot or dwelling unit)	\$ 100.00

Major:

Application Fee	\$ 100.00
Planning Review Fee	\$ 1,500.00
Per Lot Fee	\$ 100.00
Consulting Escrow* (per lot or dwelling unit)	\$ 100.00

Revision:

Application Fee	\$ 100.00
Per Revised Lot Fee	\$ 150.00
Consulting Escrow*	\$ 350.00

*Consulting Escrow fee may be reduced or increased depending on the scale and complexity of the project.

Swimming Pools*[adopted 4/11/05]*

Above and In-ground	\$ 100.00
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Temporary Structures

Minimum building permit fee	\$ 50.00
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Timber Harvesting

One Year Renewable Permit	\$ 25.00
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**Trash Bags for
Household
Residential Waste**

Trash bags for residential household waste as defined in the	\$2.50 - 33 gal bag
Solid Waste Ordinance shall be	\$1.50 -20 gal bag

**Victualer's
License**

Restaurant or Victualer not serving malt beverages on the premises	\$ 50.00
Restaurant or Victualer serving malt beverages on the premises	\$ 50.00
Class A Restaurant, as defined by the Revised Statutes of Maine, serving both malt liquor and spirituous and vinous liquor	\$ 50.00
A business establishment such as, but not limited to, retail grocery stores, food storage warehouses, bakeries, delicatessen stores, and dairy product stores where food is stored or is kept for sale and where the total area of the establishment is less than 10,000 square feet	\$ 25.00
Same as (d) but total area of the establishment is more than 10,000 square feet	\$ 25.00
Eating and Lodging places. Any place where eating and sleeping accommodations are furnished to the public such as hotels, motels and bed and breakfasts	\$ 100.00
Establishment operated by non-profit organization	No Fee
Temporary Vending Unit operating at a fair	\$ 10.00
Vending Machine	\$ 10.00

Violations

Violation of any ordinance provision	Not more than \$ 100.00 for each offense
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Yard Waste
Facility

Brush – Trees – Slash – Leaves – Grass Clippings and
Other Landscape Trimmings:

Brush – Trees – Slash is considered any hard or soft
wood less than 12” diameter. Lengths up to 12’ will be
accepted. Stumps and wood over 12” in diameter will
not be accepted.

Cars & Pick-up Trucks	\$ 5.00 per load
Single axle trailers up to 4’ x 6’	\$ 5.00 per load
All trailers over 4’ x 6’	\$ 10.00 per load
	<u>\$ 5.00 per load</u>

Rack body trucks, one dump	<u>\$ 5.00 per load</u>
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<u>One Day Pass for all Vehicles excluding Dump Trucks</u>	<u>\$ 10.00 per day</u>
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Rack body trucks, one dump 6-wheeled 7-yard dump trucks	\$ 25.00 per load
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Larger loads (wheelers and tri-axle dump trucks)
will not be accepted

Motor Oil and Car Batteries – must see attendant	No Fee
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Residential Annual Pass (July 1 – June 30)	\$ 25.00
Commercial Annual Pass (July 1 – June 30)*	\$ 250.00

***Cumberland yard waste only**

SITE PLAN REVIEW ORDINANCE

TOWN OF CUMBERLAND

[Amended 2/25/02, effective 3/19/02, Amended, effective 10/22/07, Amended, effective:
_____]

SECTION 1: TITLE, PURPOSE, AUTHORITY

- .1 **Title:** This ordinance shall be known and cited as the "Site Plan Ordinance" of the Town of Cumberland, Maine.
- .2 **Purpose:** The site plan review provisions are intended to *protect* public health and safety, *promote* the general welfare of the community, and *conserve* the environment by assuring that all non-residential development is designed and constructed in a manner which assures that adequate provisions are made for traffic, utilities, storm water, erosion and sedimentation, wildlife habitat and fisheries, historic and archaeological resources. Site plan review will also serve to minimize any adverse impacts on neighboring properties and to ensure that new developments will fit in harmoniously to the fabric of the community.
- .3 **Review and Approval Authority:** The Town Planner is authorized to review and approve projects classified as Staff Review. The Planning Board is authorized to review all other projects.

SECTION 2: NOTIFICATION PROCEDURES

The Planning Department will mail notices to all property owners within 200' of the property under consideration. The notice will be mailed at least 14 days prior to the meeting at which the proposed project is reviewed.

The agendas of Planning Board meetings and Staff Review meetings shall be published by the Planning Department in a local newspaper at least seven (7) days before the date of the meeting.

SECTION 3: CLASSIFICATION OF PROJECTS

There are three levels of site plan review: 1) Staff Review; 2) Minor Site Plan Review; and 3) Major Site Plan Review. The Town Planner shall classify each project to determine the level of review required based on the applicability standards set forth in this section. Staff Review is for smaller projects, while larger projects (classified as "Minor" and "Major") are reviewed by the Planning Board. The Town Planner is authorized to review and act on site plans classified as Staff Review, however, the Town Planner may refer a Staff Review project to the Planning Board when the nature of the application warrants a public hearing or poses the potential for significant impacts on municipal facilities or natural resources.

Type of Activity	Staff Review Required	Minor Site Plan Review Required	Major Site Plan Review Required
The construction of a new structure (other than single family and duplex) that contains:	Less than 3001 sq. ft.	Between 3001 sq. ft. and 7,000 sq. ft.	More than 7,000 sq. ft.
The expansion of a non-residential building or structure, including accessory buildings, that increases the total floor area by:	Less than 1,001 sq. ft.	Between 1001 and 2,000 sq. ft.	More than 2,000 sq. ft.
The construction of an impervious surface such as a support pad or paved or gravel parking area:	Less than 2,001 sq. ft.	Between 2,001 and 4,000 sq. ft.	More than 4,000 sq. ft.
The conversion of existing buildings or structures from one use to another, without enlargement of gross floor area or parking.	X		
The expansion of an approved use that does not increase the intensity of on or off-site impacts.	X		
Site preparation activities including clearing, grubbing, grading, the construction or reconstruction of driveways and entrances, including the installation of driveway culverts.	X		

SECTION 4: STAFF REVIEW DEVELOPMENT PROCEDURE

- .1 The applicant shall provide nine (9) copies of a complete application packet.
- .2 The Town Planner shall determine if the application requires Board of Adjustment and Appeals Review. If so, approval by the Board of Adjustment and Appeals shall be required prior to continuing the process as described below.
- .3 A copy of the application shall be provided by the Planning Department to the following members of the Staff Review Committee: the Public Services Director, Police Chief, Fire/EMS Chief, Code Enforcement Officer, Economic Development Director, Town Manager and Chair of the Planning Board. Comments shall be made on the application in writing, to the Town Planner within 7 working days of the date of the application.

- .4 The Town shall mail a notice, within three (3) working days of the application submission, to all property owners within 200 feet of the site under review. ***NOTE: The term “working days” shall mean days in which the Cumberland Town Office is open.***
- .5 Within fifteen (15) working days following the submission of the completed application, the Town Planner shall review all submitted comments from the staff review committee and residents, and in writing, approve, approve conditionally, or deny the application in accordance with the provisions of the site plan review ordinance. The written decision of the Town Planner shall be mailed to the applicant and property owners within 200 feet of the site within three (3) working days of the decision. A copy of the decision shall also be provided to the Chair of the Planning Board, Town Manager and other members of the Staff Review Committee.
- .6 Appeals: Within 15 working days of the decision by the Town Planner, the applicant or property owner(s) within 200’ feet of the site may appeal the Town Planner’s decision to the Planning Board. The appellant in such case shall pay a fee as established by order of the Town Council. The appeal shall be in writing and shall list the specific provision(s) of the site plan ordinance upon which the appeal is based. Site plan decisions of the Planning Board are appealed to the Cumberland County Superior Court.

SECTION 5: MAJOR SITE PLAN REVIEW DEVELOPMENT PROCEDURE

The Planning Board shall use the following procedures in reviewing applications for major site plan review.

.1 Pre- application

- .1 Prior to submitting a formal application, the applicant or his/her representative may request a pre application conference with the Planning Board. The purpose of the pre application conference is to:
 - .1 Allow the Board to understand the nature of the proposed use and the issues involved in the proposal, and
 - .2 Allow the Board to understand the location, size, natural resources and general characteristics of the proposed site, and
 - .3 Allow the applicant to understand the development review process and required submissions, and
 - .4 Discuss the need for any waivers from the submission requirements,
 - .5 Identify issues that need to be addressed in future submissions, and
 - .4 Make the applicant aware of any opportunities for coordinating the development with community policies, programs, or facilities.

The pre-application conference shall be informal and informational in nature. There shall be no fee for a pre application review, and such review shall not cause the plan or any related application to be a pending application or proceeding under Title 1 M.R.S.A., Section 302. No decisions on the substance of the plan shall be made at the pre application conference.

.2 Site Walk

The Board may schedule a site walk if deemed necessary. A written notice for such site inspections shall be published at least once in a newspaper of general circulation in the community, and the date of the publication shall be at least seven (7) days prior to the site inspection. Notice shall also be sent by first class mail to all property owners of record within two hundred (200) feet of the parcel on which the proposed development is located

There are no formal submission requirements for a pre application conference. However, the applicant should be prepared to discuss the following with the Board.

- .1 The proposed site, including its location, size, and general characteristics,
- .2 The nature of the proposed use and potential development,

3. Site Inventory and Analysis

- .1 Applicants with projects classified as major developments must submit a site inventory and analysis for Planning Board review. This review must be completed prior to the preparation and submission of a site plan review application and supporting documentation. The Board shall review the site inventory and analysis with the applicant and shall authorize the submission of the formal application when the site analysis is complete. The site inventory and analysis must be submitted to the Planner.
- .2 Upon receipt of a site inventory and analysis, the Planner shall give a dated receipt to the applicant. Within thirty (30) days of the receipt of a site inventory and analysis submission for a major development, the Planner shall review the material and determine whether or not the submission is complete. If the submission is determined to be incomplete, the applicant shall be notified in writing of this finding, which shall specify the additional material required to make the submission complete, and shall advise the applicant that the application will not be reviewed until the additional information is submitted. When the submission is determined to be complete, the applicant shall be notified in writing of this finding and the item placed on the agenda for informal review by the Board.

- .3 The Planning Board may hold an on-site inspection of the site to review the existing conditions, field verify the information submitted and investigate the development proposal. The Board may schedule this visit either before or after the first meeting at which the application is considered. A written notice for such site inspections shall be published at least once in a newspaper of general circulation in the community, and the date of the publication shall be at least seven (7) days prior to the site inspection. Notice shall also be sent by first class mail to all property owners of record within two hundred (200) feet of the parcel on which the proposed development is located.
- .4 Within forty-five (45) days of the finding that the site inventory and analysis submission is complete; the Board shall complete its review of the submission and notify the applicant in writing of its findings.

The review of the site inventory and analysis shall be informational and shall not result in any formal approval or disapproval of the project by the Planning Board. The Board shall review the submission to determine if the information provides a clear understanding of the site and identifies opportunities and constraints that help determine how it should be used and developed. The outcome of the review process shall be a determination by the Board of the issues and constraints that must be addressed in the formal site plan review application. The Board shall also act on any requests for waivers.

SECTION 6: MAJOR AND MINOR SITE PLAN NOTIFICATION PROCEDURE

- .1 Public Notice Procedure
 - .1 Upon receipt of a formal site plan review application, the Planner shall give a dated receipt to the applicant.
 - .2 Within thirty (30) days of the receipt of a formal development review application, the Town Planner shall review the material and determine whether or not the submission is complete. If the application is determined to be incomplete, the applicant shall be notified in writing of this finding, which shall specify the additional materials required to make the application complete, and shall advise the applicant that the application will not be reviewed until the additional information is submitted. Failure to submit the additional information within six months shall be deemed an abandonment of the application.
 - .3 The notification requirements of subsection (4) below shall be met and the item placed on the agenda for substantive review within thirty (30) days of this finding

- .4 A notice of the hearing shall be published in a newspaper of general circulation in the community at least once; the date of publication shall be at least seven (7) days prior to the hearing.
- .5 The Town Planning Department shall mail a written notice of the date, time, and place of the public hearing at which the application will be considered to the applicant and to all property owners within 200' of the parcel on which the proposed development is located.
- .6 Failure of any property owner to receive notice under this section for any reason shall not necessitate a new hearing and shall not invalidate any action by the Planning Board.

.2 Public Hearing Procedure

- .1 The purpose of the public hearing is to allow the applicant and affected property owners to provide information as part of the record that the Board will use in considering its action on the application. Testimony presented at the hearing should be related to factual information about the application and related submissions and the project's compliance with the review standards and other regulations and requirements of this ordinance or other municipal ordinances.
- .2 The Chair shall provide the applicant or his/her representative with an opportunity to make any statement or presentations at the beginning of the hearing. The Chair shall then allow the members of the Board to ask questions of the applicant and for the applicant to answer those questions. Following Board questions, the Chair shall open the public hearing to the public for statements, information submissions, or questions about the project. At the close of the public comment period, the Chair shall afford the applicant an opportunity to answer any questions raised by the public, rebut any statements or information submitted, and cross-examine anyone offering testimony on the application. The Chair may allow the applicant this opportunity after each member of the public testifies if that is deemed to be desirable. At the conclusion of the applicant's response, the hearing shall be closed.

.3 Procedures for Final Action on an Application

- .1 The Planning Board shall take final action on said application within thirty (30) days of the public hearing. The Board shall act to deny, to approve, or to approve the application with conditions. The Board may impose such conditions as are deemed advisable to assure compliance with the standards of approval and performance standards of this ordinance.

- .2 In issuing its decision, the Board shall make written findings of fact that establish whether the proposed development does or does not meet the standards of approval, performance standards, and other requirements of this Ordinance.
- .3 The Board shall notify the applicant, of the action of the Board, including the findings of fact and any conditions of approval.

SECTION 7: MINOR SITE PLAN REVIEW DEVELOPMENT PROCEDURE

- .1 Projects classified as minor developments shall go through a simplified review process. Applicants shall **not** be required to submit a site inventory and analysis and may proceed directly to preparing and submitting a site plan review application including the development plan and supporting documentation meeting the submission requirements. This material must be submitted to the Town Planner. The Planning Board shall have the authority to waive any review standards if it finds they are inapplicable to a minor site plan application.
- .2 *With the exception of the Site Inventory and Analysis step and the reduced submission requirements, the process for Minor Site Plan Review is the same as that of Major Site Plan Review.*

SECTION 8: APPROVAL STANDARDS AND CRITERIA FOR ALL SITE PLANS

The following criteria shall be used in reviewing applications for site plan review and shall serve as minimum requirements for approval of the application. In all instances, the burden of proof shall be on the applicant who must produce evidence sufficient to warrant a finding that all applicable criteria have been met.

.1 Utilization of the Site

Utilization of the Site - The plan for the development, including buildings, lots, and support facilities, must reflect the natural capabilities of the site to support development. Environmentally sensitive areas, including but not limited to, wetlands, steep slopes, floodplains, significant wildlife habitats, fisheries, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, and sand and gravel aquifers must be maintained and preserved to the maximum extent. The development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

.2 Traffic Access and Parking

Vehicular access to and from the development must be safe and convenient.

- .1 Any driveway or proposed street must be designed so as to provide the minimum sight distance according to the Maine Department of Transportation standards, to the maximum extent possible.
- .2 Points of access and egress must be located to avoid hazardous conflicts with existing turning movements and traffic flows.
- .3 The grade of any proposed drive or street must be not more than +3% for a minimum of two (2) car lengths, or forty (40) feet, from the intersection.
- .4 The intersection of any access/egress drive or proposed street must function: (a) at a Level of Service D, or better, following development if the project will generate one thousand (1,000) or more vehicle trips per twenty-four (24) hour period; or (b) at a level which will allow safe access into and out of the project if less than one thousand (1,000) trips are generated.
- .5 Where a lot has frontage on two (2) or more streets, the primary access to and egress from the lot must be provided from the street where there is less potential for traffic congestion and for traffic and pedestrians hazards. Access from other streets may be allowed if it is safe and does not promote short cutting through the site.
- .6 Where it is necessary to safeguard against hazards to traffic and pedestrians and/ or to avoid traffic congestion, the applicant shall be responsible for providing turning lanes, traffic directional islands, and traffic controls within public streets.
- .7 Accessways must be designed and have sufficient capacity to avoid queuing of entering vehicles on any public street.
- .8 The following criteria must be used to limit the number of driveways serving a proposed project:
 - a. No use which generates less than one hundred (100) vehicle trips per day shall have more than one (1) two-way driveway onto a single roadway. Such driveway must be no greater than thirty (30) feet wide. For health care, residential care, extended care and similar facilities, which generate less than one hundred (100) vehicle trips per day, where the applicant can conclusively demonstrate that life safety is or could be at risk due to the lack of adequate access for emergency vehicles, and only after all other site design alternatives have been exhausted, the Planning Board may at its discretion, with appropriate input from the Town's Public Safety Chiefs and the Town's Public Services

director, approve a second separate driveway. [Amended, effective 4/22/02]

- b. No use which generates one hundred (100) or more vehicle trips per day shall have more than two (2) points of entry from and two (2) points of egress to a single roadway. The combined width of all accessways must not exceed sixty (60) feet.

.3 Accessway Location and Spacing

Accessways must meet the following standards:

- .1 Private entrance / exits must be located at least fifty (50) feet from the closest unsignalized intersection and one hundred fifty (150) feet from the closest signalized intersection, as measured from the point of tangency for the corner to the point of tangency for the accessway. This requirement may be reduced if the shape of the site does not allow conformance with this standard.
- .2 Private accessways in or out of a development must be separated by a minimum of seventy-five (75) feet where possible.

.4 Internal Vehicular Circulation

The layout of the site must provide for the safe movement of passenger, service, and emergency vehicles through the site.

- .1 Projects that will be served by delivery vehicles must provide a clear route for such vehicles with appropriate geometric design to allow turning and backing.
- .2 Clear routes of access must be provided and maintained for emergency vehicles to and around buildings and must be posted with appropriate signage (fire lane - no parking).
- .3 The layout and design of parking areas must provide for safe and convenient circulation of vehicles throughout the lot.
- .4 All roadways must be designed to harmonize with the topographic and natural features of the site insofar as practical by minimizing filling, grading, excavation, or other similar activities which result in unstable soil conditions and soil erosion, by fitting the development to the natural contour of the land and avoiding substantial areas of excessive grade and tree removal, and by retaining existing vegetation during construction. The road network must provide for vehicular, pedestrian, and cyclist safety, all season emergency access, snow storage, and delivery and collection services.

.5 Parking Layout and Design

Off street parking must conform to the following standards:

- .1 Parking areas with more than two (2) parking spaces must be arranged so that it is not necessary for vehicles to back into the street.
- .2 All parking spaces, access drives, and impervious surfaces must be located at least fifteen (15) feet from any side or rear lot line, except where standards for buffer yards require a greater distance. No parking spaces or asphalt type surface shall be located within fifteen (15) feet of the front property line. Parking lots on adjoining lots may be connected by accessways not exceeding twenty-four (24) feet in width.
- .3 Parking stalls and aisle layout must conform to the following standards.

Parking Angle	Stall Width	Skew Width	Stall Depth	Aisle Width
90°	9'-0"		18'-0"	24'-0" 2-way
60°	8'-6"	10'-6"	18'-0"	16'-0" 1-way
45°	8'-6"	12'-9"	17'-6"	12'-0" 1-way
30°	8'-6"	17'-0"	17'-0"	12'-0" 1 way

- .4 In lots utilizing diagonal parking, the direction of proper traffic flow must be indicated by signs, pavement markings, or other permanent indications and maintained as necessary.
- .5 Parking areas must be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles.
- .6 Provisions must be made to restrict the "overhang" of parked vehicles when it might restrict traffic flow on adjacent through roads, restrict pedestrian or bicycle movement on adjacent walkways, or damage landscape materials.
- .5 The Planning Board may waive or modify requirements in Section 417 (Parking and Loading) of the Zoning Ordinance when it finds that the proposed development will not require the number of spaces established in that Section based upon the specific use or conditions of the site. [Amended, effective 9/8/2008, Adopted 9/8/2008.]

.6 Pedestrian Circulation

The site plan must provide for a system of pedestrian ways within the development appropriate to the type and scale of development. This system must connect the major building entrances/ exits with parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project. The pedestrian network may be located either in the street right-of-way or outside of the right-of-way in open space or recreation areas. The system must be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect the amenities such as parks or open space on or adjacent to the site.

.7 Stormwater Management

Adequate provisions must be made for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces, through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.

- .1 To the extent possible, the plan must retain stormwater on the site using the natural features of the site.
- .2 Unless the discharge is directly to the ocean or major river segment, stormwater runoff systems must detain or retain water such that the rate of flow from the site after development does not exceed the predevelopment rate.
- .3 The applicant must demonstrate that on - and off-site downstream channel or system capacity is sufficient to carry the flow without adverse effects, including but not limited to, flooding and erosion of shoreland areas, or that he / she will be responsible for whatever improvements are needed to provide the required increase in capacity and / or mitigation.
- .4 All natural drainage ways must be preserved at their natural gradients and must not be filled or converted to a closed system unless approved as part of the site plan review.
- .5 The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.
- .6 The design of the storm drainage systems must be fully cognizant of upstream runoff which must pass over or through the site to be developed and provide for this movement.
- .7 The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site

vegetated waterways, and vegetated buffer strips along waterways and drainage swales, and the reduction in use of deicing salts and fertilizers may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source, or a great pond.

.8 Erosion Control

- .1 All building, site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible, such that filling, excavation and earth moving activity must be kept to a minimum. Parking lots on sloped sites must be terraced to avoid undue cut and fill, and / or the need for retaining walls. Natural vegetation must be preserved and protected wherever possible.
- .2 Soil erosion and sedimentation of watercourses and water bodies must be minimized by an active program meeting the requirements of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, dated March 1991, and as amended from time to time.

.9 Water Supply Provisions

The development must be provided with a system of water supply that provides each use with an adequate supply of water. If the project is to be served by a public water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source of distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.

.10 Sewage Disposal Provisions

The development must be provided with a method of disposing of sewage which is in compliance with the State Plumbing Code. If provisions are proposed for on-site waste disposal, all such systems must conform to the Subsurface Wastewater Disposal Rules.

.11 Utilities

The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from view to the extent feasible. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

.12 Groundwater Protection

The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to the public water supply systems. Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Maine.

.13 Water Quality Protection

All aspects of the project must be designed so that:

- .1 No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxious, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwaters so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.
- .2 All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials, must meet the standards of the Maine Department of Environmental Protection and the State Fire Marshall's Office.

.14 Capacity of the Applicant

The applicant must demonstrate that he/she has the financial and technical capacity to carry out the project in accordance with this ordinance and the approved plan.

.15 Historic and Archaeological Resources

If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

.16 Floodplain Management

If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use, and development of that portion of the site must be consistent with the Town's Floodplain management provisions.

.17 Exterior Lighting

The proposed development must have adequate exterior lighting to provide for its safe use during nighttime hours, if such use is contemplated. All exterior lighting must be designed and shielded to avoid undue glare, adverse impact on neighboring properties and rights - of way, and the unnecessary lighting of the night sky.

.18 Buffering of Adjacent Uses

The development must provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for the screening of mechanical equipment and service and storage areas. The buffer may be provided by distance, landscaping, fencing, changes in grade, and / or a combination of these or other techniques.

.19 Noise

The development must control noise levels such that it will not create a nuisance for neighboring properties.

.20 Storage of Materials

- .1 Exposed nonresidential storage areas, exposed machinery, and areas used for the storage or collection of discarded automobiles, auto parts, metals or other articles of salvage or refuse must have sufficient setbacks and screening (such as a stockade fence or a dense evergreen hedge) to provide a visual buffer sufficient to minimize their impact on abutting residential uses and users of public streets.
- .2 All dumpsters or similar large collection receptacles for trash or other wastes must be located on level surfaces which are paved or graveled. Where the dumpster or receptacle is located in a yard which abuts a residential or institutional use or a public street, it must be screened by fencing or landscaping.
- .3 Where a potential safety hazard to children is likely to arise, physical screening sufficient to deter small children from entering the premises must be provided and maintained in good condition.

.21 Landscaping

Landscaping must be provided as part of site design. The landscape plan for the entire site must use landscape materials to integrate the various elements on site, preserve and enhance the particular identity of the site, and create a pleasing site character. The landscaping should define street edges, break up parking areas, soften the appearance of the development, and protect abutting properties.

.22 Building and Parking Placement

- .1 The site design should avoid creating a building surrounded by a parking lot. Parking should be to the side and preferably in the back. In rural, uncongested areas buildings should be set well back from the road so as to conform with the rural character of the area. If the parking is in front, a generous, landscaped buffer between road and parking lot is to be provided. Unused areas should be kept natural, as field, forest, wetland, etc.
- .2 Where two or more buildings are proposed, the buildings should be grouped and linked with sidewalks; tree planting should be used to provide shade and break up the scale of the site. Parking areas should be separated from the building by a minimum of five (5) to ten (10) feet. Plantings should be provided along the building edge, particularly where building facades consist of long or unbroken walls.

.23 Fire Protection

The site design must comply with the Fire Protection Ordinance. The Fire Chief shall issue the applicant a "Certificate of Compliance" once the applicant has met the design requirements of the Town's Fire Protection Ordinance.

.24 Aquifer Protection (if applicable)

If the site is located within the Town Aquifer Protection Area a positive finding by the Board that the proposed plan will not adversely affect the aquifer, is required.

.25 Route 100 Design Standards (if applicable)

All development in the Village Center Commercial, Village Office Commercial I and II, and the MUZ districts shall be consistent with the Town of Cumberland Route 100 Design Standards; in making determination of consistency, the Planning Board may utilize peer review analysis provided by qualified design professionals.

.26 Route 1 Design Guidelines (if applicable)

All development in the Office Commercial North and Office Commercial South districts is encouraged to be consistent with the Route 1 Design Guidelines.

SECTION 9: PERFORMANCE GUARANTEES

- .1 **Performance Guarantee** - The Planning Board may require the posting of a performance guarantee in such amount and form as specified in subsection .1 below as is reasonably necessary to ensure the proper installation of all off-site improvements required as conditions of approval. The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the applicant.

- .1 Performance guarantees may be provided by a variety of means including, but not limited to, the following which must be approved as to form and enforceability by the Town Attorney.
 - .1 Letter of Credit: The applicant may provide an irrevocable letter of credit from a bank or other reputable lending institution.
 - .2 Escrow Account: The applicant may deposit cash or other instruments readily convertible into cash at face value, either with the municipality, or in escrow with a bank. Any such account must require Town approval for withdrawal and must stipulate that the Town can withdraw the money upon forty-eight (48) hour advance notice to the applicant to complete the guaranteed improvements.
 - .3 Security Bond: The applicant may obtain a security bond from a surety bonding company authorized to do business in the State.
- .2 Upon substantial completion of all required improvements, the developer must notify the Town Planner of the completion or substantial completion of improvements, and must send a copy of such notice to the appropriate municipal officials. The respective municipal officials shall inspect all improvements and shall file a report indicating approval, partial approval, or rejection of such improvements with a statement of reasons for any rejection.

SECTION 10: LIMITATION OF APPROVAL

Construction of the improvements covered by any site plan approval must be substantially commenced within twelve (12) months of the date upon which the approval was granted. If construction has not been substantially commenced and substantially completed within the specified period, the approval shall be null and void. The applicant may request an extension of the approval deadline prior to expiration of the period. Such request must be in writing and must be made to the Planning Board. The Planning Board may grant up to two (2), six (6) month extensions to the periods if the approved plan conforms to the ordinances in effect at the time the extension is granted and any and all federal and state approvals and permits are current.

SECTION 11: SUBMISSION OF AS-BUILT PLANS

Any project involving the construction of more than twenty thousand (20,000) square feet of gross floor area or fifty thousand (50,000) square feet of improvements as actually constructed on the site. These "as built" plans must be submitted within thirty (30) days of the issuance of a certificate of occupancy for the project or occupancy of the building.

SECTION 12: MINOR CHANGES TO APPROVED PLANS

Minor changes in approved plans necessary to address field conditions may be approved by the Planner provided that any such change does not affect compliance with the standards or alter the essential nature of the proposal.

SECTION 13: APPEAL OF PLANNING BOARD ACTIONS

Appeal of any actions taken by the Planning Board with respect to this section shall be to the Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.

SECTION 14: FEES

.1 Application Fee

Any application for any type of site plan review must be accompanied by an application fee set by order of the Town Council. This fee is to cover the cost of the municipality's administrative processing of the application, including notification, advertising, mailings, staff review, and similar costs. The fee shall not be refundable.

.2 Site Inventory and Analysis Fees – Major Site Plans Only

All site plan applications for major developments are subject to Site Inventory and Analysis review. Prior to submitting a site inventory and analysis for a major development, the applicant must pay a processing fee in an amount as set by order of the Town Council. The fee is intended to cover the cost of the municipality's administrative processing of the application, including notification, advertising, mailings, staff review, and similar costs.

.3 Technical Review Fee

The technical review fee may be used by the Planning Board to pay reasonable costs incurred by the Board, at its discretion, which relate directly to the review of the application pursuant to the review criteria. Such services may include, but need not be limited to, consulting engineering or other professional fees, attorney fees, recording fees, and appraisal fees. The municipality shall provide the applicant, upon written request, with an accounting of his or her account and shall refund all of the remaining monies, in the account after the payment by Town of all costs and services related to the review, provided, however, that where the cost of technical reviews exceeds the amount of monies in the escrow account the applicant shall pay to the Town prior to the issuance of any building permit the amount by which the technical reviews exceed the amount of monies in the escrow account.

SECTION 15: WAIVER AND MODIFICATIONS OF THESE REGULATIONS

15.1 Hardship

Where the Planning Board finds that an unnecessary hardship may result from strict compliance with these standards, or where there are special circumstances of a particular plan which the Board finds make a particular standard inapplicable, it may waive these standards; provided that such waiver will not have the effect of nullifying the intent and purpose of the Comprehensive Plan, Subdivision Ordinance or the Zoning Ordinance and that such waiver will not endanger public safety. An unnecessary hardship shall be defined as a substantial burden on the applicant which affects his or her ability to achieve a reasonable economic return on said project. Special circumstances shall relate to the unique circumstances of the property, such as its proximity to similar public improvements or the adequacy of connecting facilities.

15.2 Conditions

In granting waivers and modifications, the Planning Board may require such conditions as will, in its judgment, secure substantially the objectives of the standards so waived or modified.

15.3 Appeals

Appeals from the decisions of the Board shall be to the Superior Court.

SECTION 16 CONFLICT WITH OTHER ORDINANCES OR REGULATIONS

Where a provision of this ordinance appears to be in conflict with any provision of any other ordinance, rule, regulation, restriction, or statute, that provision which imposes the greater restriction and/or provides for the lesser density of land use shall have precedence.

SECTION 17 SEPARABILITY AND EFFECTIVE DATE

17.1 The invalidity of any provision of these standards shall not invalidate any other part.

17.2 The effective date of these regulations is

Site Plan Application Form

APPLICANT INFORMATION

Applicant's Name: _____

Applicant's Mailing Address: _____

Phone: Home: _____ Work: _____ Cell: _____

Email Address: _____ Fax #: _____

Interest in Property: Own: _____ Lease: _____ Lease Agreement: _____ Purchase & Sale _____

Interest in Abutting Property (if any): _____

PROJECT INFORMATION

Name of Project: _____

Address of Project: _____

Tax Map # _____ Lot # _____ Deed Book #: _____ Deed Page #:

Zoning District: _____ Overlay District (if any) _____ Size of Parcel: _____

Existing Buildings on Site: Yes: _____ No: _____ To be removed? Yes: _____ No: _____

Is the parcel in an approved or proposed subdivision? If so, provide name of subdivision: _____

Is Board of Appeals Approval Required? (Required if proposed use is a special exception)

Yes: _____ No: _____

Check all outside agency approvals required for this project:

Wetlands: MDEP Tier 1 _____ Tier 2 _____ Army Corp of Engineers: _____

Stormwater: MDEP General Construction _____

Traffic: MDOT Traffic Movement _____ MDOT Entrance Permit: _____

Other outside agency approvals required (list): _____

CLASSIFICATION OF PROJECT

Major Site Plan _____ Minor Site Plan _____ Staff Review Minor Site Plan: _____

You must review the plan with the town planner or code enforcement officer to receive correct classification prior to submission of application.

Application Fees per Town's Fee Ordinance: _____

Application Fee: _____

Advertising and Abutter Notice Fee: _____

Staff Review Fee: _____

Outside Review Fee: _____

TOTAL FEES:

This application form along with the fee payment, submission checklist and all other supporting materials must be submitted to the Town Planner at least 21 days prior to the Planning Board meeting at which it will be considered.

The undersigned, being the applicant, owner or legally authorized representative, states that all information contained in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the Town and in accordance with applicable ordinances, statutes and regulation of the Town, State and Federal governments:

Signature of Applicant/Owner/Representative

Date

SITE PLAN SUBMISSION CHECKLISTS

FOR ALL PROJECTS:

Submission Requirement	Provide Location in Application Packet (e.g., plan sheet number, binder section, narrative)	If requesting a waiver, indicate below:
<i>Example: Erosion Control</i>	<i>Plan Sheet E-1</i>	
General Information:		
Completed Site Plan Application Form		
Names and addresses of all consultants		
Narrative describing existing conditions and the proposed project		
Evidence of right, title or interest (deed, option, etc.)		
Names and Addresses of all property owners within 200 feet		
Boundaries of all contiguous property under control of owner		
Tax map and lot numbers		
Area of the parcel		
FEMA Floodplain designation & map #		
Zoning classification		
Evidence of technical and financial capability to carry out the project		
Boundary survey		
List of waiver requests on separate sheet with reason for request.		
Proposed solid waste disposal plan		
Existing Conditions Plan showing:		
Name, registration number and seal of person who prepared plan		
North arrow, date, scale, legend		
Area of the parcel		
Setbacks and building envelope		
Utilities, including sewer & water, culverts & drains, on-site sewage		
Location of any septic systems		
Location, names, widths of existing		

public or private streets ROW's		
Location, dimension of ground floor elevation of all existing buildings		
Location, dimension of existing driveways, parking, loading, walkways		
Location of intersecting roads & driveways within 200 feet of the site		
Wetland areas		
Natural and historic features such as water bodies, stands of trees, streams, graveyards, stonewalls, floodplains		
Direction of existing surface water drainage across the site & off site		
Location, front view, dimensions and lighting of existing signs		
Location and dimensions of existing easements & copies of documents		
Location of nearest fire hydrant or water supply for fire protection		
Proposed Development Site Plan showing:		
Name of development		
Date		
North arrow		
Scale		
Legend		
Landscape plan		
Stormwater management		
Wetland delineation		
Current & proposed stands of trees		
Erosion control plan		
Landscape plan		
Lighting/photometric plan		
Location and dimensions of all proposed buildings		
Location and size of utilities, including sewer, water, culverts and drains		
Location and dimension of proposed on-site septic system; test pit locations and nitrate plumes		
Location of wells on subject property and within 200' of the site		
Location, names and widths of existing and proposed streets and		

ROW's		
Location and dimensions of all accessways and loading and unloading facilities		
Location and dimension of all existing and proposed pedestrian ways		
Location, dimension and # of spaces of proposed parking areas, including handicapped spaces		
Total floor area and ground coverage of each proposed building and structure		
Proposed sign location and sign lighting		
Proposed lighting location and details		
Covenants and deed restrictions proposed		
Snow storage location		
Solid waste storage location and fencing/buffering		
Location of all fire protection		
Location of all temporary & permanent monuments		
Street plans and profiles		

ADDITIONAL REQUIREMENTS FOR MAJOR SITE PLAN PROJECTS:

Submission Requirement	Provide Location in Application Packet (e.g., plan sheet number, binder section, narrative)	If requesting a waiver, indicate below:
High intensity soils survey		
Hydro geologic evaluation		
Traffic Study		
Market Study		
Location of proposed recreation areas (parks, playgrounds, other public areas)		
Location and type of outdoor furniture and features such as benches, fountains.		

ITEM

10-116

To set a Public Hearing date (August 23rd) to consider and act on a Victualer's License application for The Barnyard Restaurant, located at the Cumberland Fairgrounds, for the period of August 23, 2010 through June 30, 2011.

TOWN OF CUMBERLAND, MAINE
APPLICATION FOR VICTUALER'S (Food Service Establishment) LICENSE

Business or Trade Name: CUMBERLAND FARMERS CLUB - THE BARNYARD

Business Address: 29 SAMUEL RD PORTLAND ME 04103

Name of Manager: DONALD DOYLE Bus. Phone: 829-5531

CUMBERLAND FAIR ✓
Date of Event or New License: 2010 - 2011 YEAR LICENSE

Signature of Authorized Person: Gerald A. Brown Date: 7-29-10
Branley

CHECK THE PROPERTY CATEGORY OF REQUESTED LICENSE:

- | | | |
|---|----------|-------------------------------------|
| (a) Restaurant or Victualer not serving malt beverages on the premises | \$50.00 | <input checked="" type="checkbox"/> |
| (b) Restaurant or Victualer serving malt beverages on the premises | \$50.00 | <input type="checkbox"/> |
| (c) Class A Restaurant, as defined by the Revised Statutes of Maine, serving both malt liquor and spirituous and vinous liquor | \$50.00 | <input type="checkbox"/> |
| (d) A business establishment such as, but not limited to, retail grocery stores, food storage warehouses, bakeries, delicatessen stores, and dairy product stores, where food is stored or is kept for sale and where the total area of the establishment is less than 10,000 square feet | \$25.00 | <input type="checkbox"/> |
| (e) Same as (d) but total area of the establishment is more than 10,000 square feet | \$25.00 | <input type="checkbox"/> |
| (f) Eating and Lodging places. Any place where eating and sleeping accommodations are furnished to the public such as hotels, motels and bed and breakfasts | \$100.00 | <input type="checkbox"/> |
| (g) Establishment operated by Non-Profit organization | NO FEE | <input type="checkbox"/> |
| (h) Vending Machine | \$10.00 | <input type="checkbox"/> |
| (i) Temporary Vending Unit operating at a fair. Per Unit:
Name & type of vending unit(s): | \$10.00 | <input type="checkbox"/> |

Enclose CHECK payable to: Town of Cumberland
SEND TO: TOWN CLERK, 290 Tuttle Road, Cumberland ME 04021

Application Rec'd: _____ Date of Issuance _____ Cert No. _____

PAYMENT SUMMARY RECEIPT

TOWN OF CUMBERLAND
290 TUTTLE ROAD
CUMBERLAND ME 04021

DATE: 08/02/10 CUSTOMER#: 000000000
TIME: 11:42
CLERK: todonnel

RECEIPT#: 52447 PREV BAL: 50.00
TP/YR: MS/2011 AMT PAID: 50.00
BILL: ADJUSTMT:
EFF DT: 08/02/10 BAL DUE:
MISCELLANEOUS PAYMENT

-----TOTALS-----

PRINCIPAL PAID: 50.00
INTEREST PAID: .00
ADJUSTMENTS: .00
DISC TAKEN: .00
AMT TENDERED: 50.00
AMT APPLIED: 50.00
CHANGE: .00

PAID BY: CUMBERLAND FARMERS C
PAYMENT METH: CHECK
PAYMENT REF: 6584

THE CUMBERLAND FARMERS CLUB
39 SAMUEL RD
PORTLAND, ME 04103-3620

6584 **KEYBANK NATIONAL ASSOCIATION**

52-60/112 **6584**

DATE

Jul 29, 2010

AMOUNT

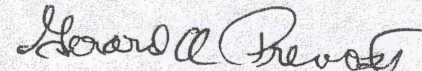
\$ 50.00

Memo: BARNYARD RESTAURANT LICENSE

Fifty and 00/100 Dollars

PAY
TO THE
ORDER
OF:

TOWN OF CUMBERLAND
290 TUTTLE RD.
CUMBERLAND, ME 04021



AUTHORIZED SIGNATURE

⑈006584⑈ ⑆011200608⑆ 060⑈0723 8⑈

Details on Back.



Security Features Included

MP

ITEM 10-117

To hear a report from the Finance Committee Chair re:
FY'10 4th quarter financials.

Fiscal Year 2009-10 Final Budget Report

TOWN OF CUMBERLAND

2009-10 Expenses

As of July 28, 2010

Department	2009-10 Budget	2009-10 YTD Expenses	Percent Used	2008-09 Used	2007-08 Used
General Administration	\$ 1,091,637	\$ 1,120,337	102.6%	100.3%	105.3%
Public Safety	\$ 1,798,658	\$ 1,880,426	104.5%	101.9%	100.6%
Public Works	\$ 1,620,975	\$ 1,607,271	99.2%	103.5%	108.7%
Parks & Recreation	\$ 636,015	\$ 692,633	108.9%	102.6%	111.1%
Library	\$ 372,533	\$ 376,276	101.0%	96.7%	105.7%
Other Expenses	\$ 348,150	\$ 361,985	104.0%	99.6%	111.7%
Controllable Expense Total	\$ 5,867,968	\$ 6,038,929	102.9%	101.7%	105.5%
MSAD & Other Expense Total	\$ 13,076,900	\$ 13,043,876	99.7%	100.2%	100.3%
All Expenses Total	\$ 18,944,868	\$ 19,082,804	100.7%	100.7%	102.1%
Expense Comparison	Budget	Actual	Percent	Overage	
FY 2009-10	\$ 18,944,868	\$ 19,082,804	100.73%	\$ 137,936	
FY 2008-09	\$ 18,348,840	\$ 18,478,284	100.71%	\$ 129,444	
FY 2007-08	\$ 18,891,217	\$ 19,333,933	102.34%	\$ 442,716	

FY 09-10 General Fund Revenues

Description	Budget	Actual	Percent Collected	Over/Under
Misc Revenues	\$ 2,548,077	\$ 2,460,272	103.7%	\$ 93,195
Dept Revenues	\$ 1,124,464	\$ 1,119,843	99.6%	\$ (4,621)
Total Revenues	\$ 3,672,541	\$3,762,073	102.4%	\$ 89,532

Selected Revenue Lines	Budget	Actual	Percent
Excise Tax	\$ 1,298,000	\$ 1,354,129	104%
Building Permits	\$ 35,000	\$ 38,492	110%
State Revenue Sharing	\$ 650,000	\$ 566,153	87%
Trash Bags	\$ 245,000	\$ 224,140	91%
Summer Rec	\$ 187,000	\$ 183,741	98%
Rescue Billing	\$ 150,000	\$ 147,096	98%

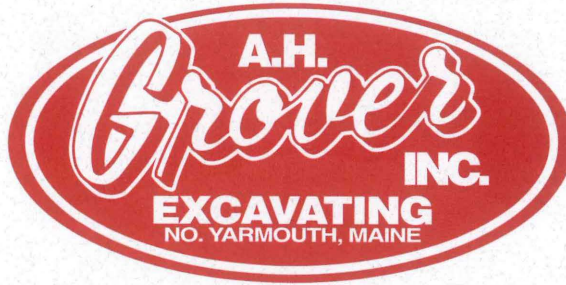
General Fund Overall Budget vs. Actual

	Budget	Actual	Percent	Over/Short
Revenues				
Property Tax Revenues	\$ 15,759,205	\$ 15,762,893	100.0%	\$ 3,688
Non-Prop Revenues	\$ 3,672,541	\$ 3,762,073	102.4%	\$ 89,532
Total Revenues	\$ 19,431,746	\$ 19,524,966	100.5%	\$ 93,220
Expenses				
Controllable Expenses	\$ 5,867,968	\$ 6,038,929	102.9%	\$ 170,961
MSAD & Other Expenses	\$ 13,076,900	\$ 13,043,876	99.7%	\$ (33,024)
Total Expenses	\$ 18,944,868	\$ 19,082,804	100.7%	\$ 137,936
Net Budget Overage			0.2%	\$(44,717)

Property Tax Collections through 6/30

	2006-07	2007-08	2008-09	2009-10
Tax Commitment	\$ 17,152,987	\$ 15,762,627	\$ 15,901,519	\$ 16,612,279
Taxes Collected	\$ 16,916,276	\$ 15,467,859	\$ 15,588,250	\$ 16,340,683
Percent Collected	98.62%	98.13%	98.03%	98.37%
% Difference		-0.49%	-0.10%	0.34%
\$\$ Difference		\$ (77,244)	\$ (15,904)	\$ 55,675

NEW BUSINESS



August 3, 2010

P.O. Box 307 • Cumberland Ctr., Maine 04021
TEL. 829-3373 • FAX 829-5502

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

RE: RANGE ROAD – PHASE II - SUBSTANTIAL COMPLETION

Dear Bill,

Per your WORK CHANGE DIRECTIVE # 1, dated October 6, 2009, Range Road Phase 2 is to be substantially completed by August 15, 2010.

As of today, August 3, 2010, this project is at substantial completion. Over the next few days we will be finishing up whatever punchlist items remain.

It has certainly been our pleasure to work with you and Chris on this project. Thank you for your support. We look forward to future opportunities.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Grover", with a stylized flourish at the end.

Benjamin C. Grover, Vice President
A.H. Grover, Inc.

BCG/jec

Building Permit Report - Calendar Year

	A	B	C	D
1	Building Permit Report	Jul-08	Jul-09	Jul-10
2				
3	MTD - Construction Dollar Amount	\$893,100.00	\$635,857.00	\$624,900.00
4	MTD - Number of Permits	21	17	24
5	MTD - Permit Fees	\$4,338.40	\$2,325.70	\$4,024.00
6				
7	YTD - Construction Dollar Amount	\$7,073,775.43	\$3,775,712.00	\$5,283,695.00
8	YTD - Number of Permits	125	84	108
9	YTD - Permit Fees	\$28,641.56	\$14,444.30	\$23,854.62

Master Summary Report

Monthly Building Permits			
		Start Date:	7/1/2010
		End Date:	7/31/2010
Addition	2	\$13,000.00	\$407.00
Commercial	1	\$130,000.00	\$1,250.00
Deck	5	\$17,300.00	\$221.30
Demolition	1	\$0.00	\$0.00
Garage	2	\$97,000.00	\$286.70
House	1	\$72,000.00	\$720.00
Pier	1	\$140,000.00	\$180.00
Pool	1	\$46,000.00	\$100.00
Porches	2	\$16,500.00	\$150.00
Renovation	4	\$35,100.00	\$351.00
Shed	2	\$58,000.00	\$58.00
SHORELAND	2	\$0.00	\$300.00
Totals	24	\$624,900.00	\$4,024.00

YTD Building Permits			
Access. Struct.	3	\$3,500.00	\$100.00
Addition	13	\$817,000.00	\$4,434.24
BARN	1	\$117,910.00	\$184.70
Commercial	5	\$1,093,343.00	\$4,003.90
CONDO	3	\$420,000.00	\$2,418.60
Deck	18	\$67,847.00	\$657.10
Demolition	4	\$2,600.00	\$75.00
Foundation	2	\$25,000.00	\$250.00
Garage	5	\$202,000.00	\$1,049.70
House	6	\$1,714,745.00	\$4,587.58
Mobile Home	1	\$24,900.00	\$238.00
Pier	1	\$140,000.00	\$180.00
Pool	3	\$131,000.00	\$300.00

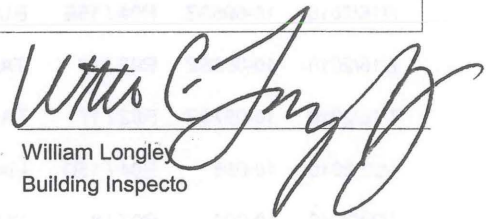
<i>Porches</i>	4	\$24,200.00	\$250.00
<i>Renovation</i>	28	\$406,150.00	\$4,092.80
<i>Shed</i>	5	\$62,000.00	\$133.00
<i>SHORELAND</i>	5	\$1,500.00	\$750.00
<i>Small Wind Turbine</i>	1	\$30,000.00	\$150.00
	108	\$5,283,695.00	\$23,854.62

<i>Electrical Permits for dates between 07/01/10 and 07/31/10</i>			
<i>Count</i>		<i>Fee</i>	
12		\$941.60	

<i>YTD Electrical Permits</i>			
<i>Count</i>		<i>Fee</i>	
69		\$5,268.20	

<i>Plumbing Permits for dates between 07/01/10 and 07/31/10</i>			
<i>Count</i>		<i>Fee</i>	
6		\$765.00	

<i>YTD Plumbing Permits</i>			
<i>Count</i>		<i>Fee</i>	
64		\$6,565.50	


William Longley
Building Inspector

Building Permits

Start Date:

7/1/2010

End Date:

7/31/2010

Date	Permit	Map/Lot	Owner	Location	Imprvmnt	Est Cost	Fee
7/1/2010	10-085	R01 / 25	CROWLEY DAVI	142 MIDDLE RO	Shed	\$8,000.00	\$25.00
7/6/2010	10-086	U06 / 82	MICHAEL RICHA	1 SYLVAN LAN	Renovation	\$5,000.00	\$50.00
7/6/2010	10-087	U20 / 66	RECORD MICHA	222 GRAY ROA	Commercial	\$130,000.00	\$1,250.00
7/6/2010	10-088	R07 / 20	PARRY LYNELL	75 MILL ROAD	Garage	\$47,000.00	\$151.50
7/6/2010	10-089	R08 / 63 F	THE TERISON LA	53 ORCHARD R	Deck	\$400.00	\$25.00
7/14/2010	10-090	U01 / 18	GEORGE, ERIC	10 SPRUCE LA	Renovation	\$12,100.00	\$121.00
7/14/2010	10-091	U11 / 45	RENYI TIMOTHY	276 MAIN STRE	Porches	\$10,000.00	\$100.00
7/14/2010	10-092	U01 / 5G	SMITH JUDSON I	33 Mary Lane	Shed	\$50,000.00	\$33.00
7/14/2010	10-093	R03 / 22D	WOOD CYNTHIA	23 Puddle Duck	Porches	\$6,500.00	\$50.00
7/15/2010	10-094SZ	R04 / 15E	BURGESS MERE	155 Tuttle Road	SHORELAND	\$0.00	\$150.00
7/15/2010	10-095SZ	R04 / 15E	BURGESS MERE	155 Tuttle Road	Deck	\$10,000.00	\$38.00
7/15/2010	10-096SZ	R02 / 17	TARBOX PAUL	301 FORESIDE	SHORELAND	\$0.00	\$150.00
7/15/2010	10-097SZ	R02 / 17	TARBOX PAUL	301 FORESIDE	Garage	\$50,000.00	\$135.20
7/20/2010	10-098	R04 / 15D	MASON DOUGLA	11 Hopes Way	Renovation	\$5,000.00	\$50.00
7/20/2010	10-099	R07 / 8	CUMBERLAND F	FAIRGROUNDS	Deck	\$200.00	\$0.00
7/20/2010	10-100	R04 / 10 B	THORUP CALLY	225 TUTTLE RO	Addition	\$10,000.00	\$227.00
7/21/2010	10-101	R07 / 8 T8	PREVOST DIANE	7 RACEHORSE	Demolition	\$0.00	\$0.00
7/27/2010	10-102	R03 / 3	FIRST TRACK LL	41 WINN ROAD	House	\$72,000.00	\$720.00
7/29/2010	10-103	R05 / 7	FIRST TRACK LL	42 WINN ROAD	Renovation	\$13,000.00	\$130.00
7/29/2010	10-104	R07 / 51B	RICHARDS MICH	101 LOWER ME	Deck	\$700.00	\$25.00
7/29/2010	10-105SZ	U05 / 7E	PIERCE CHRIST	21 STURDIVAN	Pier	\$140,000.00	\$180.00
7/29/2010	10-106 SZ	I08 / 3B	THIBODEAU ELIZ	STURDIVANT I	Deck	\$6,000.00	\$133.30
7/29/2010	10-107	I08 / 3B	THIBODEAU ELIZ	STURDIVANT I	Addition	\$3,000.00	\$180.00
7/29/2010	10-108	R04 / 16F	TRAFTON SCOT	70 Flintlock Drive	Pool	\$46,000.00	\$100.00
						\$624,900.00	\$4,024.00

Electrical Permit Report

<i>Permit ID</i>	<i>Date Issued</i>	<i>Owner</i>	<i>Location</i>	<i>Electrician</i>	<i>Description</i>	<i>EST. COST</i>	<i>FEE</i>
060-10	7/1/2010	THIBODEAU ELIZABETH	STURDIVANT ISLAND	Chris DeSimone	New House	\$0.00	\$103.00
061-10	7/13/2010	THURBER DANIEL L	13 LONGMEADOW ROAD	ADT Security	Upgrade	\$0.00	\$50.00
062-10	7/13/2010	SUYDAM SHARON S	28 PINEWOOD DRIVE	R. W. Googins	Upgrade	\$0.00	\$50.00
063-10	7/14/2010	CHAREST LAURA T	29 Sunnyfield Lane	Preparedness Experts	Upgrade	\$0.00	\$50.00
064-10	7/15/2010	TIMS GARY R	204 Gray Road	JM Electric	Commercial	\$0.00	\$273.20
065-10	7/21/2010	CRAWFORD ROBERT	88 LONGWOOD ROAD	Owner	Upgrade	\$0.00	\$100.00
066-10	7/22/2010	THORUP CALLY	225 TUTTLE ROAD	Brett Stratton	Addition	\$0.00	\$65.40
067-10	7/29/2010	COPP CHRISTOPHER J	176 GRAY ROAD	Aaron Phelps	Upgrade	\$0.00	\$50.00
068-10	7/29/2010	TOMPKINS SYLVIA A	3 LAWN AVENUE	Chris DeSimone	Upgrade	\$0.00	\$50.00
069-10	7/29/2010	TIM GARDINER	8 THURSTON LANE	Wayne Adams	Upgrade	\$0.00	\$50.00
070-10	7/29/2010	MCDONALD JOHN E JR	78 SCHOONER RIDGE RD	John Perry Electric	Upgrade	\$0.00	\$50.00
071-10	7/29/2010	ALLEN DENNIS R	197 GRAY ROAD	Jason McVey	Upgrade	\$0.00	\$50.00

PLUMBING PERMITS

Permit ID	Date Issued	Owner	Location	Description	Plummer	Permit Type	Est. Cost	Fee
4748	7/6/2010	RECORD MICHAEL	222 GRAY ROAD	Septic System		External	\$0.00	\$150.00
4749	7/6/2010	O'CONNELL ROBERT	490 GREELY ROAD EXT	Septic System	Scott Dugas	External	\$0.00	\$150.00
4750	7/13/2010	THOMAS MORRELL BUI	32 MARY LANE		Edward Carland	Internal	\$0.00	\$225.00
4751	7/22/2010	GEORGE, ERIC R.	10 SPRUCE LANE		Harner	Internal	\$0.00	\$45.00
4752	7/27/2010	FIRST TRACK LLC	41 WINN ROAD	Septic System		External	\$0.00	\$150.00
4753	7/29/2010	RECORD MICHAEL	222 GRAY ROAD		Sanborn	Internal	\$0.00	\$45.00

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TOWN OF CUMBERLAND
YEAR-TO-DATE BUDGET REPORT

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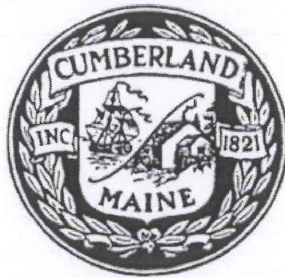
FOR 2011 01

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED

001 General Fund							

130 Administration	422,208	0	422,208	41,482.25	.00	380,725.75	9.8%
140 Assessor	80,653	0	80,653	11,174.61	.00	69,478.39	13.9%
150 Town Clerk-HR-Tax Collector	284,010	0	284,010	17,003.18	.00	267,006.82	6.0%
160 Technology	152,551	0	152,551	21,998.95	.00	130,552.05	14.4%
165 Elections	17,949	0	17,949	380.52	.00	17,568.48	2.1%
170 Planning Board	81,065	0	81,065	4,873.01	.00	76,191.99	6.0%
190 Legal	40,000	0	40,000	.00	.00	40,000.00	.0%
210 Police	962,059	0	962,059	69,271.19	.00	892,787.81	7.2%
220 Fire	708,078	0	708,078	50,952.77	1,245.00	655,880.23	7.4%
240 Code Enforcement	82,723	0	82,723	432.01	.00	82,290.99	.5%
260 Canine Control	39,413	0	39,413	2,664.26	.00	36,748.74	6.8%
310 Public Works	869,550	0	869,550	40,959.62	.00	828,590.38	4.7%
320 Waste Disposal	756,452	0	756,452	.00	.00	756,452.00	.0%
410 Recreation	450,489	0	450,489	60,185.01	.00	390,303.99	13.4%
430 Parks	165,642	0	165,642	7,924.00	.00	157,718.00	4.8%
440 West Cumberland Rec	8,100	0	8,100	215.30	.00	7,884.70	2.7%
450 Library	353,580	0	353,580	21,816.85	.00	331,763.15	6.2%
580 General Assistance	19,347	0	19,347	1,193.00	.00	18,154.00	6.2%
590 Health Services	9,027	0	9,027	394.17	.00	8,632.83	4.4%
620 Cemetary Association	22,000	0	22,000	22,000.00	.00	.00	100.0%
630 Conservation Commission	1,500	0	1,500	.00	.00	1,500.00	.0%
640 Rines Forest	1,500	0	1,500	.00	.00	1,500.00	.0%
650 Debt Service	998,578	0	998,578	.00	.00	998,578.00	.0%
750 Insurance	254,252	0	254,252	64,826.94	.00	189,425.06	25.5%
800 Fire Hydrants	59,000	0	59,000	.00	.00	59,000.00	.0%
810 Street Lighting	30,000	0	30,000	.00	.00	30,000.00	.0%
830 Contingent	10,000	0	10,000	.00	.00	10,000.00	.0%
840 Municipal Building	162,675	0	162,675	7,266.73	.00	155,408.27	4.5%
850 Abatements	10,000	0	10,000	.00	.00	10,000.00	.0%
860 MSAD #51	11,830,338	0	11,830,338	984,428.08	.00	10,845,909.92	8.3%
890 County Tax	600,901	0	600,901	.00	.00	600,901.00	.0%
910 Capital Imp. Plan	333,485	0	333,485	.00	.00	333,485.00	.0%
TOTAL General Fund	19,817,125	0	19,817,125	1,431,442.45	1,245.00	18,384,437.55	7.2%
GRAND TOTAL	19,817,125	0	19,817,125	1,431,442.45	1,245.00	18,384,437.55	7.2%

** END OF REPORT - Generated by Alex Kimball **



Cumberland Town Council Meeting
Monday, August 9, 2010
7:00 p.m. Call to Order

The Cumberland Town Council will hold its regular meeting @ 7:00 p.m. on Monday, August 9, 2010 in the Town Council Chambers. An opportunity for public comment will be provided. The following items will receive a public hearing:

- To hold a Public Hearing to consider and act on setting the FY'11 tax rate as recommended by the Tax Assessor.
- To hold a Public Hearing to appoint Tamara O'Donnell as Town Clerk.
- To hold a Public Hearing to set rates at which interest will be paid for delinquent and over paid taxes, and to authorize applying tax payments to the oldest unpaid taxes.
- To hold a Public Hearing to consider and act on a Mass Gathering Permit and Victualer's Licenses for the 139th Cumberland Fair to be held from September 26 – October 2, 2010 at the Cumberland Fairgrounds.
- To hold a Public Hearing to consider and act on a Mass Gathering Permit and Victualer's Licenses for Nassau Broadcasting for Maine's Ultimate Fall Yard Sale to be held at the Cumberland Fairgrounds on Saturday, October 9, 2010 from 9:00 a.m. to 2:00 p.m.
- To hold a Public Hearing to consider and act on setting October 18th – 22nd as Bulky Waste Pick-Up Week.
- To set a Public Hearing date (August 23rd) to consider and act on setting a fee for staff review of site plans at \$250.00 per plan.
- To hear a report from the Finance Committee Chair re: FY'10 4th quarter financials.

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



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