

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, November 10, 2014

7:30 P.M. Call to Order

I. CALL TO ORDER

II. APPROVAL OF MINUTES

October 6, 2014

October 8, 2014

III. MANAGER'S REPORT

- Boy Scout Eagle Project – Town Landing Road Kiosk
- Acceptance of donation to the Fire/EMS Department from the family of Don Richards
- To hear a report from EcoMaine Representative, Susan McGinty
- Acceptance of donation to the Police Department from Maine Marathon
- Next steps – Harris Road & Payson Property

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

- 14 – 164** To hold a Public Hearing to consider and act on the 2015 Shellfish License allocations, as recommended by the Shellfish Conservation Commission.
- 14 – 165** To hold a Public Hearing to consider and act on amendments Section 108(1) Commercial Licenses, of the Shellfish Conservation Ordinance as recommended by the Shellfish Conservation Commission.
- 14 – 166** To hold a Public Hearing to consider and act on authorizing the Code Enforcement Officer to enter into a Consent Agreement with property owners located at 84 Wyman Way.
- 14 – 167** To hear a report from the Finance Committee re: 1st Quarter Financials.
- 14 – 168** To consider and act on authorizing the refunding of bonds issued by the Town in 2002, 2003 and 2006, as recommended by the Finance Committee.
- 14 – 169** To authorize the Town Manager to post road under construction signs on Route 9 & Harris Road.
- 14 – 170** To hold a Public Hearing to adopt the Maine Municipal Association Model General Assistance Ordinance and Appendix B & C for the period of October 1, 2014 – October 1, 2015.
- 14 – 171** To consider and act on authorizing the Town Manager to execute a 3-year agreement with Constellation Energy, as recommended by the Finance Committee.

VI. NEW BUSINESS

- Ordinance Committee Report on Trapping on Town property
- Town Council site walks – Greely Road Extension, Range Way & Cottage Farms Road

VII. ADJOURNMENT

MOTIONS

Approval of 10-6-14 minutes by Stiles/Edes 4-0
Approval of 10-8-14 minutes by

MOTIONS

- 14 – 164 **I move to approve** the 2015 Shellfish License allocations, as recommended by the Shellfish Conservation Commission. Copp/Gruber 7-0
- 14 – 165 **I move to amend** Section 108(1) Commercial Licenses, of the Shellfish Conservation Ordinance as recommended by the Shellfish Conservation Commission. Stiles/Turner 7-0
- 14 – 166 **I move to authorize** the Code Enforcement Officer to enter into a Consent Agreement with property owners located at 84 Wyman Way and to collect \$500 for legal and administrative fees. Gruber/Stiles 7-0
- 14 – 167 **No action**
- 14 – 168 **I move to adopt** the Order Authorizing the Issuance of General Obligation Bonds, incorporated herein by reference, to authorize the refunding of bonds issued by the Town in 2002, 2003 and 2006. Stiles/SSK 7-0
- 14 – 169 **I move to authorize** the Town Manager to post road under construction signs on Route 9 & Harris Road. Edes/Copp 7-0
- 14 – 170 **I move to adopt** the Maine Municipal Association Model General Assistance Ordinance and Appendix B & C for the period of October 1, 2014 – October 1, 2015. Turner-Edes 7-0
- 14 – 171 **I move to authorize** the Town Manager to execute a 3-year agreement with Constellation Energy, as recommended by the Finance Committee Stiles/Gruber 7-0

adjourn by Gruber/Stiles

Vote: Gruber 7-0

Time: 8:52 pm

MINUTES

10/06/14

MINUTES

Cumberland Special Town Council Meeting

Town Council Chambers

MONDAY, October 6, 2014

7:00 P.M. Call to Order

Present: Councilors Gruber, Stiles, Copp, Turner, Storey-King, Edes and Bingham

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Turner, to approve the September 22, 2014 minutes as presented.

VOTE: 6-0-1 (Edes abstained) MOTION PASSES

II. MANAGER'S REPORT

Natural gas is now being energized in the gas lines from the fair grounds to Main Street. Many of the neighborhoods north of Main Street (the Food Stop end) will be receiving gas in the next few weeks. Many of the neighborhoods off of Tuttle Road will also begin hooking up, then the Foreside.

The Towns of Cumberland, Falmouth and Yarmouth received the Greater Portland Chamber of Commerce Neal Allen Award recently. The award is given each year for public service, and the three Towns were recognized this year for their collaborative efforts and success in bringing natural gas to the communities.

Chairman Gruber added that when the award was presented, the Town Manager's from Falmouth and Yarmouth recognized Town Manager Shane as the driving force behind bringing natural gas to the areas.

We were very fortunate to receive all the generous donations from the community to the 4-H auction. We were able to purchase 3 pigs and a steer this year. We raised nearly \$11,000 and a special thank you goes to Councilor Stiles who was instrumental in the fundraising.

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

14 – 161 To hold a Public Hearing to consider and act on a on junkyard/recycler permit renewal for Cumberland Salvage.

Town Manager Shane explained that staff has inspected the sight and is recommending approval.

Councilor Bingham asked the Manager if water testing on the site is required.

Town Manager Shane explained that Cumberland Salvage is not required to do well testing on site and they have been compliant with our aquifer inspections and we feel that they are using best management practices.

Councilor Copp added that the State has test wells located on the property and those are tested either annually or bi-annually.

Chairman Gruber opened the Public Hearing.

Public discussion: None

Chairman Gruber closed the Public Hearing.

Councilor Stiles asked if the new berm that was put in was something that the Town required.


Town Manager Shane said that they did that on their own to in consideration of the new neighborhood going in behind them.

Motion by Councilor Edes, seconded by Councilor Storey-King, to approve the junkyard/recycler permit renewal for Cumberland Salvage.

VOTE: 6-0-1 (Copp abstained) MOTION PASSES

14 – 162 To hear a report from the Town Manager and Town Attorney and to accept public comment Re: Payson Property Referendum.

Town Manager Shane presented the following:




View from the North View looking South View from the South looking North

Overview of Tonight's Meeting

- Purchase & Related Costs
- Legal Aspects of Purchase
- Chebeague & Cumberland Land Trust Report
- Public Comment & Questions


1



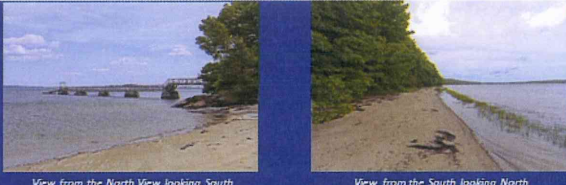
View from the North View looking South View from the South looking North

On July 28, 2014 the Town Council approved:

- P&S agreement with 179 Foreside LLC for the potential purchase of nearly 25 acres of land including a 200' pier and 2,200' of shoreline.
- Authorized \$3M in Bonds for the purchase
- Authorized a Town wide vote to be held on November 4th




2



View from the North View looking South View from the South looking North

- *The Town conducted 6 Site Visits to the Payson Property
Thank you MSAD 51 for the Buses & Drivers*
- *250 residents experienced the beauty of this site*
- *The site is an absolute treasure and one which we will respect.*
- ***Thank you to all the Payson Family members who escorted us
on our trips – Your hospitality was greatly appreciated!***

3



View from the North View looking South View from the South looking North

Question 1 – Municipal Ballot

Shall the Town purchase certain property at 179 Foreside Road in Cumberland pursuant to the Purchase and Sales Agreement with 179 Foreside LLC and authorize the Issuance of General Obligations Bonds and Notes in the amount not to exceed \$3,000,000 to finance the costs related to the acquisition and use of said property.

4



Current Public Shore Access in Cumberland
Colonial Rights

3



Current Public Shore Access in Cumberland
Colonial Rights

5



Cumberland Coast Line 3.72 Miles

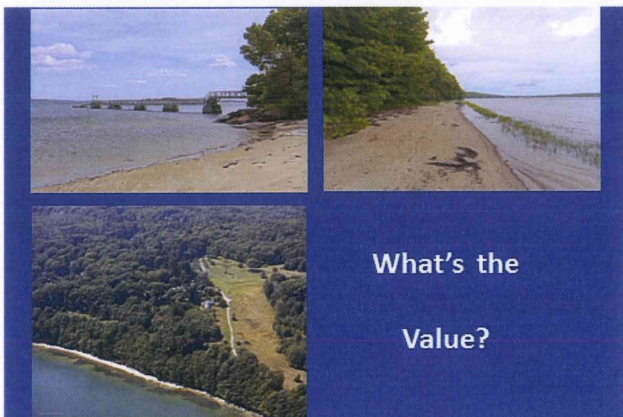
- Presently owned - 50' each
- Payson Proposal - 2,200' or .42 miles

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Development Plan

8



What's the
Value?

9



Appraisals

Wildwood Associates Inc.

Town & Bateman Partner

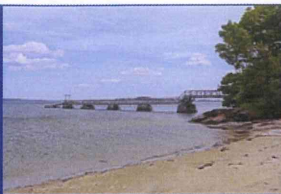
Amidon Appraisal Services

Dibiase Appraisal Services

\$405,000

\$3,225,000

10



What's the Town's Plan ?

11

Ocean Access Committee

- Understanding of the Conservation Easement
- Develop understanding for protection of different sea grasses and shore line erosion protection, horseshoe crabs, shore bird nesting, and shellfish beds
- Explore opportunities for passive recreation, kayaking, hiking, cross-country skiing
- Establish a plan for parking and access to the property
- Build a Facility Use Plan for public input and Town Council & Land Trust review and approval

12

Possible Option for Development

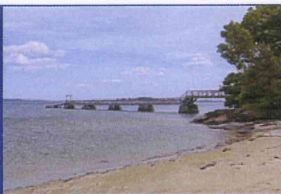


13

Possible Option for Development



14



What are the Costs ?

15



Today - FY 2015

Taxes	\$105,290.88
R01 Lot 02	103.2 Acres
Assessed Value	\$6,051,200

16



Today \$6M Value
\$105K in Property Taxes

Tomorrow \$14M Value
\$243,600 in Property Taxes

Development Plan

Mansion \$ 1.6M
Guest \$ 0.5M
\$2.1M

65 Waterfront Properties in Cumberland
Avg. \$1.7M (Lot + House) Value

7 new X \$ 1.7M = \$11.9 M + 2.1M = \$14 M

\$243,600 in Property Taxes or
Or
\$138,309 in
Increased Property Tax Revenues

17

Annual Bond Costs \$240,000
Annual Net Post Development Tax Rev. \$138,309

Impact to all Taxpayers from Purchase \$101,691 or
.082 on Mil Rate



Avg House Value in Cumberland = \$350,000

Increase in Taxes due to \$3M Purchase
\$350 k x .082 = \$29

\$100k of Value x .082 = \$8.20
\$ 500k Home x .082 = \$41.00

15

Start-up		Annual Operations	
Park Rangers - 26 weeks	\$19,633	Park Rangers - 26 weeks	\$19,633
Maintenance & Utilities	\$3,860	Maintenance & Utilities	\$3,860
Start-up Costs	\$66,000	Start-up Costs	\$0
Cap Reserves	\$10,000	Cap Reserves	\$10,000
	\$99,493		\$33,493

Avg House Value in Cumberland = \$350,000

Increase in Taxes due to Operations & Capital

Year 1 = \$99,493 = .0800 x \$350k Avg Home = \$28.00

Year 2 = \$33,493 = .0269 x \$350 K Avg Home = \$ 9.42

Total Tax Impacts on a \$350,000 Home

Bond + Start-up = \$29 + 28 = \$57

Bond + Annual Operations= \$29 + \$10 = \$39 per year

19



20



Town of Cumberland

- Nationally Recognized Schools
- Recognized as one of the most desirable Communities in 2014
- Recognized as one of the Safest Communities in Maine in 2014
- Recognized as the Most Educated Community in Maine in 2014
- Shore Access has been identified in our Comprehensive plans for decades. This is a unique opportunity to fulfill that goal.

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Town of Cumberland
Tuesday, November 4, 2014
7:00 AM to 8:00 PM

Question 1 – Municipal Ballot

Absentee Voting Now Available
Monday – Thursday
8 AM - 5 PM

Town Attorney, Ken Cole made the following remarks in order to answer some questions: One significant question is the terms of the Purchase and Sale Agreement that was negotiated with Bateman Partners. Pursuant to that P&S Agreement, it required that the Town seek an appraisal in order to have that appraisal before us this evening and it required, by its terms, that there would be the vote on November 4th. Technically, the Council could have acted on this on their own, but saw this as an issue that everybody might want some input on. That is why it is on the ballot.

In terms of the site itself, Attorney Cole said that the conservation easement on over 100 acres was initially granted in 1997, and nothing has happened since then. Therefore, there has been a general perception among the public that the conservation easement means that nothing can be done on the property. The grantors of that particular conservation easement reserved 18 different rights that they could continue to do on the site, before they reserved the fact that they could further subdivide the site and put 7 additional residences there. A conservation easement can be however it is defined. This is defined to allow significant additional development on the site, which is why the site is for sale for \$6,000,000.00. If it were just grass and trees with one house and a guest house, it would not be for sale for that price necessarily.

Attorney Cole said that he was asked at the meeting in July what opinion he may have rendered to the Town in regard to the Town's use of this site. He never rendered a written opinion, and to reiterate what he said at the July 28th meeting, his reading of the conservation easement allows the Town limited recreational use on that site subject to the approval of the land trust. Rather than write a letter to the Town explaining what the attorneys thought the Town could do, they drafted a letter to the land trust on August 5th and requested their opinion by this meeting. His input to the Town is that they can do this legally. The question becomes in terms of the conservation easement, what limitations will be imposed in terms of the uses going forward?

Penny Asherman, President of the Board of the Chebeague and Cumberland Land Trust read the following:

Thank you for the opportunity to address the Council and the citizens of Cumberland tonight regarding the Town's proposed purchase and use of 25 acres of the Payson Property. The Trust received a proposal from the Town of Cumberland on August 5th and we submitted to the Council a letter of response on September 30th. A copy of which is on the town's website and I have copies with me tonight as well.

I want to reassure everyone that the Trust has been working diligently on this issue over the past two and a half months and that the CCLT's Board of Directors is fully engaged and supportive in the process.

Tonight, I would like to 1) provide a little bit of background on our organization and its involvement with the Payson property, 2) share the due diligence efforts we have been conducting since we received the Town's letter, and 3) provide comments and recommendations on the proposal.

Background

CCLT was founded 27 years ago as part of a nationwide movement to protect land for its natural resource value and for the enjoyment by the general public. CCLT has conserved nearly 700 acres and 20 properties – 10 in Cumberland and 10 in the Town of Chebeague. In 2012, we received national accreditation certifying that our organization meets rigorous national standards and practices. We were one of the first small, all volunteer land trust in the nation to receive this recognition.

Mission and Role

Our purpose is to preserve and protect the intrinsic values and public benefits of the natural resources in the towns of Chebeague Island and Cumberland – mainland, islands and contiguous Casco Bay – and be responsible stewards in perpetuity for those resources in our trust.

We translate that mission into several principal tasks: 1) thinking and acting strategically about properties that need protection, 2) responding when opportunities arise, 3) being diligent in our acquisition processes, 4) inventorying and monitoring properties for compliance with easements, 5) working cooperatively with landowners to help them realize their conservation goals and manage their properties, 6) educating the public about, and providing access to, natural resources, and 7) raising funds to sustain these efforts.

Conservation Easements in General

Conservation easements are a legal agreement between a landowner and a land trust or government agency that limits certain rights on a property to protect conservation values. Landowners give up some rights, but still maintain ownership and use of the property and they can sell it or pass it on to heirs. Each easement is different and tailored to each property. One might preserve a property as forever wild and untouchable, another allow working farms and forestry, or in the case of the Payson Property, limit the number of house that can be built.

The Payson easement was granted to the Trust in 1997. It protects a very large and scenic waterfront property with shoreline, fields and forest from full build out potential. For their donation, the property owners received a charitable deduction from the IRS and property tax benefits. Up until now, it has been a private estate for the family with the exception of a small public trail along Route 88. The easement, however, allows for the development of 7 additional houses beyond the existing 3 residences and reserves an extensive number of very broad rights for the owner. Since easements run with the land, any new owner of the property can exercise all of these reserved rights. The land trust has a role in overseeing the transfer of land to new owners and the exercise of those reserved rights in this case by the developers and the Town of Cumberland, should they buy a portion of the property.

As stewards for the Payson Property over the past 17 years, we have annually monitored the land and maintained the Stone Wall Trail along Route 88. We value the relationship we have had with the Payson and Robbins family. They have been good stewards for many decades and we appreciate their recent willingness the past few years to cooperate with the Trust's popular horseshoe crab event on the beach. We can appreciate that their emotions are torn with the sale and change in their family's property.

Due Diligence Process

From the announcement in July of the proposed sale and transfer of the land to developers and potentially the Town, the CCLT Board has been discussing and examining how the addition of 7 new houses, 10 new homeowners and increased public access to the property will require our vigilance in understanding and measuring the impact of these changes on the scenic and natural values of the property.

The Trust came to the immediate consensus that:

- 1) we need to reach out to natural resource experts to gather a clearer understanding of the current conditions on the property prior to change in ownership,*
- 2) we need to increase our monitoring efforts and increase our number of stewards for the property to meet the proposed changes in use,*
- 3) a stakeholder committee needs to be established to prepare use guidelines and management plans should the town purchase part of the property. The committee has been already been selected we believe will provide stakeholders a meaningful opportunity to participate in decision-making regarding the property.*

Over the past 8 weeks CCLT has consulted with a broad range of experts on the natural resources, easement terms and management issues:

- Contracted with FB Environmental Associates, an environmental consulting firm based in Portland, to conduct a natural resource inventory and make recommendations for management.*
- Engaged legal services of Karin Marchetti Ponte, a nationally-recognized and well respected land conservation attorney, to research and inform the trust on easement terms and the legal issues associated with the Town's proposal.*
- Made multiple site visits to the property*
- Consulted with several Maine state agencies, including Department of Marine Resources, Department of Inland Fisheries & Wildlife, Department of Environment Protection, the Cumberland County Soil and Water Conservation Service and the Office of the Maine State Historian.*
- As well as the federal U.S. Fish and Wildlife Service.*
- We've had discussions with Cumberland Shellfish Commission members and the Brunswick Shellfish Warden.*
- As well as Discussions with several environmental organizations, including Casco Bay Estuary Partnership, Maine Audubon and other land trusts.*
- Held Meetings and other outreach with current owners, abutters (including Wildwood Association) and other community members.*

All of this research and outreach has guided our discussion and form the basis for our comments and recommendations.

Significant Features of the Payson Property Easement

There are a few significant elements of the conservation easement that set the parameters for the recommendations.

Broad Purpose Statement. *The property must be retained forever predominantly in its scenic, natural and open space condition for conservation purposes. Use of the property should not significantly impair or interfere with the conservation values of the property and its natural resources and associated ecosystems.*

Restrictions and Owner Reserved Rights. *The easement includes many pages of restrictions and reserved rights, which control the interpretation of the easement and its intent. The owner's reserved rights are very extensive and broad. The land trust is prevented from abbreviating these landowner rights as defined in the easement, no matter who owns the property.*

Approvals. *Under the easement, some actions regarding the property require CCLT's approval; others do not. When a proposed use, activity or site requires land trust approval, there are general criteria that apply to the review: impact on scenic value, water quality, habitat, wildlife movement, historic and*

archeological values and general conservation values. Under the terms of the easement, the land trust cannot unreasonably withhold approval.

Introduction

Broadly speaking, recreational use and public access to natural resources in the care of land trusts is one of the cornerstone values of land conservation. CCLT's mission statement, Maine and federal laws and regulations all encourage that conservation of land create public benefits, including public access in natural areas. 17 of CCLT's 20 properties allow access by the public. On each of these, the land trust manages to balance public use with the goal of protecting natural resources and scenic values.

Cumberland Proposal

The Town of Cumberland's proposal will change the use of the Payson Property from its current status as a private estate with very limited access to greater use by the public and 10 new homeowners. There is no question that there will be impacts on the land, shore and water. CCLT's fundamental responsibility, as it is with each of our properties with public access, will be to manage, monitor and attempt to minimize the impacts. In other words, to achieve a balance between the benefits of public access and use of the property with protecting the property's habitat, wildlife, water and scenic values.

Board Vision

- Despite the challenges inherent in managing increased public access while maintaining other conservation values on the property, the CCLT board strongly believes that expanded access to the property, which is permitted under the easement, if managed properly, can occur while still protecting the natural and scenic features of this remarkable property.
- The Board sees great potential for the project to elevate the public's awareness of the value of open space that is responsibly managed and maintained.
- The Board has confidence in the great success to date in the Rines Forest property that multiple goals of resource conservation and public access can be harmonized successfully by careful and thoughtful management policies.
- Increased access also offers significant educational opportunities for school children and adults and provides recreational opportunities long desired by community.

Recommendations

The recommendations and comments that follow are made with the goal of achieving a balance, not just in coming months, but in perpetuity, and therefore may change in time to respond to actual experience and use. All of the comments are based upon professional advice from our attorney, environmental consultants and the resource agencies we contacted. The Board believes that these are practical and reasonable recommendations consistent with broad parameters established in the easement.

- 1) Division of Ownership. The original grantors of the Payson Property specifically envisioned and purposely created in the easement two additional grants of land beyond the development of 10 residential lots. The Town of Cumberland qualifies as an organization that can purchase one of these two additional lots.
- 2) Public Access. The town, as owner, would be allowed to expand public access to its portion of the property. CCLT recommends the town consider ways to manage the access, such as hours of operation, limiting the number of parking spaces and perhaps creating a resident sticker system. A clear advantage of this would be to be able to better manage the impact the increased access will have on the property.

3) Recreational Use. Recreational use of the property is broadly allowed under the easement except that it cannot be commercial or materially impair conservation values. If the land trust expects that recreational use may materially impair conservation values, then it would apply the criteria mentioned in the easement. Under the easement terms, the land trust could suggest reasonable limitations on use, such as time and location, to protect the natural resources. CCLT anticipates that restrictions on recreational use would need to be flexible in response to actual experience and impact on the property. And we intend to pass the suggestions onto the Ocean Access Committee.

4) Special Habitat Efforts. CCLT's outreach to various wildlife and natural resources experts produced several practical suggestions for protecting the ecological health of the property. The recommendations include:

- Shoreland Zone. Leave the forest in the shoreland zone intact to ensure habitat for birds and other wildlife, maintain scenic values from the waters of Casco Bay and prevent erosion of the steep bank
- Horseshoe Crabs. Designate sensitive areas of the beach during the horseshoe crab breeding season (mid-May to mid-June) and continue to educate the public about the horseshoe crabs with signage and hands-on educational events.
- Marsh and Beach Grass. Use signage to direct foot traffic or fence off sensitive beach grass areas and create designated swimming areas. Prohibit the storing of kayaks and other watercraft on the shore. Prohibit dogs on the beach all year to protect the beach grasses, birds and water quality.
- Eelgrass. Develop measures to protect the eelgrass beds, which, though off-shore, are at risk with increased usage. Management of the number of boats and location of moorings, use of environmentally-sensitive moorings, signage and management of wharf activity are among measures that should be considered.
- Water Quality. Employ best management practices and low impact development practices for erosion control and storm-water runoff on the property, especially for the road, parking and path to the beach. Direct foot traffic on site to designated areas to minimize erosion. Work with the Shellfish Commission on the identification of point and nonpoint sources pollution. Encourage limited use of fertilizers and pesticides on the property.
- Clamming. Encourage the Cumberland Shellfish Commission to expand trapping of the invasive and destructive green crabs. The Shellfish Commission regulates clamming and marine worming in the mudflat with guidance from the State.
- Birds. Maintain trees in the shoreland zone as much as possible for roosting habitat. Tree cutting in forested areas should occur in the winter to protect breeding birds and bats. Grassland habitat should be maintained in existing field areas for birds. Field mowing should be conducted no sooner than August 15 to ensure that the grassland birds have fledged from their nests. Develop interpretive signage educating the public about the Tidal Wading Bird and Waterfowl habitat. Encourage a group of bird watchers or students to inventory the birds over time and offer bird watching educational events. Prohibit dogs on the beach.

Educational Opportunities. CCLT considers the expansion of various educational efforts to be an important advantage of increasing public access. The area is a ready-made, natural laboratory for area science classes. CCLT, which has conducted the very popular horseshoe crab events, would welcome the chance to expand educational events for children and adults. CCLT believes a critical element in successful management of the property will also be informative and appropriate directional and interpretive signs.

Beach Road. It is our current understanding that the developers, not the Town, will be improving the Beach Road as part of the subdivision process. Any road improvements by the Town need to be designed with permeable materials and constructed to minimize erosion and disturbance of wetlands. As recommended by the environmental consultant, any road improvement should also address stormwater runoff and employ best management and low impact development practices. CCLT will comment separately when specific plans for the road improvements are presented.

Parking. Parking areas are allowed under the easement, if reasonably necessary in connection with allowed uses of the property, provided they are designed and constructed to minimize erosion and disturbance of wetlands. The land trust must approve the site or sites for parking and will use the approval criteria in our review. The land trust does not have authority to impose size limitations, but in the interests of other conservation values, we have some recommendations about the location and sizing of parking as set out below.

Currently, the town's proposal regarding location and size of parking is still in flux, so it is not possible for CCLT to comment specifically on the parking proposal at the time of this writing. However, the CCLT board has a strong preference for:

- (1) a conservative, phased-in approach to create parking that would allow for reflection on usage and impact, and
- (2) a parking plan that would place most of the parking close to Route 88, with a smaller parking area to be located closer to the shore for handicapped access and access for shore focused recreational activities, such as kayaking, canoeing and clamming.
- (3) CCLT strongly recommends that the number of spaces developed be commensurate with the number of spaces at comparable facilities, such as at Mackworth Island in Falmouth and Sandy Point on Cousins Island in Yarmouth. CCLT will work closely with the town to determine the site or sites.
- (4) Clear signage and enforcement of parking standards by the Town are also essential management components for the parking areas.

"Boat Shed" Bathroom. The Town's proposal to convert the current bathhouse into a unisex bathroom raises several issues. Not having a bathroom is unrealistic, presents public health issues and risks environmental degradation throughout the Town's portion of the Payson Property, including both the land and water. Without CCLT's approval, the easement allows for maintenance, repair and replacement of the structure with a substantially similar structure not designed for human habitation in substantially the same location.

However, CCLT believes there are significant arguments in favor of siting the proposed bathroom in a substantially similar location further upland, on flatter terrain and out of the immediate shore area.

- 1) The bathhouse is currently located extremely close to shorefront and is perched on a bank – which is an environmentally-sensitive part of the property. CCLT would require that if relocated to protect conservation and scenic values, that all federal, state and local permitting be met and specific design plans be submitted to the trust prior to relocation.
- 2) As we understand, the current siting of the bathhouse does not meet the requirements of the Americans with Disabilities Act because it is located on a 13 percent grade, too steep to be accessed according to ADA standards. Since the easement predates the ADA, the trust understands that this is another valid reason to consider relocation of the structure consistent with the restrictions of the easement.
- 3) The easement allows for disposal of waste in properly functioning waste disposal systems. Even so, CCLT strongly recommends that the Town consider the use of a modern composting toilet. Our research indicates that composting toilets are now an accepted, workable and cost-effective option

for providing sanitary services in natural areas. They require no water or electricity and have far less disturbance of the soil than installing a septic system. However, they must be properly maintained.

Minor Structures. Under the easement, minor structures, such as benches, walkways, signs, and picnic tables do not require CCLT's approval. We understand that the Town wants to work with the land trust, though, on the location of these minor structures. CCLT welcomes the opportunity to work with the Town on these questions.

Our participation would be guided by the caution that the minor structures may not materially alter the traditional and scenic appearance of the property, or have an adverse impact on conservation values.


Other Management Suggestions

The new Ocean Access Committee will be charged with drafting Facility Use Guidelines and a Property Management Plan. CCLT suggests that the committee consider including the following additional suggestions in one or both of these documents.

- Creating a loop trail on the property.
- Identifying and inventorying of prehistoric and historic sites.
- Improving safety on the path leading down to the beach, and minimize erosion, by installing natural rock or rustic wooden steps.
- Mandating a "carry in, carry out" trash policy.
- Using limited lighting.
- Developing ways and procedures to protect shoreland vegetation and manage invasive species.
- Prohibiting pets, smoking and fireworks.
- Excluding the property from being available for use under mass gathering permits or for commercially related events.
- Insuring that the Town enforces these requirements.

Thank you for this opportunity to comment on the Town's proposal. We look forward to an inclusive, productive and collaborative effort.


Ms. Asherman introduced Forrest Bell, principal of FB Environmental Consulting and Kevin Ryan, lead wildlife biologist, who presented the following on the natural resources at the Payson property:



Natural Resource Inventory
Payson Property, Cumberland, ME

Forrest Bell, Principal
Kevin Ryan, Ph.D. Wildlife Ecologist
FB Environmental Associates

October 6, 2014



What is an NRI?

- ❖ Describes natural resources
- ❖ Provides basis for land conservation planning & future use of the property
- ❖ Includes maps, data and a written report summarizing findings and recommendations



Current Uses

- ❖ Residential Development (3 homes)
- ❖ CCLT Hiking Trail (a.k.a. Stone Wall Trail)
- ❖ Wharf



Proposed Uses

- ❖ 7 Additional lots
- ❖ Roadfront and shoreline property possibly purchased by Town
- ❖ Parking



Purpose of the Payson NRI

Evaluate the Scenic & Natural Resources

- ❖ Review of Relevant Reports
- ❖ Landscape Analysis (Desktop)
- ❖ Field Inventory
- ❖ Development of Management Recon



Topography, Bedrock & Landforms

Payson NRI (Desktop Analysis)

- ❖ Elev. ~ 90 ft. above sea level
- ❖ Slopes toward Broad Cove
- ❖ Very steep slope at the shore



Soils

Payson NRI

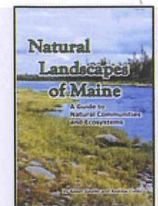
- ❖ Parent material = glacial sediments
- ❖ 14 different soil types
 - ❖ Coverage <1 to ~15%
- ❖ Moderate to severe limitations
 - ❖ Shallow bedrock & high water table



Natural Communities & Vegetation

Payson NRI

- ❖ Much of the land has reverted back to forest
- ❖ Assessed natural communities
- ❖ Oak-Pine Forest & Oak-Pine Woodland (State Ranked: S4)
- ❖ Maine Natural Areas Program
- ❖ Grassland (mowed)



Invasive Plant Species

Payson NRI

- ❖ Six (6) species of invasive plants (list)
- ❖ Documented across the landscape, but infestations not severe



FB

Freshwater Resources

Payson NRI

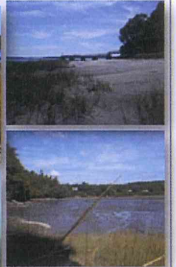
- ❖ Two perennial streams and several intermittent streams
- ❖ Two small forested headwater wetlands
- ❖ Freshwater seeps



FB

Marine Habitats

- ❖ Coastal grasses
- ❖ Clam flat
- ❖ Eelgrass beds
- ❖ Marine worms
- ❖ Softshell and hard clams, razor clams, surf clams, & blue mussels
- ❖ Horseshoe Crabs
- ❖ Green crabs!



FB

Water Quality

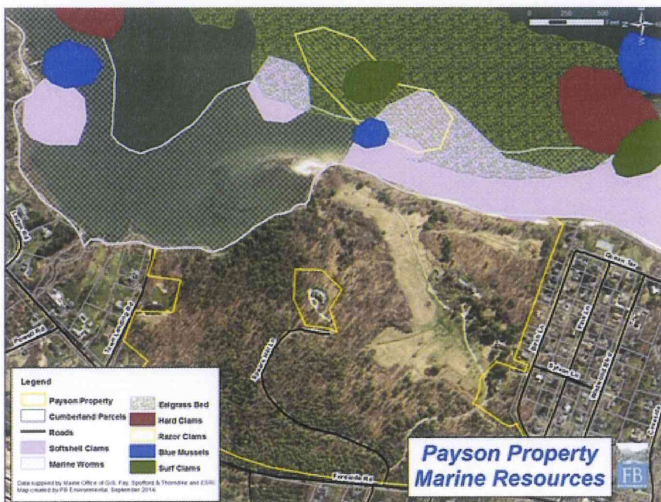
Payson NRI

- ❖ Casco Bay impacted by stormwater runoff
- ❖ Impervious surface and water quality
- ❖ DMR documented water quality issues in Broad Cove
- ❖ Tributaries contain fecal coliform (bacteria) levels exceeding State levels
- ❖ Closed to shellfish harvesting June 1- October 31



(Photos: FBE, BangorDailyNews.com)

FB



Significant Wildlife Species & Habitats

Payson NRI

Birds:

- ❖ Birds of Conservation Concern
- ❖ Mapped Tidal Wading Bird and Waterfowl Habitat
- ❖ Sand beach not suitable for nesting
- ❖ No Bald Eagle nests



Purple sandpiper (species of concern)

FB

Significant Wildlife Species & Habitats Cont.

Payson NRI

Mammals:

- ❖ Common mammals use site
- ❖ Long-eared bat (summer habitat)
- ❖ Lack of habitat for New England Cottontail



Northern long-eared bat (proposed endangered)

FB

Historical Resources

Payson NRI

- ❖ Rich Cultural History
- ❖ Historic Sites
- ❖ Prehistoric Sites - Shell Midden?



FB

Management Recommendations

Benefits to:

1. Water Quality
2. Benefits to Fish and Wildlife Habitat
3. Plant and Forest Resources
4. Soil & Sediment Quality
5. Scenic Quality



FB

Wildlife

- ❖ Request technical guidance from USFWS on BMPs related to any permitting
- ❖ Investigate impact to northern long-eared bats
- ❖ Maintain open grassland and restrict cutting to protect potential breeding species
- ❖ Prohibit dogs at all times of year



Northern long-eared bat (proposed endangered) and purple sandpiper (species of concern)

Benefits:

- * Water Quality * Fish & Wildlife Habitat
- * Plant & Forest Resources
- * Soil/Sediment Quality * Scenic Quality

FB

Invasive Species

- ❖ Conduct a formal invasive species survey
- ❖ Develop and invasive species removal and management plan (prior to development)



Invasive Japanese knotweed at the shore, and black swallowwort in the field (Photos: FBE)

Benefits:

- Fish & Wildlife Habitat
- Plant & Forest Resources

FB

Natural Areas

- ❖ Erect protective fencing and direct foot traffic to minimize impacts to natural areas
- ❖ Direct wading and swimming to minimize impact to beach grass and eelgrass
- ❖ Limit cutting of trees for aesthetic purposes



Eelgrass, dunes and beach grass are natural features that require protection from human impacts. (Photos: CBER, FBE)

Benefits:

* Water Quality * Fish & Wildlife Habitat
* Plant & Forest Resources
* Soil/Sediment Quality * Scenic Quality

FB

Roadways & Parking Areas

- ❖ Limit the number of parking spots near beach
- ❖ Require Low Impact Development for roads, parking and paths
- ❖ Construct paths to beach using natural stepping stones



Designate pervious parking and roadways to minimize erosion and runoff (Photos: FBE)

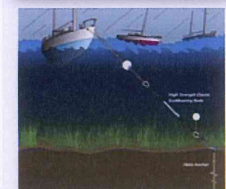
Benefits:

* Water Quality * Fish & Wildlife Habitat
* Plant & Forest Resources
* Soil/Sediment Quality * Scenic Quality

FB

Boating

- ❖ Limit the use of and number of motorized boats
- ❖ Require eelgrass-friendly moorings
- ❖ Initiate "No Anchor Zones"
- ❖ Install kiosk to protect eelgrass beds
- ❖ Carry-in, carry-out for all canoes and kayaks



Photos: Great Maine Outdoor Weekend.com, NewEnglandBoating.com

Benefits:

* Water Quality * Fish & Wildlife Habitat
* Plant & Forest Resources
* Soil/Sediment Quality * Scenic Quality

FB

Buildings

- ❖ Move the bathroom/changing area upslope to minimize impacts



Photo: FBE

Benefits:

* Water Quality *
* Soil/Sediment Quality *
* Scenic Quality

FB

Stewardship

- ❖ Increase stewardship monitoring
- ❖ Work with the Town's Ocean Access Committee to guide development of a facility-use plan; and
- ❖ Help guide development of a 10-year management plan



Chebeague & Cumberland Land Trust

Benefits:

* Water Quality * Fish & Wildlife Habitat
* Plant & Forest Resources
* Soil/Sediment Quality * Scenic Quality

FB

Acknowledgements

Special thanks to:

- ❖ Chebeague and Cumberland Land Trust
- ❖ Verdanterra LLC (Gino Giumarro)
- ❖ Casco Bay Estuary Partnership
- ❖ US Fish and Wildlife Service
- ❖ Maine Department of Inland Fish and Wildlife
- ❖ Maine Department of Marine Resources
- ❖ Town of Cumberland
- ❖ Payson Property Landowner (for access)

FB

Town Manager Shane introduced Phil DiBiase of DiBiase Appraisal Service, who gave an overview of his appraisal.

Mr. DiBiase explained that he looked at this site as though it were going to be taken by eminent domain (option 1 in the appraisal). For option 2, he looked at what the Bateman's were proposing and looked at the land as though it were a private beach for the homes to be build there. It was basically a before and after appraisal. He looked at the 7 lots that are proposed with and without public access, and came up with a value. He did a test of reasonableness by looking for a property similar to this beach. There are not many out there,

but he found one in Phippsburg. He did a compared sales analysis on the Phippsburg property and checked it with the 3 million dollar value that he came up with. He feels very comfortable with his process and feels that \$3,000,000.00 is what the property is worth.

Chairman Gruber opened the public comment portion of the meeting asking people to please identify themselves, please do not be redundant with their comments, and please limit their comments to 5 minutes to allow everyone a chance to speak. All questions should be asked through him and he asked everyone to please be respectful.

Councilor Edes recused himself from this item because his wife works for a member of the Robbins family and he does not want any appearance of a conflict of interest. He left the dais to sit in the audience.

George Marcus, a resident of the Wildwood neighborhood referenced the slide below:



Mr. Marcus said that at the July Council meeting, the proposal was for a purchase that had a 60 car parking lot, beach access and a public bath house for \$3,000,000.00. Today, the price is still \$3,000,000.00 but the use is limited to a number of handicapped parking spaces and delineated walking trails. Mr. Shane made the comment this evening that \$3,000,000.00 will not break the budget. If we spend \$3,000,000.00 on this property, what other projects will the Town not be able to do? It is too early to determine if the price is too high or too low because we do not know what the project is and the uses have not been defined. Attorney Cole was correct when he said that the conservation easement permits limited recreational use. What Mr. Cole was unable to say is what those limited uses are. Is this plan permitted or not permitted? To his credit, it would be premature for Mr. Cole to announce anything because we don't know what the plan is. As a tax payer, before he votes to authorize this community to spend \$3,000,000.00 on a project, he would like to know if the proposed use is legally permitted, what the use is, and if there are any legal issues.

Mr. Marcus asked 2 questions through the Chairman:

Prior to November 4th, will there be a public announcement of the Town attended use of the property?
Prior to November 4th, will we have a legal opinion that those uses are allowed?

Attorney Cole said that the answer to the first question is no. The Town Council has delegated this to the Ocean Access Committee, just as they delegated the Twin Brook and Rines Forest properties to committee. It comes down to, do you trust your fellow citizens to derive a final plan?

In terms of an unqualified legal opinion, he is 100 percent certain that passive recreation use of this property it totally appropriate. We all heard that from the Land Trust. Where, how, and when, he cannot answer. That will be a recommendation of the committee.

Karl Turner of 16 Town Landing Road said he would like to make 3 points:

1. If anyone has the expectation of swimming on a sandy beach, they will be disappointed. If you think we are acquiring the equivalent to Scarborough beach, you will be very disappointed.
2. For those who have boats and want to moor near this property, they would have to rely on the Yarmouth or Falmouth town landings to get in and out of the water.
3. If one wishes to commune with nature with peaceful surroundings while having the opportunity to observe wildlife, this property is in your wheelhouse.

Mr. Turner said that despite the casual nature that some of the Town had taken regarding the existence of easements, it is his opinion that the easement will dictate what can and cannot be done with the property.

Tom Hynman of the Wildwood neighborhood presented the following:

1. The Appraisal Process
2. The Appraised Value
3. The On-Going Costs
4. Tax Neutrality
5. The Transaction

The Appraisal Process

- The Purchase and Sale Agreement required the Town to get an appraisal.
- In fact, the Developer (the Seller) ordered the appraisal and the Town (the Buyer) was added as a client.

From: Nathan Bateman <Nathan@batemanpartnersllc.com>
Send: Thursday, August 14, 2014 11:34 AM
To: 'Phil Dibiase'; Kenneth M. Cole, ID; Ronald N. Ward; William Shane
Subject: 179 Foreside Road

Phil,

As discussed this morning on the phone please add the Town of Cumberland as a client along with 179 Foreside Road. As discussed we are splitting the cost of this appraisal. Additionally we understand that you will be using your methodology allowed to you under your appraisal license to obtain a stated value of the beach, dock and upland land being acquired by the town.

Thanks!

Nathan Bateman Vice President
Bateman Partners, LLC
P.O. Box 3572
Portland, ME 04104
(P) 207-772-2992

The Appraisal Process

- The Appraiser was serving two masters, the Seller and the Buyer.
- Based on this fact alone, the appraisal is flawed.
- Who would ever buy a piece of property based on Seller's appraisal alone?
- Mr. Chairman, why didn't the Town order its own appraisal?

The Appraised Value

- The process used to value the property the Town proposes to purchase is flawed as well.
- The valuation is based on the Developer's right to build and sell seven new residential properties along with the two pre-existing residences.
- The Developer retains those rights under both scenarios.
- In that use, the property may well be worth \$3.2 million.
- However, the Seller is not selling and the Town is not buying those development rights.

The Appraised Value

- The Town is buying a property that has NO DEVELOPMENT RIGHTS and is encumbered by a conservation easement.
- The Town's permitted uses of this land are dramatically different and, consequently, dramatically less valuable, than the permitted uses of the developer.
- The instructions given to the appraiser were incorrect if the purpose was, as it should have been, to assign an accurate value to the land the way the Town intends to use it.
- This appraisal is an apples to oranges comparison.

The Appraised Value

- Without an independent appraisal, it would be impossible to evaluate the Developer's / Town's appraisal.
- Therefore, we asked a respected appraiser that has worked for the Town in the past to appraise the property as it is intended to be used.
- That appraisal valued the Town's acquisition at \$405,000.
- So, the Taxpayers of Cumberland are now on the hook to pay the Developer \$3 million for a piece of property worth \$405,000.
- Seems to me that an independent appraisal by the Town might have been a good idea.

The Appraised Value

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- Therefore, we asked a respected appraiser that has worked for the Town in the past to appraise the property as it is intended to be used.
- That appraisal valued the Town's acquisition at \$405,000.
- The Town of Cumberland endeavors to assess properties at, or close to, 100 % of Fair Market Value
- Wildwood Reserve and Beach – 2.5 acres includes 700 feet of beach – Assessment = \$71,300
- Payson Waterfront – 13.6 acres includes 1,200 feet of beach – 5.4 times larger than Wildwood - $\$71,300 \times 5.44 = \$388,000$
- So, the Taxpayers of Cumberland are now on the hook to pay the Developer \$3 million for a piece of property worth \$405,000.
- Seems to me that an independent appraisal by the Town might have been a good idea.

The On-Going Costs

- Unfortunately, tonight's earlier presentation was the first time the public has seen any figures on on-going costs, making it impossible to address them in a meaningful way.
- And, as the anticipated uses of the property are still up in the air, and may remain that way for sometime, discussing on-going costs would be speculative.
- Likewise, to make this purchase without knowing how the property can be used and what the costs of any improvements and the on-going maintenance will be, is speculative as well.

Tax Neutrality

- We have been told that the cost of this purchase (\$240,000 per year for 20 years, \$4.8 million) will be more than covered by the increased tax revenue the new development will generate.
- Let's consider the facts:
 - The development will happen whether or not the town buys the land, so the tax revenue will come no matter what the Town does.
 - By purchasing this land, the Town is actually removing \$3 million of real estate from the tax roles and thereby reducing our annual real estate revenue by more than \$50,000.
 - By paying substantially more for this property than it is worth, we are being saddled with an unnecessarily large financial burden that will be sucking up our tax dollars for years to come.
- There is nothing neutral about this deal.

The Transaction

- If we vote on November 4th to approve this purchase, here's what happens:
 1. The Developer pays approximately \$6 million for developable property valued at \$8.8 million.
 2. We then pay the Developer \$3.0 million for a non-developable piece of property valued \$405,000.
 3. Now, the Developer has paid \$3 million for property worth \$5.6 million.
 4. We now own property valued at \$405,000, have debt of \$4.8 million and \$50,000 a year less tax revenue.

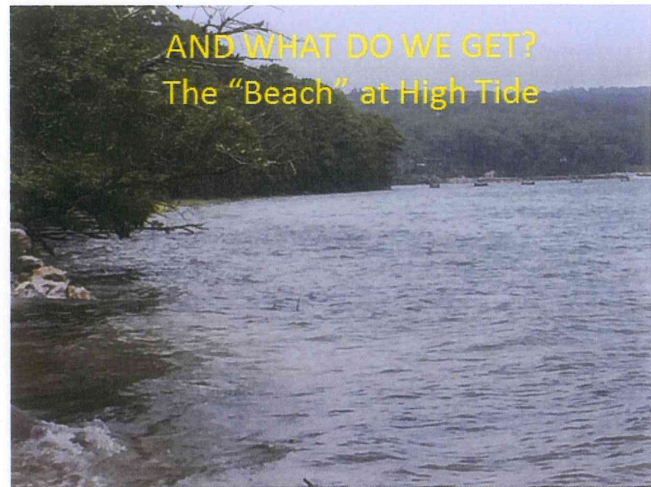
The Bottom Line

Who does this once in a lifetime, last chance ever opportunity benefit?

Let's see, we buy a piece of property with no guarantees we can use it the way the Town Council has said we can, we take on \$240,000 a year for twenty years of debt service payments and we reduce our tax revenue by \$50,000 a year.

Thanks to our \$3 million payment, the Developer's out of pocket cost are immediately reduced from \$6 million to \$3 million. Bateman Partners and Peter Anastos, based on the Developer / Town's appraisal, will make an instant profit of \$2.6 million on a \$3 million investment.

Who is the winner?



What Do We Get?

I can't imagine that anyone would dispute that it would be wonderful to have access to this special property. I certainly do, but at what cost?

At \$3,000,000 this is a very bad deal for the Town and the taxpayers, but a great deal for the Developers.

At \$405,000 this would be a fair deal for all.

The Town Council has put us in a no-win situation.

Many favor increased public access, but this is not only about Public Access, It is about Public Access gained through a reasonable and responsible process.

And the process to date has not been reasonable and it has not been responsible.

What Do We Get?

Please think this through when you vote next month.

As currently structured, this is a lousy deal for the residents of Cumberland and needs to be defeated at the polls.

We need to vote No.

Thank You

Town Manager Shane said, in regard to the Town's appraisal process, we hired an independent appraisal because we had a very short timeframe to get it done in order to have it back by this meeting. In order to get it done quickly, the Town worked with Bateman Partners and split the cost of the appraisal. There was no hidden agenda, we were simply trying to get an appraisal done quickly so it could be presented to the public at this meeting.

Bob Vail of Cumberland Center said that people have to have a vision for their community. He does not visit the library, Twin Brook or Rines Forest, but he supports them with his tax dollars. He spent 15 years on the School Board and thinks the next school budget will be about 35 million dollars. We have to trust in the investments for future generations. This type of initiative only comes from bold thinking leadership and he hopes that other community members will come forward to share their vision.

Sarah Steinberg of 12 Turnberry Drive said she also has a vision for our community, but there is an opportunity cost with this project. She feels that the cost of this land far exceeds its true value. The only way the community will have a choice is to vote no and not do the bond. With that, options can be discussed regarding public access that can be achieved through the Planning Board. Her fear is that if we commit this money for 20 years, we may never have the opportunity to see what the vision for other projects in the community could be for \$3,000,000.00. In regard to Mr. Shane's presentation regarding taxes, we will not have 7, \$2,000,000.00 houses built by the time our next tax bills are issued. That type of project by any developer is phased in over a period of years. We will not see any of the tax revenue for any of that construction for years to come.

David Ezzio said that he is very appreciative of this Town. He gets to ride his bike around Town, walk on the sidewalks, visit the Library and is able to work from home because he has a good internet connection. He feels it is unfortunate that as an ocean front community, we have no significant ocean access. In regard to the discrepancy between the two appraisals, he feels that Mr. DiBiase's approach of appraising the property without the Town taking rights to a portion and appraising it with the Town taking rights to a portion was a good approach. If the 2.5 acres of beach at Wildwood is fairly assessed at \$71,000 (as stated earlier), he is willing to buy if they are willing to sell. He feels that we need to move forward on the purchase as it has been a long time since the Town has had any opportunity to purchase ocean front property.

Harland Storey said that this Town has made a lot of progress and changes for the good over the years. He feels that this issue has nothing to do with money, but rather selfishness from those who already have beach access and don't want others to enjoy the same rights. The reason he feels that it is not about money is because the school budget has gone up 5-6 million dollars over the past 9 years, and nobody has a problem

with that. 25 acres of land on the ocean will always be there for future generations to enjoy and he feels that it is a good investment for the Town.

Ted Chadbourne noted that the Manager said there is no time to wait on this purchase, but other possibilities might include 3 towns purchasing it together or the possibility of funding from Lands for Maine's Future.

John Ferland said that he is the closest abutter to this property. Many of the thoughts of the Wildwood neighbors are included in the Land Trust's recommendation. He thanked Penny Asherman for engaging them in the process. There is an interesting phenomenon going on in this debate which is the establishment of 2 referendum campaigns (Vote Yes, Vote No), but they both say that this property is necessary for the community, but there are different ways to get it. He urged the Council to give careful consideration to the price tag, whether moving to a semi-divisive debate within the community is worth that, whether there is an opportunity to look at the property differently so we get the public access that really fits with the Trust document and the environmental values that have been expressed.

John Lambert said that he thinks there has been misuse of the term "waterfront access". We have waterfront access now. What uses are we getting with this property? Are we getting an anchorage or mooring? No. Are we getting a ramp? No. Are we getting a beach? A pretty lame one. We're getting a walking trail. There are a lot of walking trails in this town. This "ship was way down the path" by the time he heard about this. He does not believe that this is the last chance the town will have to obtain waterfront access. Recently, there was a property for sale on the water for less than 3 million dollars with a beautiful pier. The use was vastly superior. There will be other properties for sale and the town will be free to buy them, after we figure out what we want the use to be in a very transparent way. He feels that he has been vilified in regard to the appraisal. He took it to the appraiser that the town used when he was on the Council and only asked what the taxpayers are getting with this property assuming that the town can do what they are proposing on this property. They came back at a value of \$405,000.00. He ordered the appraisal because he thought it would be helpful. He hopes people will vote no so we can get this done right.

Councilor Copp – the Council is looking for the greater good for this community. He has total confidence in the Bateman's. They took a worthless piece of property and made it into one of the most desired areas in Town (the Doane property). 4 years ago, that property brought in zero tax dollars. This issue is about the citizens of Cumberland having access to the ocean for our future generations.

Councilor Storey-King – this is an emotional issue for her. She has always wanted access to the water. She does not like how this issue has divided the Town. There are people who are opposed to this issue who like to cast doubt on the Council's motivation and methods. Neither has been dark. There are no secrets. We are looking ahead to the future. She thinks that people are fearful. She knows what we are buying for 3 million dollars. She is buying the opportunity to go sit in the morning on the shore and have a cup of coffee, just like Mr. Lambert does every, single morning.

Councilor Bingham – there was a similar, controversial and heated discussion when the Town Council deliberated on the purchase of the Fowler and Dillenback property (Twin Brook). He read his remarks from that meeting:

Tonight we are again presented with a controversial proposal that attempts to both look at present needs and tries to look into the future. The time has come for our generation to assume their responsibility as visionaries. Unfortunately, we live in the mid 1990's where the prevailing attitude in both society and the business world is the short-term profit, short-term result, short-term thrill. Our communities are littered with the bodies of victims of various local corporate downsizing projects. We have a chance tonight to look beyond the short-term and support a plan that will benefit both our current citizens and the thousands that will come along in the years ahead. I have a lot of vision for our town over the next several years. I hope that

someday our neighbors on Chebeague have a reliable transportation infrastructure, and their vision for better recreation facilities and elderly housing come true. I hope that in the next few years we have a vibrant commercial park on Route One that generates tax revenue for the town and jobs for the kids we see here. I have the impossible dream that someday we might have community access to our shoreland and that our future children might someday hike to a town park on Blueberry Hill. I guess in conclusion, in 30 or 40 years I might like the kids that are here to say "I remember that meeting that I attended as a child and the decision to go ahead with the Dillenback and Fowler property was debated and approved. Those people had vision. In 18 years, we have Twin Brook. We have the Rines Forest. Thanks to Penny Asherman and the Maine Land Island Trust and several citizens, it finally looks like our vision will come true for Knight's Pond and Blueberry Hill. It looks like we are going to be able to preserve the Wormell Farm, and we have a Main Street that looks the way it did 50 years ago, with a beautiful school campus and facilities where Cumberland folks can bank and have a meal. A lot of these dreams have come true and he hopes that maybe in 25 years he hopes his granddaughter Emma will know that her grandpa had something to do with getting shore access for the town.

Chairman Gruber – he shared a letter from the Cumberland Shellfish Conservation Commission stating that the acquisition of this property would be a great asset to the Town and the Commission supports the purchase.

He was on the fence about this issue in the beginning, but now realizes that the value of this property for our community far outweighs the cost. He thinks it is difficult to put a dollar value on it. The uses for the property will come from the Ocean Access Committee when they make a recommendation to the Council.

Councilor Stiles – in his long career on the Council, he can recollect another time when the Town wanted to purchase ocean front property. That was negated and shot down rather quickly, mostly by the Wildwood neighborhood. He has spent his life on the Maine coast, fishing, hunting, etc. People obviously do not understand that when a property is for sale, there is a time limit in which to act upon it. People have suggested waiting. We do not have the time to put this off, so we have to assess the data that we have and make a decision. He feels that this Council has done that. As far as the appraisal is concerned, we had to get the appraisal done very quickly in order to have it by Election Day. Sooner or later, we have to make a decision if \$50 per year is worth buying this property for the Town. Yes, this property will cost \$3 million dollars, but imagine what it will be worth in 25 years. He feels that it is worth \$3 million.

Councilor Turner – he feels that the Town's desire to obtain ocean front property goes back to 1978. The Payson's have always been very generous about allowing people who live in the vicinity to use the property as long as they took care of it. He feels that most everybody realizes which appraisal is closer to the truth. The Town will own this property forever for future generations. There is no question that there are other uses for that money, but the fact is 7,000 people will have the right to go down there to enjoy it. There would not be so much of an uproar if the residents of Wildwood realized how precious what they have is. He hopes that everyone votes on this so we have a clear vision of what the majority of the Town wants.

V. NEW BUSINESS

Councilor Copp – None

Councilor Storey-King – the youth group with the Mason Lodge in Yarmouth will be having a harvest supper this Saturday from 5:00 – 6:30 p.m.

Condolences to the DeCoster family. Daryl DeCoster passes away. He was a 40 year resident Cumberland and his daughter, Ruth was her best friend when they were growing up.

Councilor Edes – he has not and will not be participating in the Council discussion regarding the Payson Property (due to a perceived conflict of interest). The Council brought this item forward to the public and that shows the transparency that the Council has.

Condolences to the Anderson family. Clayton Anderson passed away recently. He was very involved with the community.

Councilor Bingham – he has started gathering up all the things around his house that can be disposed of during the Universal Waste Day. He has heard a lot of positive feedback from the public about the waste events.

Chairman Gruber – Meet the Candidates Night is tomorrow evening and another special Town Council Meeting will be held on Wednesday on the Harris Road Referendum.

Councilor Stiles – he encouraged people to vote in favor of the Payson property.

Councilor Turner – he encouraged everyone to get out and vote and let the chips fall where they may.

VI. ADJOURNMENT

Motion by Councilor Storey-King, seconded by Councilor Stiles, to adjourn.

VOTE: 7-0

TIME: 10:06 P.M.

Respectfully submitted,

Brenda L. Moore
Council Secretary

MINUTES

10/08/14

MINUTES

Cumberland Special Town Council Meeting
Town Council Chambers

WEDNESDAY, October 8, 2014

7:00 P.M. Call to Order

Present: Councilors Gruber, Bingham, Stiles, Copp, Turner, Storey-King, and Edes

I. MANAGER'S REPORT

He attended the gubernatorial debate this morning sponsored by the Chamber of Commerce. He had the pleasure to attending the debate with 8 Greely High School students.

He referred to letter from a resident thanking the members of the Fire/EMS and Police Departments who saved his life.

II. PUBLIC DISCUSSION

None

III. LEGISLATION AND POLICY

14 – 163 To hear a report from the Town Manager and to accept public comment re: Harris Road Referendum.

Town Manager Shane presented the following presentation:

Harris Road Question 2



Contract Zone

In February, Justin Fletcher requested the Town Council grant a Contract Zone for his property located at 3 Longwoods Road to allow him to divide the property and build two homes or two duplexes. In exchange, he would give the Town 1 acre of land so that a Town road could be built from Harris Road to Route 9 / Longwoods Road.

The current Zoning is RR 1 which requires 4 acres of land to build a home. The Contract Zone approved on July 14th allows for 1 duplex and 1 single family on a 4 Acre lot.

In exchange for the CZA, the Town will get 1 Acre of Land to build a Connector Road from RT 9/ Longwood Road to Harris Road.



Question 2



"Do you support the following Town Council's action on July 14, 2014: Adoption of Ordinance approving Contract Zone amendment for property located at 3 Longwoods Road, Cumberland, Maine to create two lots and to convey to the Town of Cumberland a right-of way from Longwoods Road to Harris Road."

What's in this Contract Zone?

Lot Regulations	Current RR1 District	New Contract Zone
Lot Frontage	200 feet	200 feet
Front Setback	50 feet	50 feet
Rear Setback	75 feet	75 feet
Side Setback	30 feet; combined width at least 75 feet	15 feet; combined width at least 40 feet
Sheds	15 feet from side and rear	10 feet from side and rear and 100 feet from front
Driveways	15 feet from side and rear	10 feet from side
Minimum Lot Size	Four acres or two acres for lots served by sewer	.98 acres
Duplex/Multiplex	2.5 acres per dwelling unit or one acre per dwelling unit for lots served by sewer	.49 acres per dwelling

Harris Road

- 75 properties along or on Harris Road
- Posted MDOT Speed limit of 35 mph
- Paving Scheduled for 2017- expected PCR 2.3-2.7 (fair low end)
- Longest Dead End Road in Town – 8,500' – 1.6 Miles Greely Rd Extension 1.5 miles or 7,800'
- **Extension through to Route 9 of Harris Road Dissolved** in Falmouth in the 1990's when paper streets were being turned back by Towns to abutting owners. (Next Slide)

What is a Contract Zone?

- A Contract Zone is simply a zone change.
- The Town Council assigns special conditions such as setback and density and asks the Planning Board for their recommendation.
- Both the Town Council and Planning Board unanimously agreed, the CZA was consistent with the Comp Plan, improved traffic flow and improved Public Safety.
- Comp Plan – 66% supported connecting major roads
66% supported an interconnected network
47% supported connecting Harris to Rt. 9

Recent Contract Zone

Main St – 6 Units of Affordable Senior Housing

Main St – 4 units of 55 and Older Housing

Rt One- Commercial development – Home to SEAFAX, Exactitude and Pack Edge

Main St- AFR Credit Union

Village Green- 58 Units of Housing – Village Master Plan

Morrison Hill & Castle Rock- 34 units of Affordable Housing

Contract Zone – The Big Issue



Contract Zone – The Big Issue



Contract Zone – 118 Properties

Flintlock to Middle School

Labor Day Tournament – 17 Towns – 4 from the South



Flood Areas-August 2014



Cost for Harris Road

Paving	\$ 26,000
Excavation & Gravel	\$ 40,000
Clean-up	\$ 5,000
Contingency -20%	\$ 13,500

Total for Budget Purposes \$ 84,500

Most likely will not be added but replace an existing project in \$890,000 Annual Road program

If Added to Tax Rate:

One Year Tax Impact \$00.068 per thousand

\$100k = \$6.80 \$350k = \$ 23.80 \$ 500k = \$34

Question 2 is about the CZA

- Speed bumps, future paving, signage, truck restrictions, speed limits, and other issues.....
- All are questions related to budget and policy not Question 2.
- I won't be asking for additional monies in FY 16 for the improvements, I will be requesting a reallocation and re-prioritization of our existing project list.
- What I've presented is a safe, reliable and interconnected road network that benefits the entire community.



Town of Cumberland
Tuesday, November 4, 2014
7:00 AM to 8:00 PM

Question 2 – Municipal Ballot

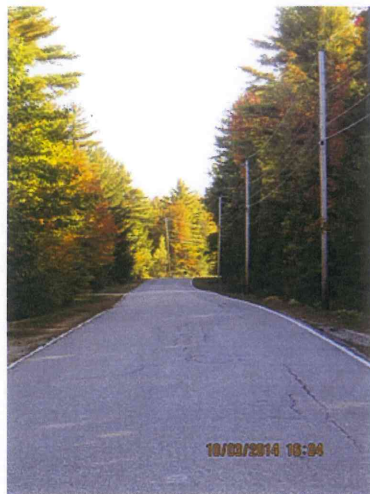
Absentee Voting Now Available
Monday – Thursday
8 AM - 5 PM

24

Kris Lindsey of 286 Harris Road presented the following:

Harris Road

Make an
informed vote
about a bad
connection.



Emergency Vehicle Access

- Emergency access exists via the access road
- During times of heavy flooding:
 - Use Middle Road, Route 1 or Route 88
 - Harris Road access road can be opened to detour

Tonight I'm speaking to elaborate on some of the reasons put forth by Mr. Shane and our Town Council to describe why approving the contract zone is in the best interest of Cumberland.

I think we can all agree that select statements don't always paint a complete picture.

I see many information gaps to be filled for Cumberland voters around this contract zone issue. Hopefully the information I'm about to provide will help ensure that informed votes can be cast on question #2.

One of the Town's positions is that Emergency vehicles need access to Route 9 via Harris Rd.

In Fact: Emergency vehicles can respond to emergencies via the Harris Road Access Road. This provision is written into the lease agreement between the Harris Road Access Road and Homeowners Association and the current land owner, Mr. Fletcher.

In fact there was a medical emergency last Saturday night on Rock Ridge Run whereby a first responder used the access road successfully.

Another issue raised by the town is Flooding. They say if route 9 or Tuttle Road flood over, emergency vehicles need another route to access lower Tuttle Rd. or lower Rt. 9.

In Fact: In addition to the emergency access just mentioned, 3 other roads, Middle Road, Rt. 1 and Rt. 88 already serve that purpose. Instead of spending town money to change the character of Harris Road to prepare for the BIG FLOOD that may never happen, fix the root cause of the flooding.

In a previous meeting, I believe Mr. Shane said money has been budgeted to address one of the problem areas. That's great! Let's continue to fix the actual problem.

2006 Public Survey

- 2,705 surveys were mailed
- 865 were returned (32%)
- Comprehensive Planning Committee utilized survey data to develop the town plan.

Survey Finding

Q18B – Connecting existing main roads where possible 66%

30% strongly support
+ 36% somewhat support
= 66%

Survey Finding

Q20C - Connection between Tuttle Rd. and Route 9 via Harris Road 47%

26% strongly support
+ 21% somewhat support
= 47%

Consider Real Numbers

Surveys Mailed	2,705	100%
Surveys Returned	865	32%
“Strongly Support” Harris Road Connection	225	8%

Here’s something we’ve heard several times from the town during previous meetings: Connecting Harris Road to Route 9 is aligned with the comprehensive plan.

Here’s some background: The 2009 comprehensive plan was developed in large part using the findings of a community survey sent to residents in 2006.

- A total of 2,705 surveys were mailed
- 865 were returned (32%)

For comparison purposes: Our petition to overturn the town councils decision to approve the contract zone collected over 700 signatures. The town stopped counting at 612.

It’s true... When you consider some of the community survey findings individually, you would get the impression that making the Harris Road connection to route 9 would be positive for the town.

One question gauges the support of:

“Connecting existing main roads where possible.” 66%

Here’s the data behind this statement:

30% strongly support + 36% somewhat support = 66%

“Somewhat support” also means “I don’t fully support”. You could further interpret these findings to show that most feel making road connections should be considered on a case by case basis, as the impacts can be unique.

This is illustrated beautifully when the survey posed the question about Harris Road.

Question: Would you support or oppose a connection between Tuttle Road and Route 9 via Harris Road?

The comprehensive plan reported 47% being in favor of the connection (not majority)

Here's the data behind this statement:

(26% strongly support + 21% somewhat support = 47%)

Consider the real numbers here. Only 32% of all the surveys mailed were returned. Of this 32%, only 26% strongly support the Harris Road connection. This represents a mere 8% of all surveys initially sent. This support was without knowing the tax payer cost or any other concerns with this road.

Our petition alone gathered more than 700 signatures from residents who do not strongly support this contract zone to establish the Rt. 9 connection.

For those who feel that opening Harris Road will save gas and make for more efficient travel, it's worth mentioning that many of the people who live on lower Harris Road and middle Tuttle Road happily signed the petition to overturn approval of the contract zone. Because they would stand to benefit the most from the connection, their signatures validated how much Harris Road is truly valued for what is currently offers.

What can we conclude: Each road connection has its unique impacts – both positive and negative. The survey results speak for themselves regarding Harris Road. Approving the contract zone to connect route 9 to Harris Road is not aligned with the comprehensive plan – especially when safety is involved.

Transportation Goals

1. **Manage and control** through traffic so as to **minimize adverse impacts** and **assure safety for residential neighborhoods.**
2. Develop road standards for subdivisions which match the level of use they will service.
3. Provide **safe roads** in good condition.
4. To strive for **safe roads for bicycles and pedestrians.**
5. Take steps to **encourage residents to use alternate forms of transportation.**

Harris Road is now...

- Well-used by pedestrians, bikes and sports teams
- Narrow with no sidewalks or paved shoulders
- Speed is controlled and difficult sight lines are familiar to residents

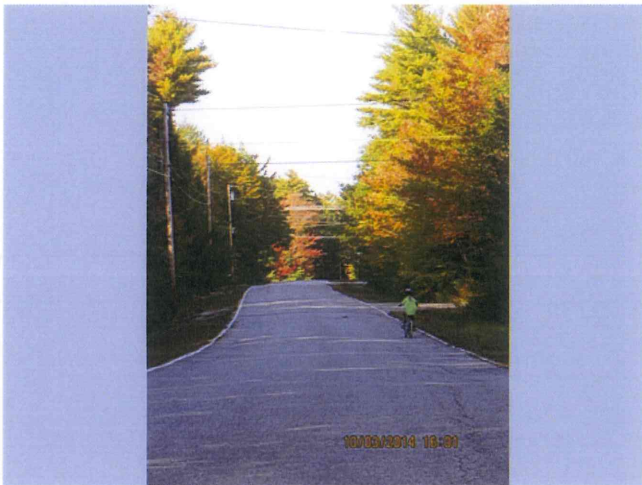
Take a look at the following specific goals listed in the Transportation chapter of the comprehensive plan:

1. Manage and control through traffic so as to minimize adverse impacts and assure safety for residential neighborhoods.
2. Develop road standards for subdivisions which match the level of use they will service.
3. Provide safe roads in good condition.
4. To strive for safe roads for bicycles and pedestrians.
5. Take steps to encourage residents to use alternate forms of transportation.

Notice in red that 4 out of 5 of the goals relate to safe roads and promoting bicycle and pedestrian travel.

Currently:

- Harris Road is well-used by pedestrians, bikes and sports teams
- Harris Road is narrow with no sidewalks or paved shoulders
- Harris Road residents take great care with their speed and are familiar with the difficult sight lines to avoid accidents



Potential Dangers



Transportation Goals

- Manage and control through traffic so as to minimize adverse impacts and assure safety for residential neighborhoods.
- Develop road standards for subdivisions which match the level of use they will service.
- Provide safe roads in good condition.
- **To strive for safe roads for bicycles and pedestrians.**
- Take steps to encourage residents to use alternate forms of transportation.

Goal 4 Action Step

Conduct neighborhood meetings to determine the desire for sidewalks in certain neighborhoods.

Updated Plan, Goal #4

To connect the major roads in town to conserve fuel and allow for **more efficient and convenient vehicle, bike and pedestrian travel.**

ACTION: Inventory potential connections between the following roads:

Greely and Tuttle
Tuttle and lower Rt. 9 (via Harris Rd.)
Greely Road Extension and Pleasant Valley Road.

If contract zone is approved:

- Recreation will be mixing with higher traffic flow
- Please keep in mind that the resurfacing scheduled for Harris Road in 2017 does not contain provisions for widening or shoulder improvement – yet the town expects a significant increase in traffic

Harris Road currently meets 4 out of 5 of these transportation goals in the 2009 plan. Approving the contract zone without adding measures for safe pedestrian and bike travel will no longer allow Harris Road to meet the 4 goals.

Look at Goal #4 again – To strive for safe roads for bicycles and pedestrians,

One of the action steps listed to meet this goal is to....Conduct neighborhood meetings to determine the desire for sidewalks in certain neighborhoods.

It's now 2014 and we are still waiting for a call from the town on that one. Harris Road is a neighborhood whether it fits the town's definition or not. If we could bend the road into the shape of a cul-de-sac, perhaps we would if it meant avoiding all of this.

The 2009 comprehensive plan was recently updated. Here's GOAL 4:

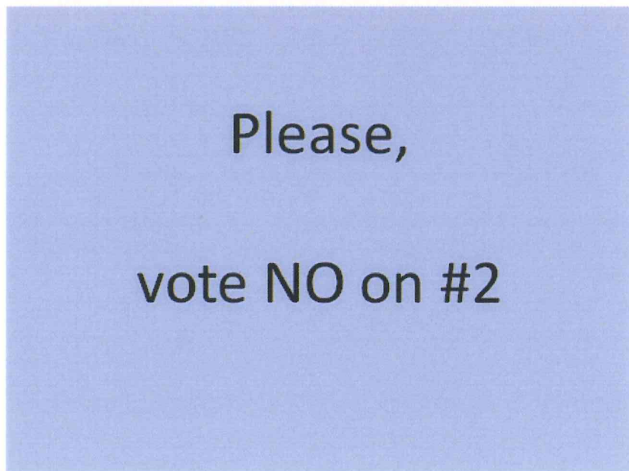
To connect the major roads in town to conserve fuel and allow for more efficient and convenient vehicle, bike and pedestrian travel.

ACTION: Inventory potential connections between the following roads:

- ☐ Greely and Tuttle
- ☐ Tuttle and lower Rt. 9 (via Harris Rd.)
- ☐ Greely Road Extension and Pleasant Valley Road.

“Efficient” and “convenient” travel do not necessarily result in safe travel.

Also, there's no mention of the 2006 survey results in this update, as if they no longer matter. Consider our recently collected petition signatures. Over 700 of our voters have said, by the act of signing.... *Wait – I'm not sure this road connection is a good thing.*



Please,
vote NO on #2

Our town leaders have been clear about their agenda to make this road connection happen. Though they followed the “process” of holding the necessary meetings, I regret feeling that our concerns seemed to fall on mostly deaf ears.

I suppose this was to be expected since recent conversation with Mr. Fletcher indicated that the town initially proposed this idea to him as a mutually beneficial business transaction.

I urge voters to vote no on question #2. Don’t allow a road that’s now safe for all modes of travel to be converted to an unsafe road people can no longer enjoy other than as a means to drive between Tuttle Road and Route 9. This is bad deal for the people who live in Cumberland, as we deserve roads that are made safe for those traveling by foot, bicycles and vehicles. This is a step backward. Please vote No on 2.

Adam Lee of 10 Harris Road said that Cumberland is a great town to live in. We have easy access to Route 9, Route 1 and Route 88. From his house on Harris Road, he can be on Route 1 or Route 9 in about 5 minutes. It would be more convenient if he could get to Route 9 in 3 to 4 minutes, but he is willing to drive the extra few minutes in order to preserve the nature of Harris Road. The nature of Harris Road is people walking their dogs, people riding their bikes, and even cross country skiing. If Harris Road becomes a major entry point to Route 9, he thinks that all these people would have to think twice before venturing out onto the road anymore. To get to Route 9, he can go up Tuttle Road, over Drowne Road or Middle Road. How many ways do we need to get to Route 9? How much is this project truly going to cost? Couldn’t the school or fire department use \$100,000 instead? Please vote no on Question 2. We don’t need it and we should not be spending tax payer money on a way for a few people to get to Route 9 just a little bit quicker.

Coleen Higgins of 59 Harris Road said that the reason they are here this evening because they feel that they were not heard in the public comments leading up to the Council’s decision to pass a contract zone. The overwhelming majority of the speakers were opposed to the contract zone making Harris Road a thruway, yet every Councilor voted against the views expressed. That is why the residents set the wheels of democracy in motion and took it to the streets, knocking on hundreds of doors, having conversations with fellow townspeople and informing them about the contract zone. They listened and learned and more than enough of them agreed and signed the petition to put the decision back in the residents hands on November 4th. Her roots are deep and her commitment strong to Cumberland. When you move your family to a dead end road, you expect safety, quietness, and sense of community. The residents of Harris Road feel a strong sense of responsibility for the safety of all of the children who live and play here. The Town claims that the benefit for the entire Town will be emergency access. Emergency access already exists and has for the past 25 years. There is public benefit in keeping Harris Road a safe, dead end road. Please vote no on Question 2.

Bob Vail of Cumberland Center feels that opening Harris Road to Route 9 will correct a wrong that Falmouth did to us 20 years ago when they abandoned one small piece of the road. Harris Road was always a through road prior to that happening. He feels that the use of the road by the general public will be minimal. He urged the Council to post other rights of way in Town so that people are aware that these areas are rights of way, even though they have not been maintained.

Chuck Staples of 232 Harris Road said that his family lives in Cumberland because of the great school system, the rural character, and it is a great place to raise a family. It is more than just houses and streets, it is neighbors and community. He felt lucky when he found his house 13 years ago on Harris Road, a dead end street. It has been a great place to raise his kids.

Piper Staples (10 years old) said that she has lived on Harris Road for 10 years. If the road goes through, she will not be able to ride to her friend's house or walk her dog. Lots of animals might get hit by cars.

Dave Lindsey of 286 Harris Road said that in regard to the Comp Plan survey question that asked "would you support or oppose a connection between Tuttle Road and Route 9 via Harris Road?" 837 people responded to the question, 619 (74%) were not in favor of it. Another question of "how strongly do you support or oppose the idea of connecting existing main roads if possible?" 70% were not strongly in favor. This is significant data. The Planning Board Chair admitted that he felt that the traffic on Harris Road will increase significantly on Harris Road, should this go through. It is an unknown how much traffic will actually go through, but the Town is still willing to spend the money.

Tom Shepard of Andrea Way said that the Town of Cumberland is not the geography within some space. It is not lines on a map. It is the people and the people get to weigh in on this topic. He feels that the private property owners were not consulted before the Town Council decided to take action. Those who have a right to that property should be consulted when it affects them, not after the fact. He thinks that the referendum process works and now, if someone knocks on his door and wants to talk about a referendum, he will listen.

Chairman Gruber closed the public comment portion of the meeting.

Councilor Turner said that in regard to the survey that many referred to, only about 20% of the Town responded to that survey. Numbers can be manipulated and the misstatement that he heard is that 700 people signed the petition. Some of those people signed the petition because they believe in the democratic process, but will not vote in favor of this item.

Councilor Copp said that the best thing to happen to this issue is for it to go before the voters of the Town. He applauded the Harris Road residents for all the work that they put into this.

Councilor Storey-King said that she wants to apologize to the people who felt as though they were not listened to. Speaking only for herself, she said that if she does not agree with someone that does not mean that she didn't listen to them. She understands the fear and she hopes that this goes through and the neighborhood notices no change. She is also glad that this is going to referendum.

Councilor Edes said that he is in favor of a yes vote on this. Justin Fletcher bought a house that was run down, next to a junk yard that has been the biggest eyesore in Town for many years. He is in favor of giving Mr. Fletcher the contract zone agreement just to make improvements to that area. He has no fear that this will open a flood gate of traffic. He is going to ask the voters of Cumberland to vote in favor of this item because of the gate. This gate is important to the people at the end of Harris Road and the Harris Road Association. Apparently, it is not important enough for the people at the lower end of Harris Road or the other people of Cumberland to have access. When people go to the polls on November 4th they should vote in favor of this. If it is good enough for the residents of upper Harris Road, it is good enough for the entire Town.

Councilor Bingham said that some people may remember Mark Robinson, who served as Chairman of the Planning Board for many years. Mark once remarked at a meeting that if we all react on the initial concerns of abutters and neighbors while considering residential projects, half the people present at the meeting would not be there. He would expand on Mark's comments to include Twin Brook, the renovated Greely High School, Greely Middle School, Atlantic Credit Union, Doc's Café, Louie's Café, the CMP substation, and the habitat houses. The habitat houses were particularly interesting. As one would have thought by listening to the initial testimony, it was going to be a trailer park. Over the last 30 years, between the School Board, Planning Board, Town Council and an abutter, he has been involved in most of the projects including municipal, residential and commercial that have taken place in Cumberland. He has also been involved in 4 Comprehensive Plans going back to the 1980's. As a member of the School Board, we proposed projects. As a member of the Town Council,

we have proposed projects such as Twin Brook and also developed ordinances that controlled development in various parts of the Town including the always adventurous Main Street. As a member of the Planning Board, all these actions were reviewed to ensure the aforementioned ordinances. He was an abutter when a development was proposed on Harris Road adjacent to their property. Like everyone, they were concerned but they worked with the developer and the Planning Board to ensure that the lots that were near their home were buffered and did not interfere with their water supply. The development was approved, but never build due to the recession at that time. It has been his experience that all these municipal bodies have made a sincere effort over the years to balance the concerns with the abutters and neighbors with the best interest of the Town in general. If you look at the list of positive things that Cumberland has been sighted for, one would think that things are moving in the right direction. It is bothersome to him when he hears comments such as “so-and-so listens, unlike the Town Council”. However, when you serve in an elected office, these things do happen and you have to respect the views of every citizen. He has tried to do that. He apologized for the few times that he has “gone off the rails” especially with his Harris Road neighbors. He believes that the contract zone is in the best interest of the majority of the citizens of Cumberland. Many of the concerns of the neighbors can and will be mitigated. He feels that access to Harris and Longwoods Road should be allowed for all Cumberland residents and not a select few.

Councilor Stiles said that generally speaking, people tend to think of their neighborhoods as “their road”. Any road or public right-of-way belongs to the entire Town. People have talked about walking, biking, riding, skiing, etc. All the same activities take place on his road (Range Road) where people tend to drive faster and there is more traffic. He is happy that this is going to Town referendum. If the access from Harris Road to Route 9 wasn’t valuable, there wouldn’t be a gate there. Obviously, it has value to somebody, so it should be available to the entire Town.

Chairman Gruber said that this was a Council action, not the action of the Town Manager. People should not go after the Manager. He thinks it is important for the community to make the decision and applauded those who went through the process to collect signatures. He also does not feel that there will be a huge increase in traffic if this goes through.

IV. NEW BUSINESS

Councilor Copp – None

Councilor Storey-King – the Land Use Committee will meet on the 16th and 30th of this month. These meetings are always open to the public.

Thank you to Councilor Edes for emceeding Meet the Candidates Night. He did a great job.

Councilor Edes – his son, Ryan harvested a moose recently donated 75-100 pounds of moose meat to the Food Pantry. He is very proud of his son for wanting to donate the meat.

Councilor Bingham – The Goodwill store in Falmouth has moved into a new store in the Falmouth Shopping center. It is a very nice store.

Chairman Gruber – he asked the Council to consider cancelling the October 27th Town Council meeting. There have been 2 Council meetings this month already, 2 Councilor’s will be out of Town, and there are really not any pressing agenda items to consider.

Motion by Councilor Bingham, seconded by Councilor Copp, to cancel the October 27, 2014 Town Council meeting,

VOTE: 7-0 UNANIMOUS

Councilor Stiles – None

Councilor Turner – None

V. EXECUTIVE SESSION pursuant to Title 36 M.R.S.A., Section 841(2) to consider an application for a tax abatement based on hardship.

Motion by Councilor Bingham, seconded by Councilor Edes, to recess to Executive Session pursuant to Title 36 M.R.S.A., Section 841(2) to consider an application for a tax abatement based on hardship.

VOTE: 7-0 UNANIMOUS

TIME: 9:00 p.m.

Reconvene to regular session at 9:04 p.m.

Motion by Councilor Bingham, seconded by Councilor Stiles, to grant a tax abatement for fiscal year 2013 in the amount of \$1,819.13 pursuant to Title 36 M.R.S.A., Section 841(2).

VOTE: 7-0 UNANIMOUS

VI. ADJOURNMENT

Motion by Councilor Stiles, seconded by Councilor Bingham, to adjourn.

VOTE: 7-0 UNANIMOUS

TIME: 9:05 p.m.

Respectfully submitted,

Brenda Moore
Council Secretary

MANAGER'S REPORT

My name is Andrew Allyn and I am one of Don Richards' grandchildren. I am incredibly honored to be here tonight to present his letter to the rescue department. Normally, I would be a bit hesitant to do this since nobody really enjoys public speaking. Fortunately for me, my grandfather is a man of few words. Despite his affinity for the winner's circle over the years, he isn't a big fan of the spotlight, so I felt pretty safe that I wouldn't need to be up here too long.

Before reading his letter, there are a few people we wanted to thank. First, is Mr. Mike Timmons. President of the Cumberland Fair. Mike was instrumental in setting up Don Richards' day at the Cumberland Fair, which raised this money. Even more importantly, he was able to handle my grandfathers' stubbornness that inevitably had him fighting against having a day dedicated to him. Thank you Mike and everyone at the fair for all your efforts, this wouldn't have been possible without them. Second, we want to thank all the members of the harness racing community. The outpouring of thoughts, prayers and stories were amazing and helped everyone through some very tough days. Although I doubt my grandfather has ever been on Facebook, or almost any website for that matter, I am positive he enjoyed hearing all of your thoughts and took strength from them, so thank you. Lastly, to all those who bid during the silent auction at the Cumberland Fair, thank you for your generous donations.

Now I would like to read the letter my grandfather wrote.

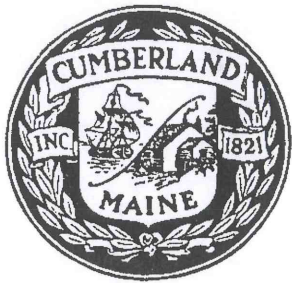
Dear Members of the Cumberland Rescue Department,

Please accept this \$5025 dollars as a gift for helping save my life. This is given with deep appreciation for your quick response and knowledge of life supporting techniques.

I am forever grateful.

Sincerely,

Donald J. Richards



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

To: Town Council
From: William R. Shane, Town Manager
Date: November 6, 2014
Re: **New Business - Maine Marathon Check**

The attached Check was donated by the Maine Marathon to the Police Department for Community Policing activities. This is above and beyond the monies they paid for Fire-EMS and police Services for the Casco Bay Marathon.

I'm recommending you accept the check and designate the monies be used for Community Policing Services (formerly the DARE Fund)

Bill FYI Joe

NEWMONT BANK SERVICE AMERICA

MAINE MARATHON
www.mainemarathon.com
P. O. BOX 10836
PORTLAND, ME 04104

52-7457-2112

1358

EZShield® Check Fraud
Protection for Business

DATE 1-6-14

Pay to the order of Cumberland Cove Program \$ 3000

Three thousand DOLLARS

Gorham
SAVINGS BANK

2nd Donation

[Signature]

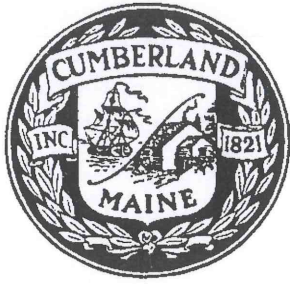
MP

⑆211274573⑆ 605 0042529⑆ 1358

ITEM

14-164

To hold a Public Hearing to consider and act on the 2015 Shellfish License allocations, as recommended by the Shellfish Conservation Commission



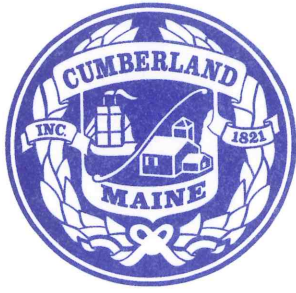
TOWN OF CUMBERLAND, MAINE
290 TUTTLE ROAD
CUMBERLAND, MAINE 04021
TEL: 207-829-2205 FAX: 829-2224

To: Town Council
From: William R. Shane, Town Manager
Date: November 6, 2014
Re: Shellfish Items- 14-164 & 14-165

The Shellfish Commission will be recommending some changes to the current ordinance to remain consistent with State rules and regulations pertaining to licensing.

They will also be recommending changes to the license allocation for Commercial Fishing. This will include one resident and one non-resident commercial license. You should know, if no resident has taken out the commercial licenses by April 1, then that license becomes up for grabs to any non-resident and as long as they meet our licensing criteria each year, they must be re-issued that license regardless if our local ordinance has a 1+1 policy. Sounds crazy- but true!

So get ready for a Town Council Commercial Shellfish licensing lottery on March 31st!



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

October 1, 2014

Thomas Gruber, Chairman
Cumberland Town Council
290 Tuttle Road
Cumberland, ME 04021

Re: 2015 Shellfish License Allocation Recommendation

Dear Chairman Gruber:

On Monday, September 29, 2014 the Cumberland Shellfish Commission, by unanimous vote, pursuant to the Town of Cumberland Shellfish Conservation Ordinance, Section 116.2 recommends the following Shellfish License Allocations for 2015:

<u>2015 Calendar Year Shellfish Allocation</u>			
RECREATIONAL:	Unlimited resident recreational licenses		
	25	non-resident recreational licenses	
	8	monthly resident licenses	
	2	monthly non-resident licenses	
COMMERCIAL:	0	1	resident commercial licenses
	0	1	non-resident commercial license

With the addition of Commercial Licenses, the Commission would also like you to consider amendments to the Shellfish Conservation Ordinance that requires Commercial Shellfish License holders to volunteer 10 hours per year as assigned by the Commission (ordinance amendments attached).

I will be present at your November 10, 2014 Public Hearing on the allocations to answer any questions related to this recommendation.

Sincerely,

Michael Brown

Michael Brown, Chairman
Cumberland Shellfish Commission

Cc: Department of Marine Resources
Tammy O'Donnell, Town Clerk
Chief Charron, Cumberland Police Dept.

ITEM

14-165

To hold a Public Hearing to consider and act on amendments Section 108(1) Commercial Licenses, of the Shellfish Conservation Ordinance as recommended by the Shellfish Conservation Commission

commercially in his or her required Shellfish Harvesting Log, which is due by June 30th of each year to the office of the Town Clerk.

c. Qualifications Specific to Commercial Shellfish Licenses:

i. The Shellfish Conservation Commission may specifically designate the period of validity as well as the areas open to commercial harvesting each year.

ii. Commercial Shellfish License holders are supplied with, and required to keep, a Shellfish Harvesting Log, which must be submitted to the Town Clerk by June 30th of each year. The Log will include the license holder's name and address and will show the date, location, and number of bushels harvested during each tide.

Commercial Shellfish License holders must also participate in 10 hours of volunteer activity each year as assigned by the Cumberland Shellfish Conservation Commission. Activities shall include, but are not limited to, annual Shoreland clean-up and or annual shellfish inventories.

Commercial License holders, who do not submit Harvesting Logs as required **and who do not have documented volunteer work as outlined in the paragraph above,** will not be eligible for a Commercial License during the next period of issuance of Commercial Licenses.

iii. A shellfish license must be on your person when harvesting shellfish.

iv. Section 116 of this ordinance shall apply to Commercial Fishing Licenses

If a Commercial Shellfish license is issued and all of the above qualifications in Section 108 c. are met and there is no lapse in licensing, a new license shall be issued upon payment and application regardless of the resident or non-resident commercial license category.

2. RECREATIONAL SHELLFISH LICENSES.

A person holding a recreational shellfish license may not engage in the wholesale or retail sale of any shellfish harvested under that license. Recreational shellfish licenses are not available and not valid for a person who holds a shellfish license issued by the Maine State Commissioner of Marine Resources. Resident Commercial or Recreational Licenses may be held by a resident of either the Town of Chebeague Island or the Town of Cumberland as per the July 1, 2007 State Legislature Act of Separation. Cumberland and Chebeague Island residents will be eligible for resident licenses in either or both communities.

Maine certified shellfish wardens of the Town of Cumberland shall be issued a recreational shellfish license.

a. **Guest:** One "Guest" shall be permitted to assist a licensed recreational shellfish harvester to harvest one (1) peck of clams per day. The license

ITEM

14-166

To hold a Public Hearing to consider and act on authorizing the Code Enforcement Officer to enter into a Consent Agreement with property owners located at 84 Wyman Way

CONSENT AGREEMENT

This Consent Agreement is entered into on November 10, 2014, by and between Harvey Klugman Construction LLC, and the Town of Cumberland, a municipal corporation located in the County of Cumberland and State of Maine (the "Town").

Harvey Klugman Construction LLC and the Town stipulate to the following facts:

1. The Town is a municipal corporation organized under the laws of the State of Maine. William Longley is the duly authorized Code Enforcement Officer of the Town and authorized under state law to administer and enforce the Town's Zoning Ordinance.

2. Harvey Klugman Construction LLC purchased Lot 26 (84 Wyman Way), Village Green, Cumberland, Maine (the "Property") from Village Green Cumberland LLC by virtue of a deed dated April 9, 2014 recorded in the Cumberland County Registry of Deeds in Book 31436, Page 65, for the purpose of constructing a home for Dennis and Mary Chick.

3. The application for the building permit was submitted to the Town. The application included (i) a site map designed by Joseph A. Laverriere, P.E. Senior Principal Engineer, of Fay, Spofford & Thorndike, formerly DeLuca Hoffman Associates, 778 Main Street, Suite 8, South Portland, ME 04106 showing that the home's front setback was more than 15 feet from the front boundary line of the property, and (ii) a complete set of building plans for the home.

4. On April 10, 2014, a building permit was issued for the construction of the home. (Permit #14-042)

5. Harvey Klugman Construction LLC hired Titcomb Associates, a professional land surveyor company to locate and pin the foundation on Lot 26, based on the plan provided by Fay, Spofford & Thorndike.

6. On October 10, 2014, following completion of the construction of the home, Harvey Klugman Construction LLC was informed, based upon the result of a mortgage survey of the Property, that the front porch was 14 feet +/- from the front boundary line. The mortgage inspection plan showing the location of the porch is attached to this Consent Agreement as Exhibit A.

7. This error appears to have resulted due to an oversight in the design of the site map. Thus, the porch on the house appears to be one foot +/- over the setback requirement.

8. The Code Enforcement Officer has investigated the case and has determined that the apparent setback violation does not result in any significant health,

safety or welfare problems.

9. Harvey Klugman Construction LLC agrees to pay the Town's attorney fees and associated costs in whatever amount is assessed and approved by the Town Council. Such payment shall be payable to the Town of Cumberland.

10. The existing porch as shown on Exhibit A shall be allowed to remain and be repaired, as needed in its current location. The existing porch shall not be expanded or replaced, except in conformance with the Town's Zoning Ordinance.

11. The Town agrees to relinquish its rights to prosecute Harvey Klugman Construction LLC, its successors, assigns and all future owners of the Property, for any alleged violation arising from the setback or building permit dispute based on the construction or location of the porch.

12. This consent agreement shall be binding upon Harvey Klugman Construction LLC, its successors, assigns and all future owners of the Property, and shall be duly recorded by Harvey Klugman Construction LLC in the Cumberland County Registry of deeds within 30 days. A copy of the recorded document shall be provided to the Code Enforcement Officer.

13. At a meeting of the Town Council on November 10, 2014, the Town approved this resolution of the alleged zoning violation based upon the terms and conditions set forth in this Agreement. The Town authorizes the Code Enforcement Officer to sign this Consent Agreement on its behalf.

In Witness Whereof, the undersigned have executed this Agreement on the date appearing beside their names below.

HARVEY KLUGMAN
CONSTRUCTION, LLC

Date: November __, 2014

By: _____
Harvey Klugman
Its: Authorized Member

TOWN OF CUMBERLAND

Date: November __, 2014

By: _____
William Longley
Its: Code Enforcement Officer

STATE OF MAINE
Cumberland, ss.

November __, 2014

Personally appeared the above-named Harvey Klugman, duly authorized member of Harvey Klugman Construction, LLC and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Harvey Klugman Construction, LLC. Before me,

Notary Public/Attorney-at-Law

Printed Name

STATE OF MAINE
Cumberland, ss.

November __, 2014

Personally appeared the above-named William Longley, duly authorized Code Enforcement Officer for the Town of Cumberland and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the Town of Cumberland. Before me,

Notary Public/Attorney-at-Law

Printed Name

Exhibit A

FOR MORTGAGE LENDER USE ONLY

GENERAL NOTES: (1) DISTANCES SHOWN ARE TAKEN FROM PROVIDED TITLE REFERENCES SHOWN BELOW. (2) THE PURPOSE OF THIS INSPECTION IS TO RENDER AN OPINION AS FOLLOWS: A) DWELLING AND ACCESSORY STRUCTURE'S COMPLIANCE WITH RESPECT TO MUNICIPAL ZONING SETBACKS, AND B) FLOOD ZONE DETERMINATION BY HORIZONTAL SCALING ON BELOW REFERENCED FEMA MAP. (3) THIS INSPECTION EXCEPTS OUT ALL TECHNICAL STANDARDS CURRENTLY SET FORTH BY STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS. (4) THIS INSPECTION IS TO BE USED ONLY BY THE BELOW LISTED LENDER AND IS NOT TO BE USED BY ANOTHER PARTY FOR BOUNDARY LINE LOCATIONS OR LAND TITLE OPINIONS. (5) TITLE OR OWNERSHIP NOT DETERMINED. (6) A BOUNDARY SURVEY SHOULD BE PERFORMED TO RENDER A PROFESSIONAL OPINION PERTAINING TO BOUNDARY LINE LOCATIONS, EASEMENTS, RIGHTS OF WAY, ENCUMBRANCES, ENCROACHMENTS, AND/OR CONFLICTS WITH ABUTTER'S DEEDS. (7) LOCATION/EXISTENCE OF WETLANDS NOT DETERMINED UNLESS SHOWN ON A RECORDED SUBDIVISION PLAN. (8) THIS OFFICE DOES NOT GRANT AUTHORIZATION TO ANY THIRD PARTY FOR USE OF THIS INSPECTION IN ANY BOUNDARY LINE EVALUATION FOR PERMITTING/PLANNING/APPROVALS. (9) THIS OFFICE ACCEPTS NO LIABILITY AND/OR RESPONSIBILITY FOR THE IMPROPER USE OF THIS MORTGAGE LOAN INSPECTION.

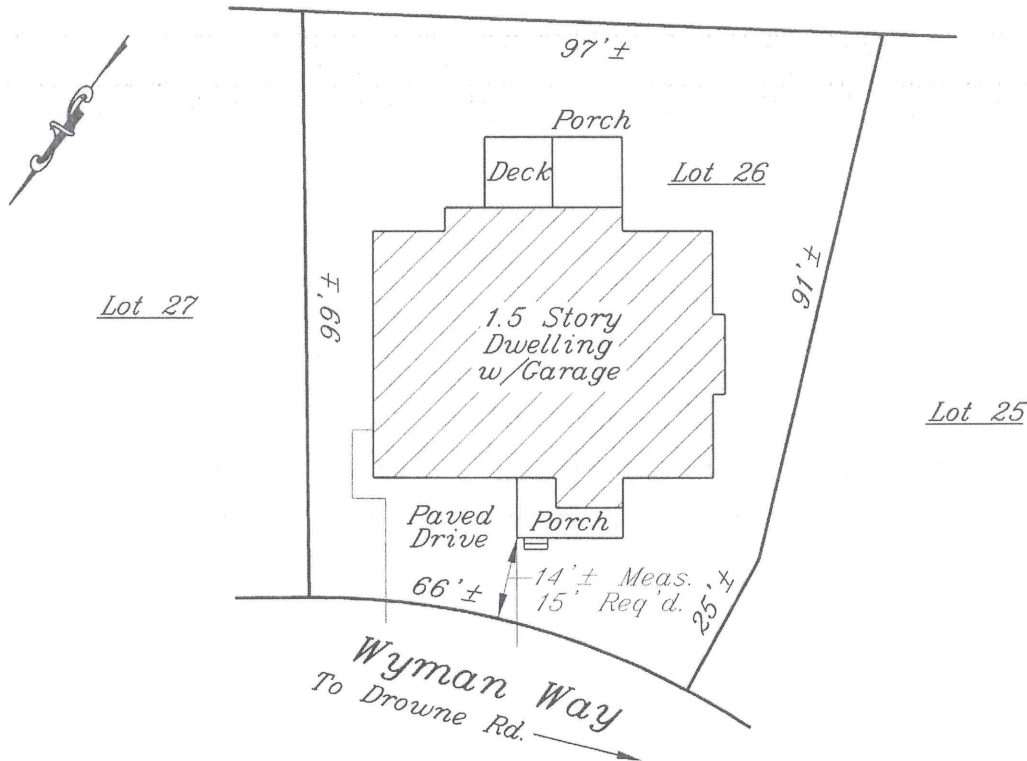
REV. 08/01/2013

THIS SKETCH IS NOT TO BE USED FOR CONSTRUCTION PURPOSES, IMPROVEMENTS SHOWN ARE APPROXIMATE.

ADDRESS: 84 Wyman Way
Cumberland, Maine

INSP. DATE: 10/8/2014

SCALE: 1" = 30'



TPB

SEE PROVIDED TITLE REFERENCES FOR APPURTENANCES, IF ANY.

APPLICANT: Mary Chick FILE#: 21427654

OWNER: Harvey Klugman Construction LLC CLIENT#: _____

LENDER: Merrimack Mortgage Company Inc.

REQ. PARTY: Damariscotta Region Title Company

TITLE REFERENCES: COUNTY: Cumberland

DEED BOOK: 31436 PAGE: 65

PLAN BOOK: 212 PAGE: 18-19 LOT: 26

MUNICIPAL REFERENCE:

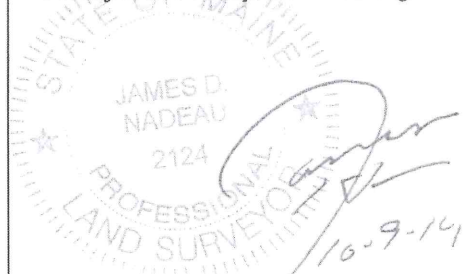
MAP: U10 BLOCK: _____ LOT: 7B-26

THE DWELLING DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA PER FEMA COMMUNITY MAP No. 230162 PANEL: 0015B ZONE: C DATE: 5/9/1981

THE DWELLING WAS ☒ IN COMPLIANCE WITH MUNICIPAL ZONING SETBACK REQUIREMENTS AT THE TIME OF CONSTRUCTION.

Nadeau Land Surveys

Professional Land Surveyors
Certified Floodplain Managers



918 BRIGHTON AVE. PH.(207)878-7870
PORTLAND, ME. 04102 F.(207)878-7871

THIS INSPECTION IS VALID ONLY WITH A SURVEYOR'S SEAL AND IS NULL & VOID 90 DAYS AFTER INSPECTION DATE.

THIS IS NOT A BOUNDARY SURVEY - NOT FOR RECORDING







ITEM 14-167

To hear a report from the Finance Committee re:
1st Quarter Financials



Town of Cumberland

Fiscal Year 2015

1st Quarter Financial Report

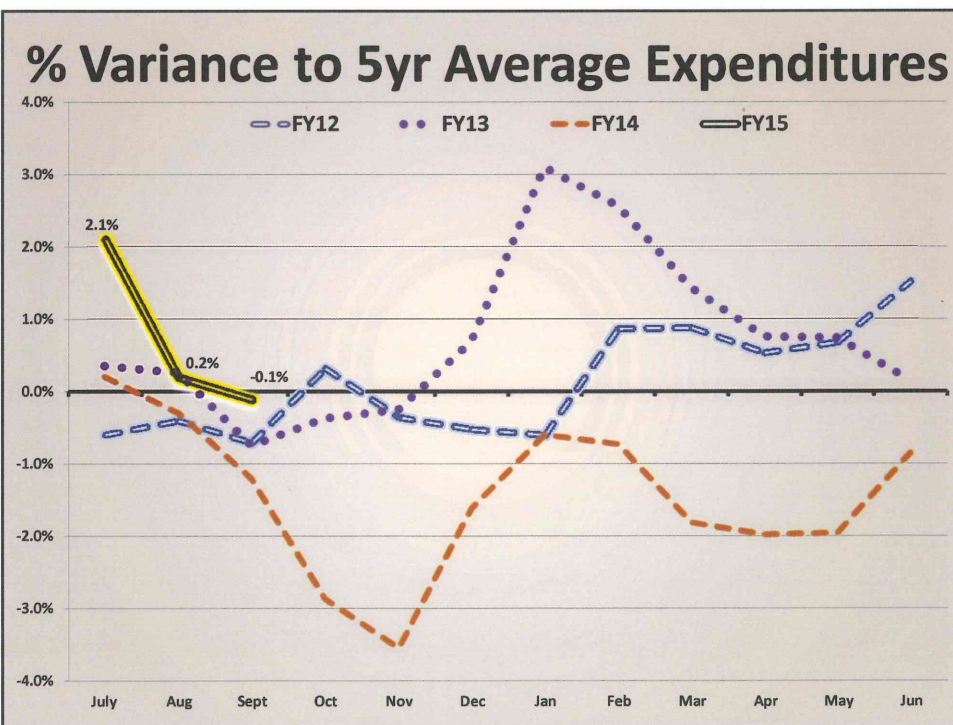
General Fund

Q1 Revenues & Expenditures

	FY15 Budget	FY15 Actual	FY15 %	FY14 %
TOTAL REVENUES	\$ 3,683,142	\$ 892,524	24.2%	24.5%
Controllable Expenses	\$ 6,285,878	\$ 1,653,047	26.3%	25.2%
Fixed Expenses	\$ 17,460,094	\$ 5,915,278	33.9%	33.4%
TOTAL EXPENSES	\$ 23,745,972	\$ 7,568,325	31.9%	31.2%

Selected Revenues

	FY15 Budget	FY15 Actual	FY15 %	FY14 %
Excise Tax	\$ 1,430,000	\$ 475,770	33.3%	31.1%
State Revenue Sharing	\$ 385,710	\$ 64,816	16.8%	22.7%
Building Permits	\$ 70,000	\$ 21,232	30.3%	34.8%
Recreation-After School	\$ 145,000	\$ 30,589	21.1%	14.9%
Recreation-All Other	\$ 422,826	\$ 101,167	23.9%	21.2%
Bags/Universal Waste	\$ 250,000	\$ 13,250	5.3%	10.2%



Questions?



**Town of Cumberland
Year to Date Expenses**

Through September 30, 2014

		<i>FY 2015 vs Budget</i>			
		Budget	Actual	FY15%	FY14 %
130	Administration	\$ 474,360	\$ 157,841	33.3%	33.7%
140	Assessor	\$ 80,463	\$ 15,854	19.7%	32.1%
150	Town Clerk/Tax Collector	\$ 208,078	\$ 51,574	24.8%	23.0%
160	Technology	\$ 165,346	\$ 34,941	21.1%	31.3%
165	Elections	\$ 13,953	\$ 3,254	23.3%	10.8%
170	Planning	\$ 63,541	\$ 15,448	24.3%	24.8%
190	Legal	\$ 32,500	\$ 8,308	25.6%	12.5%
	General Administration	\$ 1,038,241	\$ 287,220	27.7%	29.6%
210	Police	\$ 1,196,499	\$ 315,874	26.4%	24.7%
220	Fire	\$ 827,001	\$ 210,517	25.5%	24.2%
240	Code Enforcement	\$ 90,871	\$ 23,377	25.7%	19.1%
260	Animal Control	\$ 27,300	\$ 7,262	26.6%	24.7%
	Public Safety	\$ 2,141,671	\$ 557,030	26.0%	24.3%
310	Public Works	\$ 941,925	\$ 158,679	16.8%	17.7%
320	Waste Disposal	\$ 521,771	\$ 100,541	19.3%	19.2%
	Public Works	\$ 1,463,696	\$ 259,220	17.7%	18.3%
410	Recreation	\$ 644,444	\$ 249,937	38.8%	34.8%
430	Parks	\$ 220,772	\$ 92,941	42.1%	30.2%
440	West Cumberland Hall	\$ 7,720	\$ 287	3.7%	19.8%
	Parks & Recreation	\$ 872,936	\$ 343,165	39.3%	33.6%
	Library	\$ 387,607	\$ 97,190	25.1%	25.1%
580	General Assistance	\$ 32,000	\$ 5,706	17.8%	25.7%
590	Health Services	\$ 10,375	\$ 7,543	72.7%	68.1%
620	Cemetery Association	\$ 26,700	\$ 22,500	84.3%	96.3%
630	Conservation Commission	\$ 6,000	\$ 2,000	33.3%	0.0%
800	Fire Hydrants	\$ 62,000	\$ 14,903	24.0%	25.2%
810	Street Lighting	\$ 37,000	\$ 6,574	17.8%	16.5%
830	Contingent	\$ 25,000	\$ -	0.0%	37.1%
840	Municipal Building	\$ 162,652	\$ 33,423	0.0%	7.0%
850	Abatements	\$ 20,000	\$ 16,573	82.9%	8.5%
	Other Expenses	\$ 381,727	\$ 109,222	28.6%	28.4%
	Controllable Expenses	\$ 6,285,878	\$ 1,653,047	26.3%	25.2%
	Debt Service	\$ 919,267	\$ 197,536	21.5%	24.6%
	Insurance	\$ 207,499	\$ 119,475	57.6%	42.7%
	County Tax	\$ 696,073	\$ 696,073	100.0%	100.0%
	Capital Imp. Plan	\$ 1,323,868	\$ 1,323,868	100.0%	100.0%
	MSAD #51	\$ 14,313,387	\$ 3,578,326	25.0%	25.0%
	Fixed Expenses	\$ 17,460,094	\$ 5,915,278	33.9%	33.4%
	Total Expenses	\$ 23,745,972	\$ 7,568,325	31.9%	31.2%

Town of Cumberland
Year to Date Revenues

Through September 30, 2014

Description	FY 2015 vs Budget			
	Budget	Actual	FY15%	FY14 %
Excise Tax	\$ 1,430,000	\$ 475,770	33.3%	31.1%
Boat Excise Tax	\$ 5,000	\$ 1,544	30.9%	52.1%
Outer Island Taxes	\$ 40,000	\$ -	0.0%	0.0%
Supplemental Taxes/PILOT	\$ 23,793	\$ 14,328	60.2%	50.0%
Tax Revenues	\$ 1,498,793	\$ 491,642	32.8%	30.6%
Hunting & Fishing Licenses	\$ 700	\$ 124	17.7%	14.1%
Marriage Licenses	\$ 3,000	\$ 1,090	36.3%	35.8%
Birth Certificates	\$ 365	\$ 351	96.2%	145.8%
Death Certificates	\$ 500	\$ 354	70.8%	54.8%
Clerk Licenses	\$ 4,500	\$ 675	15.0%	25.6%
Shellfish Licenses	\$ 3,000	\$ 25	0.8%	0.2%
Conservation Fees	\$ 500	\$ 10	2.0%	0.6%
Snowmobile Reg	\$ 300	\$ -	0.0%	0.0%
Auto Reg. Fees	\$ 20,000	\$ 5,714	28.6%	28.1%
Boat Reg. Fees	\$ 500	\$ 472	94.4%	97.0%
Building Permits**	\$ 70,000	\$ 21,232	30.3%	34.8%
Electrical Permits	\$ 15,000	\$ 5,231	34.9%	43.4%
Plumbing Permits	\$ 15,000	\$ 7,566	50.4%	47.2%
Other Permits	\$ 2,500	\$ 800	32.0%	31.0%
Application Fees	\$ 1,000	\$ 202	20.2%	0.0%
Dog Revenues	\$ 5,000	\$ 90	1.8%	3.9%
Commercial Haulers License	\$ 600	\$ -	0.0%	121.5%
Licenses & Permits	\$ 142,465	\$ 43,936	30.8%	34.1%
Homestead Reimbursement	\$ -	\$ 81,770		
State Revenue Sharing	\$ 385,710	\$ 64,816	16.8%	22.7%
Park Fee Sharing	\$ 7,080	\$ -	0.0%	0.0%
DOT Block Grant	\$ 68,440	\$ -	0.0%	0.0%
Other State Aid/MEMA	\$ -	\$ -		
North Yarmouth Recreation Shar	\$ 35,902	\$ -	0.0%	0.0%
North Yarmouth Library Share	\$ 141,379	\$ -	0.0%	0.0%
North Yarmouth Channel 2	\$ 2,547	\$ -	0.0%	0.0%
North Yarmouth ACO Charges	\$ -	\$ -		
Windham-Fire & Rescue	\$ 3,900	\$ -	0.0%	0.0%
NY Sidewalks	\$ -	\$ -		0.0%
Intergovernmental Revenues	\$ 644,958	\$ 146,586	22.7%	32.5%
Interest & Penalties	\$ 30,000	\$ 3,010	10.0%	34.3%
Over/Short	\$ 100	\$ 18	18.0%	263.0%
Growth Permits	\$ 1,500	\$ 1,700	113.3%	126.7%
Board of Appeals	\$ 100		0.0%	0.0%
Interest on Investment	\$ -	\$ 89		0.3%
Building Rentals	\$ 500		0.0%	0.0%
Sale of Assets	\$ 25,000	\$ 1,300	5.2%	0.7%
Misc. Revenue	\$ 48,000	\$ 1,474	3.1%	1.5%
Staff Review Fee	\$ 10,000	\$ 750	7.5%	7.7%
Cable TV Revenue	\$ 110,000		0.0%	0.0%
Mooring Fees	\$ 1,000	\$ 135	13.5%	13.5%
Private Ways	\$ 400	\$ 200	50.0%	50.0%
WC Dividend	\$ -			
Impact Fees	\$ 40,000	\$ 25,613	64.0%	73.8%
Assessing Records	\$ 100		0.0%	0.0%
Other Revenues	\$ 266,700	\$ 34,289	12.9%	13.6%

Town of Cumberland
Year to Date Revenues

Through September 30, 2014

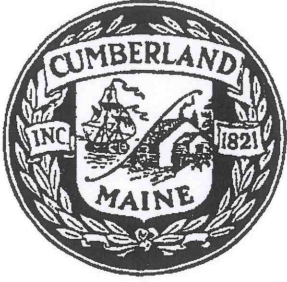
Description	FY 2015 vs Budget			
	Budget	Actual	FY15%	FY14 %
Police Issued Permits	\$ 3,500	\$ 139	4.0%	11.1%
Police Insurance Reports	\$ 500	\$ 120	24.0%	36.8%
Parking Tickets	\$ 200		0.0%	0.0%
Police Outside Detail	\$ 35,000	\$ 2,788	8.0%	13.0%
Animal Control Revenue	\$ 2,500	\$ 68	2.7%	4.0%
Court Reimbursement	\$ 3,500	\$ 50	1.4%	24.8%
Misc Police Rev	\$ 500	\$ 33	6.6%	24.8%
Grants/COPS Vet program	\$ 53,000	\$ -	0.0%	0.0%
Police Department	\$ 98,700	\$ 3,198	3.2%	7.0%
Misc. Revenue	\$ 15,000		0.0%	0.0%
Fire Outside Details	\$ 15,000	\$ 2,990	19.9%	5.1%
Rescue Billing	\$ 155,000	\$ 11,434	7.4%	5.4%
Non-Emergency Transports	\$ -	\$ 7,337		
Paramedic Intercepts	\$ 2,000		0.0%	30.0%
Fire Department	\$ 187,000	\$ 21,761	11.6%	5.2%
Misc Revenue	\$ 500	\$ 78	15.6%	58.6%
Bags/Universal Waste**	\$ 250,000	\$ 13,250	5.3%	10.2%
Brush Passes	\$ 6,500	\$ 1,069	16.4%	14.2%
Public Works	\$ 257,000	\$ 14,397	5.6%	10.4%
Recreation Programs	\$ 20,016	\$ 1,931	9.6%	20.4%
Fall Recreation Revenue	\$ 60,622	\$ 29,982	49.5%	61.3%
Winter Recreation Revenue**	\$ 94,563	\$ 1,237	1.3%	1.3%
Spring Recreation Revenue	\$ 32,000	\$ 2,288	7.2%	0.1%
Summer Recreation Revenue	\$ 212,370	\$ 35,970	16.9%	18.3%
MSAD Rec Revenue	\$ -	\$ -		0.0%
After School Programs	\$ 145,000	\$ 30,589	21.1%	14.9%
Adult Enrichment		\$ 9,009		
Adult Fitness		\$ 13,294		
Soccer revenue	\$ 3,255	\$ 7,456	229.1%	307.4%
Parks Revenues	\$ 15,000	\$ 2,355	15.7%	20.1%
Parks & Recreation	\$ 582,826	\$ 134,111	23.0%	19.7%
Library Fines	\$ 3,500	\$ 2,112	60.3%	34.1%
Library Interest Income	\$ 200	\$ -	0.0%	40.0%
Misc. Library Revenue	\$ 1,000	\$ 492	49.2%	25.4%
Library	\$ 4,700	\$ 2,604	55.4%	32.5%
Grand Total	\$ 3,683,142	\$ 892,524	24.2%	24.5%

Selected Revenue Lines	Budget	Actual	FY15%	FY14 %
Excise Tax	\$ 1,430,000	\$ 475,770	33.3%	31.1%
State Revenue Sharing	\$ 385,710	\$ 64,816	16.8%	22.7%
Building Permits	\$ 70,000	\$ 21,232	30.3%	34.8%
Recreation-After School Program	\$ 145,000	\$ 30,589	21.1%	14.9%
Recreation-All Other Revenues	\$ 422,826	\$ 101,167	23.9%	21.2%
Bags/Universal Waste	\$ 250,000	\$ 13,250	5.3%	10.2%

ITEM

14-168

To consider and act on authorizing the refunding of bonds issued by the Town in 2002, 2003 and 2006, as recommended by the Finance Committee



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

To: Town Council
From: William R. Shane, Town Manager
Date: November 6, 2014
Re: **Item 14-168 Refinancing of 202, 2003, and 2006 Bonds**

Our Bond Counsel has recommended refinancing these three bonds to take advantage of favorable interest rates and the new issuance of the Payson and Senior Housing Bonds. The refinancing will achieve approximately \$180,000 in savings and not extend the term of any of the bonds.

The Finance Committee voted unanimously to support this recommendation from the Town's Bond Counsel at Jensen Baird.

**CUMBERLAND TOWN COUNCIL ORDER
AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION REFUNDING BONDS**

WHEREAS, the Town desires to issue its general obligation bonds in an aggregate principal amount not to exceed \$3,050,000 and to appropriate the proceeds thereof, in order to obtain debt service savings to refund all or a portion (as determined appropriate by the Town Treasurer) of the Town's: (a) \$1,000,000 2002 General Obligation Bonds, dated as of April 1, 2002, and issued on April 22, 2002 (the "2002 Bonds"), which 2002 Bonds were issued to finance costs of acquisition of two new fire trucks and various public improvements to facilitate transportation to Chebeague Island as described in the Orders adopted by the Town Council on December 17, 2001; (b) \$600,000 2003 General Obligation Bonds, dated as of October 1, 2003 and issued on October 30, 2003 (the "2003 Bonds"), which 2003 Bonds were issued to finance costs of repairs and improvements to the stone wharf pier at Chebeague Island and related improvements as described in the Orders adopted by the Town Council on September 8, 2003; and (c) \$4,585,000 2006 General Obligation Bonds, dated as of June 1, 2006 and issued on June 22, 2006 (the "2006 Bonds"), which 2006 Bonds were issued to finance costs of acquisition of new fire trucks (Engines 1 & 2), a new computer system, construction of new water lines, and related improvements and costs, from the Fairgrounds to Skillin Road and from the Fairgrounds to Route 100 and for the construction of new buildings, roads and parking areas, and related improvements and costs at Twin Brooks Recreation Facility, as more particularly described in the Town Council Orders, dated April 24, 2006 (said 2002 Bonds, 2003 Bonds and 2006 Bonds being collectively hereinafter called the "Prior Bonds");

NOW, THEREFORE, be it voted, resolved, and ordered by the Town Council of the Town of Cumberland, Maine:

Section 1: Appropriation. The sum of \$3,050,000, or such lesser amount as determined appropriate by the Town Treasurer, plus any premium received on the issuance of the Bonds, as defined in Section 2 hereof, is hereby appropriated to refund the Prior Bonds.

Section 2: Authorization of Bonds. For the purposes of financing the aforesaid appropriation, pursuant to the Town Charter and all amendments thereof and acts additional thereto, and Title 30-A of the Maine Revised Statutes and all other authority thereto enabling, there is hereby authorized and approved the issuance of general obligation bonds (the "Bonds") of the Town in an aggregate principal amount not to exceed \$3,050,000. The Bonds shall be designated "Town of Cumberland, Maine, General Obligation Refunding Bonds" or "Town of Cumberland, Maine, General Obligation Bonds." The proceeds of the Bonds shall be used to refund the Prior Bonds or such portion thereof as determined appropriate by the Treasurer of the Town.

Section 3: Interest Rates and Details. The Treasurer is authorized to determine the date(s), form(s), interest rate(s) (which interest rate may be a fixed rate or a variable rate or some combination of the two), maturities and all other details of each issue of the Bonds, including the form and manner of their sale and award. The Bonds shall mature at the times and shall be in the amounts, and be dated as of such date, bear interest at the rate or rates and be in such form and contain such terms and provisions (including but not limited to early redemption provisions, if

any) as the Treasurer may hereafter determine or authorize.

Section 4: Redemption; Execution. The Treasurer is authorized to provide that any of the Bonds be made callable, with or without premium, prior to their maturity, and each Bond issued hereunder shall be signed by the Treasurer, shall be countersigned by the Chair of the Town Council, and shall be sealed with the seal of the Town, attested to by its Clerk.

Section 5: Financial Advisor; Underwriter. The Treasurer is hereby authorized to select a financial advisor and an underwriter for the Bonds and the Treasurer of the Town be and hereby is authorized and empowered to execute and deliver such contracts or agreements as may be necessary or appropriate in connection therewith including but not limited to, financial advisor agreements, refunding escrow agreements, bond purchase agreements, and other agreements, instruments and certificates as may be necessary or appropriate as determined and approved by the Treasurer in connection with the issuance of the Bonds and the refunding of the Prior Bonds, which documents shall be in such form and contain such terms and conditions, not inconsistent herewith, as may be approved by the Treasurer, such approval to be conclusively evidenced by his execution thereof. The Bonds may be sold at a public or private sale and the Treasurer of the Town is authorized and empowered to arrange for the underwriting of the Bonds at private sale through negotiated agreement, compensation for such underwriting to be provided by negotiated fee payable out of a premium on the sale of the Bonds or in such other manner as approved by the Treasurer of the Town.

Section 6: Official Statement. The Treasurer is authorized to prepare, or cause to be prepared, a Notice of Sale and/or a Preliminary Official Statement and an Official Statement for use in the offering and sale of the Bonds, such Notice of Sale, Preliminary Official Statement and Official Statement to be in such form and contain such information as may be approved by the Treasurer, with the advice of the bond counsel for the Town, and that the distribution of the Notice of Sale and/or Preliminary Official Statement and the Official Statement in the name of and on behalf of the Town in connection with offering the Bonds be and hereby is approved.

Section 7: Transfer Agent; Escrow Agent. The Treasurer is hereby authorized to select (a) the registrar, paying agent and transfer agent (the "Transfer Agent") for the Bonds, (b) any necessary verification agent relating to any escrow for a refunding of the Prior Bonds or a portion thereof, and (c) an escrow agent for the refunding of the Prior Bonds, and to execute and deliver such contracts and agreements as may be necessary or appropriate to secure their services.

Section 8: Registration. The Bonds shall be transferable only on registration books of the Town kept by the transfer agent, and said principal amount of the Bonds of the same maturity (but not of other maturity) in the denomination of \$5,000 or any multiple thereof (or such other minimum denomination as the Treasurer shall establish) upon surrender thereof at the principal office of the transfer agent, with a written instrument of transfer satisfactory to the transfer agent duly executed by the registered owner or his attorney duly authorized in writing. Upon each exchange or transfer of a Bond the Town and the Transfer Agent shall make a charge sufficient to cover any tax, fee or any other governmental charge required to be payable with respect to such exchange or transfer, and with respect to such exchange or transfer, and subsequent to the first exchange or transfer, the cost of preparing new Bonds upon exchanges or transfer thereof to be

paid by the person requesting the same.

Section 9: Book Entry. The Treasurer is authorized to undertake all acts necessary to provide, if deemed necessary or appropriate by the Treasurer in his discretion, for the issuance and transfer of such Bonds in book-entry form pursuant to the Depository Trust Company Book-Entry Only System, as an alternative to the provisions of the foregoing Order above regarding physical transfer of Bonds, and the Treasurer is authorized and empowered to enter into a Letter of Representation or any other contract, agreement or understanding necessary or, in his opinion, appropriate in order to qualify the Bonds for and participate in the Depository Trust Company Book-Entry Only System.

Section 10: Exchanges and Transfers. The Treasurer and Chair of the Town Council from time to time shall execute such Bonds as may be required to provide for exchanges or transfers of Bonds as heretofore authorized, all such Bonds to be executed as above described, and in case any officer of the Town whose signature appears on any Bond shall cease to be such officer before the delivery of said Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery thereof.

Section 11: Tax-Exempt Bond Covenants. The Treasurer is authorized to covenant and certify on behalf of the Town that no part of the proceeds of the issue and sale of the Bonds authorized to be issued hereunder shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and that no part of the proceeds of the issue and sale of such Bonds (including any bonds in renewal thereof) shall be used, directly or indirectly, in such manner which would cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code.

To the extent permitted under the Code, the Treasurer is authorized to designate any of the Bonds authorized to be issued hereunder as qualified obligations for purposes of Section 265(b) of the Code.

The Treasurer is authorized to covenant and agree, on behalf of the Town, for the benefit of the holders of the Bonds, that the Town will file any required reports and take any other action that may be necessary to ensure that interest on the Bonds will remain exempt from federal income taxation, and that the Town will refrain from any action that would cause interest on the Bonds to be subject to federal income taxation.

Section 12: Continuing Disclosure. The Treasurer is authorized to covenant, certify and agree, on behalf of the Town, for the benefit of the holders of the Bonds, that the Town will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to insure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met.

Section 13: Town Officials. If any of the officers or officials of the Town who have signed or sealed the Bonds shall cease to be such officers or officials before the Bonds so signed and sealed shall have been actually authenticated or delivered by the Town, such Bonds nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Bonds had not ceased to be such officer or

official; and also any such Bonds may be signed and sealed on behalf of the Town by those persons who, at the actual date of the execution of such Bonds, shall be the proper officers and officials of the Town, although at the nominal date of such Bonds any such person shall not have been such officer or official.

Section 14: Deputy Officials. If the Treasurer, Chair of the Town Council or Clerk are for any reason unavailable to approve and execute the Bonds or any of the related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had herself performed such act.

Section 15: Other Actions. The Treasurer, Chair of the Town Council, Clerk and other appropriate officers of the Town are hereby authorized and empowered to do all such acts and things, and to execute, deliver, file, approve, and record all such financing documents, contracts, deeds, assignments, certificates, memoranda, abstracts, and other documents as may be necessary or advisable, with the advice of counsel for the Town, including but not limited to any certificates, bond insurance agreements, notices of sale and other documents as may be necessary or appropriate in connection with the sale of the Bonds and any escrow and verification agreements necessary to the issuance of any Bonds, to carry out the provisions of the resolutions heretofore adopted at this meeting in connection with the Project, the execution, sale, and delivery by the Town of the Bonds and the execution and delivery of any related financing documents.

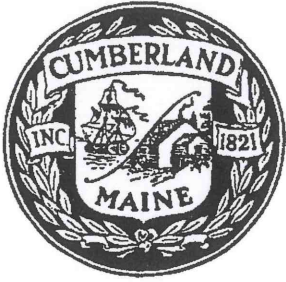
Section 16: Tax Levy. In each of the years during which any of the Bonds issued hereunder are outstanding, there shall be levied a tax in an amount which, with other revenues, if any, available for that purpose, shall be sufficient to pay the interest on said Bonds, payable in such year, and the principal of such Bonds maturing in such year.

Section 17: Consolidation. Any or all of the Bonds issued hereunder may be consolidated with and become a part of any other issue of temporary notes or general obligation bonds authorized to be issued by any previous or subsequent Order of the Town Council of the Town.

Section 18: Investment Earnings; Premium. The investment earnings on the proceeds of the Bonds, if any, and the excess proceeds and premium of the sale of the Bonds, if any, be and hereby are appropriated to be used to fund the refunding of the Prior Bonds, to pay redemption premium on the Prior Bonds, to pay interest on the Prior Bonds or the Bonds and to pay issuance costs for the Bonds.

ITEM 14-169

To authorize the Town Manager to post road under construction
signs on Route 9 & Harris Road

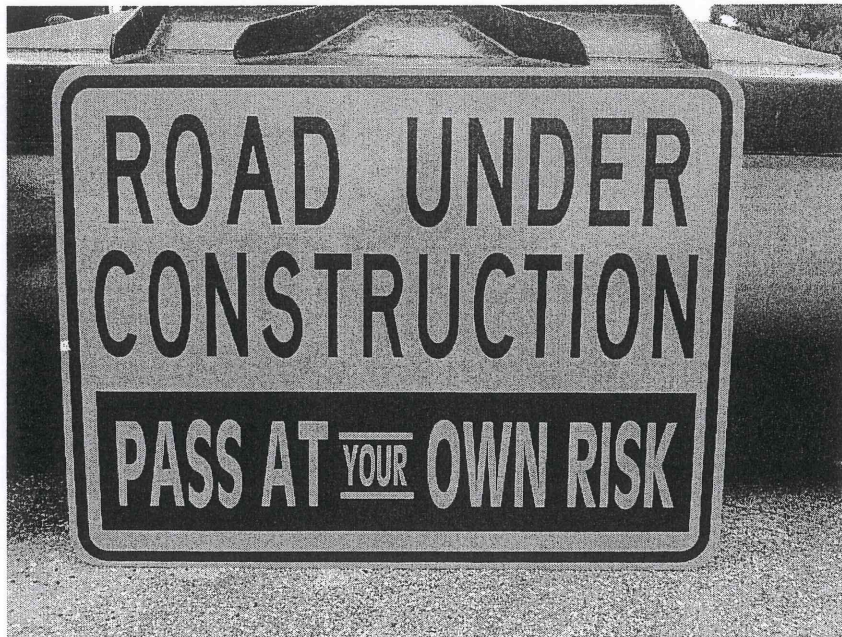


TOWN OF CUMBERLAND, MAINE
290 TUTTLE ROAD
CUMBERLAND, MAINE 04021
TEL: 207-829-2205 FAX: 829-2224

To: Town Council
From: William R. Shane, Town Manager
Date: November 6, 2014
Re: **14-169 - Harris Road Posting at Route 9**

With the voter's referendum support of the Town's Council's contract zone agreement with Justin Fletcher for the construction of a single family home and a duplex at the lot presently known as 3 Longwoods Road, we received 1 acre of land for a connector road from Harris Road to Rt 9.

The construction funds have not been budgeted, but it will become Town property with the signing of the CZA and I am recommending we post the road "Road Under Construction- Pass at your Own Risk"



The Town Attorney agrees this is a prudent decision and the signs will be up by Thursday with your authorization on Monday evening.

ITEM 14-170

To hold a Public Hearing to adopt the Maine Municipal Association
Model General Assistance Ordinance and Appendix B & C for the
period of October 1, 2014 – October 1, 2015

TO: Municipal Officials/Welfare Directors/General Assistance Administrators

FROM: Dave MacLean, General Assistance Program Manager

RE: 2014 – 2015 General Assistance Ordinance Maximums for Food and Housing

DATE: October 1, 2014

Enclosed please find the following items:

- MMA's new (October 1, 2014–October 1, 2015) “**General Assistance Ordinance Appendix**” (B & C). There are no changes to any of the other appendices at the current time.
- “**GA Maximums Summary Sheet**” which consolidates GA maximums into one document. Municipalities do have to insert individual locality maximums from Appendix A and C in the summary sheet where indicated in order to complete the information. The “summary” does not have to be adopted, as it is not an Appendix but a tool for municipal officials administering GA.
- “**GA maximums adoption form**” which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS in the self-addressed envelope provided with this packet (*see “Filing of GA Ordinance and/or Appendices” below for further information*).

Appendix C

Appendix C is a listing of the maximum levels of assistance for housing (both heated and unheated). These maximum levels were developed by MMA using 2012-2013 HUD Fair Market Rent values that include utility costs. Because the FMR numbers include utility and heating costs, the applicable average utility and heating allowances, as developed by the Maine State Housing Authority (MSHA), are subtracted from the FMR to obtain a pure “housing” cost.

What should your municipality do if the housing maximums contained in this packet are unreasonably low (or high) given the rental rates in your area? The

preferred option is to conduct a local rental survey. Municipalities exploring this option should contact DHHS for guidance on conducting such a survey.

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

Emergency analysis should be an exception, not the rule. If it has become the rule in your municipality, then the adoption of artificially low housing maximums is of no service to you (or your clients) and you might be better off with no housing maximums. Municipalities choosing to forego housing maximums must still adhere to the overall maximum and work an applicant’s budget accordingly. Such municipalities might choose to utilize the actual FMR provided by the federal government as a guide.

The Adoption Process

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

At the hearing, the municipal officers should:

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

Filing of GA Ordinance and/or Appendices

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

Enclosed please find copies of the revised Policy that cover the changes made during the last legislative session.

GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendix A* are effective from July 1, 2014 to June 30, 2015. The maximums found in *Appendices B, C, D, E, and F* are effective from October 1, 2014 to September 30, 2015.

APPENDIX A - OVERALL MAXIMUMS

<u>County</u> <i>Ptld</i> <i>HMFA</i>	<u>Persons in Household</u>					
	1	2	3	4	5	6
	762	901	1163	1463	1565	1634

NOTE: For each additional person add \$69 per month.

(The applicable figures from Appendix A, *once adopted*, should be inserted here.)

APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	45.12	194
2	83.02	357
3	118.84	511
4	150.93	649
5	179.30	771
6	215.12	925
7	237.67	1,022
8	271.86	1,169

NOTE: For each additional person add \$146 per month.

APPENDIX C - HOUSING MAXIMUMS

<u>Number of Bedrooms</u>	<u>Unheated</u>		<u>Heated</u>	
	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0	142	611	163	702
1	166	715	194	833
2	214	922	252	1085
3	271	1165	319	1371
4	274	1180	339	1458

(The applicable figures from Appendix C, *once adopted*, should be inserted here.)

FOR MUNICIPAL USE ONLY

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is *not automatically* entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.70	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$19.10	\$82.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

FOR MUNICIPAL USE ONLY

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

FOR MUNICIPAL USE ONLY

Appendix B

Effective: 10/01/14 to 09/30/15

Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. Through October 1, 2014, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	45.12	194
2	83.02	357
3	118.84	511
4	150.93	649
5	179.30	771
6	215.12	925
7	237.67	1,022
8	271.86	1,169

Note: For each additional person add \$146 per month.

GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or**, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (*See Instruction Memo for further guidance.*)

Non-Metropolitan FMR Areas

<u>Aroostook County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		84	362	107	461
1		84	362	113	487
2		99	426	136	584
3		134	575	179	770
4		143	614	197	848
<u>Franklin County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		96	412	119	511
1		97	418	124	533
2		115	493	151	651
3		137	591	183	786
4		210	905	265	1,139
<u>Hancock County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		105	451	126	543
1		117	503	145	625
2		145	622	180	776
3		197	845	241	1,038
4		197	845	245	1,054
<u>Kennebec County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		83	359	106	457
1		94	404	123	530
2		123	529	160	686
3		159	685	203	872
4		159	685	214	920

Appendix C

Effective: 10/01/14-10/01/15

Non-Metropolitan FMR Areas

<u>Knox County</u>			<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Weekly	Monthly
0	128	552	151	649		
1	128	552	151	651		
2	150	645	186	799		
3	197	846	240	1,032		
4	209	899	272	1,168		
<u>Lincoln County</u>			<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Weekly	Monthly
0	119	513	140	600		
1	124	535	153	659		
2	159	684	195	838		
3	200	862	244	1,048		
4	207	889	260	1,118		
<u>Oxford County</u>			<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Weekly	Monthly
0	89	382	114	491		
1	101	434	126	542		
2	113	487	153	657		
3	161	693	209	900		
4	216	928	274	1,179		
<u>Piscataquis County</u>			<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Weekly	Monthly
0	98	421	111	479		
1	108	465	125	539		
2	134	575	154	663		
3	172	740	196	844		
4	176	759	205	881		
<u>Somerset County</u>			<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Weekly	Monthly
0	100	432	123	529		
1	100	432	127	548		
2	116	498	152	655		
3	166	714	210	904		
4	166	714	211	908		

Appendix C

Effective: 10/01/14-10/01/15

Non-Metropolitan FMR Areas

<u>Waldo County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		116	497	136	583
1		119	510	144	619
2		139	597	174	748
3		174	749	217	935
4		176	758	230	987
<u>Washington County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		93	402	114	492
1		95	410	122	525
2		108	465	146	629
3		134	575	182	782
4		163	703	222	954

Metropolitan FMR Areas

<u>Bangor HMFA</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		101	432	126	543
1		120	518	153	657
2		145	625	185	796
3		184	790	233	1,004
4		210	904	268	1,154
<u>Penobscot County HMFA</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		99	424	122	525
1		99	424	122	525
2		104	448	144	621
3		148	636	198	850
4		169	725	228	982
<u>Lewiston/Auburn MSA</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		89	381	111	476
1		103	445	132	566
2		139	597	175	751
3		178	766	221	952
4		180	774	233	1,003

Appendix C

Effective: 10/01/14-10/01/15

Metropolitan FMR Areas

<u>Portland HMFA</u>			<u>Unheated</u>			<u>Heated</u>		
Bedrooms			Weekly	Monthly		Weekly	Monthly	
0			142	611		163	702	
1			166	715		194	833	
2			214	922		252	1,085	
3			271	1,165		319	1,371	
4			274	1,180		339	1,458	
<u>York/Kittery/S. Berwick HMFA</u>			<u>Unheated</u>			<u>Heated</u>		
Bedrooms			Weekly	Monthly		Weekly	Monthly	
0			181	779		207	890	
1			181	779		207	890	
2			206	887		247	1,060	
3			314	1,350		364	1,564	
4			334	1,434		394	1,694	
<u>Cumberland County HMFA</u>			<u>Unheated</u>			<u>Heated</u>		
Bedrooms			Weekly	Monthly		Weekly	Monthly	
0			111	479		133	573	
1			131	563		157	674	
2			167	720		204	876	
3			228	982		272	1,168	
4			271	1,167		324	1,394	
<u>Sagadahoc County HMFA</u>			<u>Unheated</u>			<u>Heated</u>		
Bedrooms			Weekly	Monthly		Weekly	Monthly	
0			140	603		161	693	
1			140	603		161	693	
2			155	667		191	821	
3			192	825		242	1,039	
4			276	1,187		336	1,444	
<u>York County HMFA</u>			<u>Unheated</u>			<u>Heated</u>		
Bedrooms			Weekly	Monthly		Weekly	Monthly	
0			126	541		146	629	
1			126	541		150	646	
2			156	672		192	825	
3			216	928		259	1,114	
4			216	928		266	1,143	

GENERAL ASSISTANCE ORDINANCE

APPENDICES B and C

2014-2015

The Municipality of Cumberland adopts the MMA Model Ordinance GA Appendices B and C for the period of October 1, 2014 — September 30, 2015. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the 10th (day) of November (month) 2014 (year) by the municipal officers:

George S. Turner
(Print Name)

William C Stiles
(Print Name)

PETER K BINGHAM
(Print Name)

THOMAS H GRUBER JR
(Print Name)

Michael T. Edes
(Print Name)

Ronald Copp Jr
(Print Name)

Shirley Storey-King

George S Turner
(Signature)

William C Stiles
(Signature)

Peter K Bingham
(Signature)

Thomas H Gruber Jr
(Signature)

Michael T Edes
(Signature)

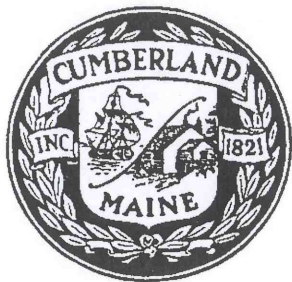
Ronald Copp Jr
(Signature)

Shirley Storey-King

ITEM

14-171

To consider and act on authorizing the Town Manager to execute a 3-year agreement with Constellation Energy, as recommended by the Finance Committee



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

To: Town Council
From: William R. Shane, Town Manager
Date: November 6, 2014
Re: 14 – 171 New Street Light Contract

As you are aware, power prices are going through the roof and our street lighting contract is going to expire in December. Prices are expected to exceed \$00.10 per KWH next week . Our current rate of \$00.056 will expire next month.

I was able to lock us in on Wednesday for \$00.075. Had I waited until Monday's meeting our increase would have been an additional \$250/month. The Finance Committee supported this decision and I am looking for your formal approval of this contract.



ACCOUNTSCHEDULE:

For: Cumberland (ME), Town of

The Account set forth below is only valid until 5:00 PM on 11/5/2014

NewEnergy shall have no obligation to enroll or supply electricity to any Accounts that are not identified on the Account Schedule below. Therefore, before you initial, please verify that your specific information is COMPLETE and ACCURATE. Your review and acceptance of this information will help ensure accurate future invoices.

Select One Option By Placing Initials Below	Option:	Energy Charge (per kWh):	Start Date**	End Date **
	A – 11 months	\$ 0.08114	12/01/2014	11/01/2015
	B – 23 months	\$ 0.07901	12/01/2014	11/01/2016
ur?	C – 35 months	\$ 0.07500	12/01/2014	11/01/2017
	D – 47 months	\$ 0.07317	12/01/2014	11/01/2018

T&D Utility:	Account Number(s)*:	Service Address for Account Number(s):
CMP	04411003655011	Street Lights 000, Cumberland, ME 040210000

Notes:

1. The fixed Contract Price does **not** include or cover Taxes, Delivery Charge, or other costs (including Pass-Through Charges) as set forth in this Agreement and shall be your sole responsibility, and NewEnergy shall have no liability therefore.
2. Accounts listed in the Account Schedule may be updated or replaced with a new account number issued by the Utility, ISO or other entity for the above listed service address(es).
3. This Proposal expires at 5pm Eastern Time on the date specified above (the "Expiration Date").

You acknowledge and understand that (a) we are paying a fixed fee to **Maine PowerOptions** ("Association") to support its electricity purchasing program, irrespective of your decision to enter into this agreement; and (b) Association is acting on your behalf as your representative and is not a representative or agent of NewEnergy.

FOR INTERNAL USE ONLY

NewEnergy Reference Number: _____ Account Representative: Craig Brazell



Your CMP account number:
441-100-3655-011



CMP customer assistance line
Monday - Friday 7:30 - 5:00
1-800-565-3181
To report a power outage: 1-800-696-1000



TOWN OF CUMBERLAND
STREET LIGHTS 000
CUMBERLAND ME
Service location

Billing date: 10/01/14

Read cycle: 20

Page 001 of 004

Customer Meter Summary

Meter Number	Read Date	Prior Read Date	Number of Days	Meter Reading	Prior Meter Reading	Total KWH
ST LIGHTS	09/26/14	08/28/14	29			

Account Summary

Prior balance		\$5,697.81
Payments received through 10/01/14 - thank you	\$5,697.81-	
Balance forward		\$0.00
New charges		
Electricity Delivery: Central Maine Power (see detail below)	\$2,702.39+	
Electricity Supply: Constellation NewEnergy, Inc.	\$431.01+	
Total new charges		\$3,133.40

Current Account Balance:

Please pay before 10/28/14

\$3,133.40

0812-2000

Central Maine Power Delivery Service Account Detail

Prior balance for Central Maine Power delivery		\$4,940.66
Payments received - thank you	\$4,940.66-	
Balance forward		\$0.00
Current delivery charges		
Late payment charge 0.892%		\$21.40+
Delivery Charges: Street Lights		
Sodium Enclosed 70W	50 Units	\$502.78+
Sodium Enclosed 100W	18 Units	\$201.08+
Sodium Enclosed 150W	7 Units	\$89.20+
Sodium Flood 400W	2 Units	\$44.99+
Sodium Post Top 100W	30 Units	\$346.47+
Sodium Enclosed 50W	1 Unit	\$9.25+
Sodium Cut Off 100W	18 Units	\$207.88+
Sodium Cut Off 150W	9 Units	\$123.43+
Sodium Enclosed 250W	2 Units	\$35.07+
Sodium Cut Off 250W	4 Units	\$75.49+
Sodium Cut Off 70W	61 Units	\$657.48+
Sodium Cut Off 50W	8 Units	\$87.04+
Hald Spc Grnvl S 175W	8 Units	\$197.70+
Special facilities		\$103.13+
Total current delivery charges		\$2,702.39
Central Maine Power account balance		\$2,702.39

Please see back page for important information.

Please return this stub with payment to CMP. Allow 7 to 10 business days for processing. Do not send cash or coins, and do not return with staples or paper clips. Refer to back to fill in information for mail address changes or to sign up for the Automatic Payment Option plan.



Your CMP account number:
441-100-3655-011



Central Maine Power
PO Box 847810
Boston, MA 02284-7810

AB 01 001785 88001 B 9 A
TOWN OF CUMBERLAND
CUMBERLAND LGTS
290 TUTTLE RD
CUMBERLAND ME 04021-4116

Please pay this amount
\$3,133.40
before 10/28/14 so you
can avoid late charges

Please write
amount paid:



\$

Thank you!

Please do not write below this line

501001144411003655011000313340

001785 1/2

6

Electricity Supply



**Constellation
NewEnergy.**
A Member of the
Constellation Energy Group

Constellation NewEnergy, Inc.

Your CNEME account 1284541
Billing date: 10/01/14
Phone: 1-877-997-9995
Hours: 8:00 A.M. - 5:00 P.M.

TOWN OF CUMBERLAND
STREET LIGHTS 000
CUMBERLAND ME

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Electricity Supply Account Detail

Your electricity is supplied by:
Constellation NewEnergy, Inc.

Prior balance for Constellation NewEnergy, Inc. electricity

\$757.15

Payments received - thank you

\$757.15-

Balance forward

\$0.00

Current electricity supply charges

Late payment charge 0.892%				\$3.62+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	1453	KWH @	.051300	\$74.54+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	716	KWH @	.051300	\$36.73+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	417	KWH @	.051300	\$21.39+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	284	KWH @	.051300	\$14.57+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	1193	KWH @	.051300	\$61.20+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	20	KWH @	.051300	\$1.03+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	716	KWH @	.051300	\$36.73+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	537	KWH @	.051300	\$27.55+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	183	KWH @	.051300	\$9.39+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	367	KWH @	.051300	\$18.83+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	1772	KWH @	.051300	\$90.90+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	159	KWH @	.051300	\$8.16+
Rate N0390 (08/29/14-09/26/14)				
Unmetered Service	514	KWH @	.051300	\$26.37+

Total current electricity supply charges

\$431.01

Constellation NewEnergy, Inc. account balance

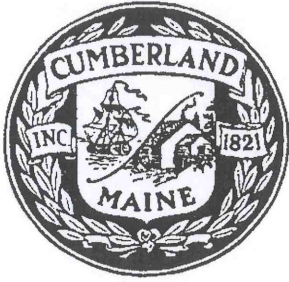
\$431.01

Please see next page for message information.

001785 2/2



NEW BUSINESS

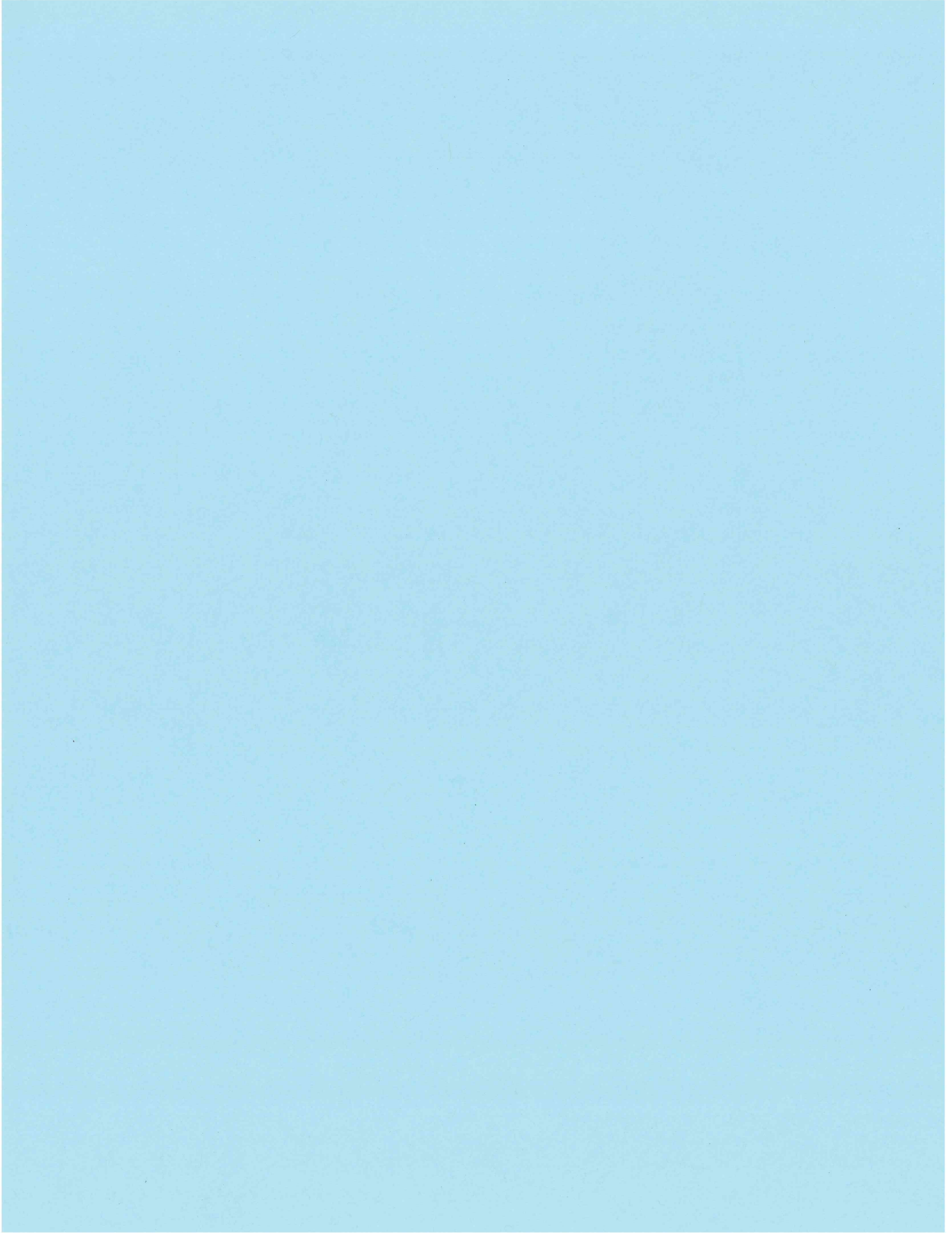


TOWN OF CUMBERLAND, MAINE
290 TUTTLE ROAD
CUMBERLAND, MAINE 04021
TEL: 207-829-2205 FAX: 829-2224

To: Town Council
From: William R. Shane, Town Manager
Date: November 6, 2014
Re: **New Business - Trapping On Town Owned Lands**

The Ordinance Committee met and decided to remain consistent with State Law which requires all trappers to seek land owner permission prior to setting traps. This permission would come directly from the Town Council and will be advertised as part of a regularly scheduled Town Council meeting.

Councilor Edes will provide the Town Council with additional information related to trapping and the State laws surrounding this item.



October 2014 Building Permit Report - Calendar Year

Building Permit Report	Oct-08	Oct-09	Oct-10	Oct-11	Oct-12	Oct-13	Oct-14
MTD - Construction Dollar Amount	\$725,400.00	\$421,200.00	\$163,000.00	\$1,903,200.00	\$6,135,968.00	\$1,814,897.00	\$9,068,397.00
MTD - Number of Permits	13	19	20	28	36	34	27
MTD - Permit Fees	\$1,958.50	\$2,447.70	\$1,728.00	\$6,110.60	\$17,319.25	\$5,750.65	\$17,154.65
YTD - Construction Dollar Amount	\$9,857,607.87	\$6,934,168.00	\$6,669,630.00	\$11,136,190.00	\$18,227,289.15	\$20,764,220.00	\$28,669,793.13
YTD - Number of Permits	175	138	164	180	195	226	243
YTD - Permit Fees	\$39,640.20	\$25,117.00	\$32,753.37	\$44,656.65	\$71,162.26	\$65,070.20	\$77,850.22

Master Summary Report

Monthly Building Permits			
		Start Date:	10/1/2014
		End Date:	10/31/201
Access. Struct.	1	\$30,000.00	\$240.50
Addition	4	\$419,000.00	\$2,075.25
Commercial	2	\$3,625,000.00	\$5,740.80
Foundation	1	\$3,000.00	\$51.50
Garage	1	\$12,000.00	\$59.40
House	8	\$3,285,000.00	\$6,504.75
Renovation	6	\$888,497.00	\$2,257.45
Shed	3	\$5,900.00	\$75.00
SHORELAND	1	\$800,000.00	\$150.00
Totals	27	\$9,068,397.00	\$17,154.65

YTD Building Permits			
Access. Struct.	1	\$30,000.00	\$240.50
Addition	22	\$969,800.00	\$5,163.50
BARN	3	\$101,500.00	\$474.80
Commercial	9	\$6,292,500.00	\$8,144.00
Deck	16	\$74,434.20	\$486.00
Demolition	9	\$63,450.00	\$360.00
Foundation	5	\$49,000.00	\$609.10
Garage	9	\$483,700.00	\$1,239.60
House	58	\$16,124,827.00	\$44,050.45
Pier	2	\$150,000.00	\$305.10
Pool	5	\$254,500.00	\$500.00
Porches	2	\$7,700.00	\$75.00
Renovation	71	\$3,166,143.98	\$14,677.17
Shed	25	\$52,237.95	\$675.00
SHORELAND	5	\$850,000.00	\$750.00
Temp. Structure	1	\$0.00	\$100.00

243	\$28,669,793.13	\$77,850.22
-----	-----------------	-------------

*Electrical Permits for dates between
10/01/14 and 10/31/14*

<i>Count</i>	<i>Fee</i>
16	\$2,506.00

YTD Electrical Permits

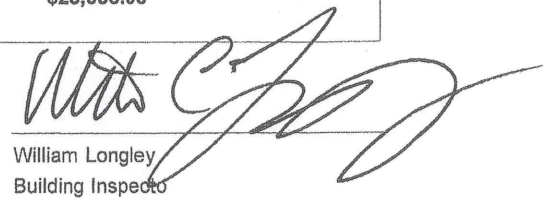
<i>Count</i>	<i>Fee</i>
167	\$16,902.97

*Plumbing Permits for dates
between 10/01/14 and 10/31/14*

<i>Count</i>	<i>Fee</i>
18	\$2,655.00

YTD Plumbing Permits

<i>Count</i>	<i>Fee</i>
172	\$25,095.00


William Longley
Building Inspector

Building Permits

Start Date: 10/1/2014

End Date: 10/31/2014

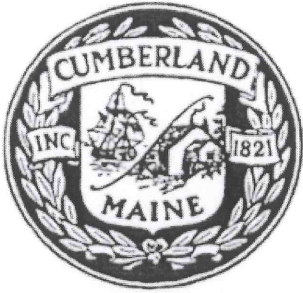
Date	Permit	Map/Lot	Owner	Location	Imprvmnt	Est Cost	Fee
10/2/2014	14-217	R07E / 2	BROWN JASON	8 WESTBRANC	Addition	\$3,000.00	\$120.00
10/2/2014	14-218	U13 / 64	ATLANTIC REGIO	333 MAIN STRE	Shed	\$500.00	\$25.00
10/2/2014	14-219	R01 / 10	FRIENDS SCHOO	11 US ROUTE O	Commercial	\$3,500,000.00	\$4,500.00
10/9/2014	14-220	U06A / 18	BOUCHARD PET	25 LEDGE ROA	Renovation	\$800,000.00	\$1,376.25
10/9/2014	14-221	U06A / 18	BOUCHARD PET	25 LEDGE ROA	SHORELAND	\$800,000.00	\$150.00
10/14/2014	14-222	R05 / 34 E	WELLS BRADLEY	ANGLERS DRIV	Shed	\$200.00	\$25.00
10/14/2014	14-223	R08 / 32F	CONNOLLY KYLE	35 STURBRIDG	Access. Struct.	\$30,000.00	\$240.50
10/15/2014	14-224	U10 / 7B 19	D. A. BRACKETT	53 DROWNE R	House	\$120,000.00	\$575.30
10/16/2014	14-225	R07E / 16	CHASE CUSTOM	27 WESTBRAN	House	\$325,000.00	\$745.20
10/16/2014	14-226	R07 / 59K	GRAIVER HOME	40 WESTMORE	House	\$160,000.00	\$617.40
10/16/2014	14-227	R07 / 84 O	LAVIGNE, CHARL	TAMMY LANE	House	\$400,000.00	\$749.70
10/16/2014	14-228	U22 / 62	ST CLAIR DAVID	32 FOREST LA	Shed	\$5,200.00	\$25.00
10/16/2014	14-229	U20 / 77	COPP RONALD	187 Gray Road	Commercial	\$125,000.00	\$1,240.80
10/16/2014	14-230	U06 / 10	LYDEN SHAWN P	186 FORESIDE	Foundation	\$3,000.00	\$51.50
10/20/2014	14-231	R08 / 57	BOLDUC CHRIST	4 WHITNEY RO	Renovation	\$2,500.00	\$50.00
10/21/2014	14-232	R02D / 2 6	MCLEAN RALPH	12 WHALEBOA	Renovation	\$2,750.00	\$50.00
10/21/2014	14-233	R01 / 64	CHARRON JOSE	106 TUTTLE RO	Addition	\$13,000.00	\$50.00
10/21/2014	14-234	R07 / 55B	DOBSON, MATT	83 UPPER MET	Garage	\$12,000.00	\$59.40
10/22/2014	14-235	U02 / 5G	MUNJOY HILL EP	29 MAEVES WA	House	\$1,500,000.00	\$1,634.30
10/23/2014	14-236	U06B / 2	STANHISER DAN	8 ISLAND VIEW	Addition	\$400,000.00	\$1,790.00
10/23/2014	14-237	U10 / 7B 14	D. A. BRACKETT	50 DROWNE R	House	\$150,000.00	\$594.50
10/27/2014	14-238	U10 / 7B 11	COON, HOWARD	4 BAXTER LAN	Addition	\$3,000.00	\$115.25
10/28/2014	14-239	U06 / 27	MARCUS, GEOR	1 OCEAN TERR	Renovation	\$66,127.00	\$660.00
10/28/2014	14-240	U10 / 7B 44	HARVEY KLUGM	60 WYMAN WA	House	\$320,000.00	\$780.75
10/30/2014	12-243	R06 / 3A	FLAHERTY, MEG	305 GREELY R	Renovation	\$12,120.00	\$121.20
10/30/2014	14-241	R07E / 1	CHASE CUSTOM	4 WESTBRANC	House	\$310,000.00	\$807.60
10/30/2014	14-242	R03 / 54	TOWN OF CUMB	23 DROWNE R	Renovation	\$5,000.00	\$0.00
						\$9,068,397.00	\$17,154.65

Electrical Permits

<i>Date Permit</i>	<i>Owner</i>	<i>Location</i>	<i>Est Cost</i>	<i>Fee</i>
10/1/2014 14-153	JUSTIN M FLETCHER	16 STONY RIDGE R	\$0.00	\$67.50
10/1/2014 14-154	POULIN LORI	5 NICOLA'S WAY	\$0.00	\$350.00
10/1/2014 14-155	BROOKS ABIGAIL	8 PRINCE STREET	\$0.00	\$83.00
10/2/2014 14-156	COCKRILL NILES L	13 HILLCREST DRIV	\$0.00	\$50.00
10/6/2014 14-157	BELISLE DANA E	8 BLANCHARD ROA	\$0.00	\$50.00
10/8/2014 14-158	WELLS BRADLEY	ANGLERS DRIVE	\$0.00	\$166.65
10/9/2014 14-159	BROWN JASON	8 WESTBRANCH R	\$0.00	\$50.00
10/14/2014 14-160	MICHAUD PAUL E	26 LEDGE ROAD	\$0.00	\$50.00
10/15/2014 14-161	WHITE DOG BUILDI	16 GRAY ROAD	\$0.00	\$134.75
10/16/2014 14-162	MALONEY SUSAN	125 MIDDLE ROAD	\$0.00	\$84.05
10/16/2014 14-163	KU CHRISTINE W	16 OLE MUSKET R	\$0.00	\$285.00
10/27/2014 14-164	WENTLING BENJA	25 HARRIS ROAD	\$0.00	\$80.05
10/28/2014 14-165	LORING CANDACE	260 Middle Road	\$0.00	\$95.00
10/28/2014 14-166	NEW CENTURY DE	11 CASTLEROCK D	\$0.00	\$100.00
10/28/2014 14-167	FRIENDS SCHOOL	11 US ROUTE ONE	\$0.00	\$810.00
10/30/2014 14-168	MOUNTAIN ANGUS	11 MUIRFIELD ROA	\$0.00	\$50.00
		16	\$0.00	\$2,506.00

PLUMBING PERMITS

Permit ID	Date Issued	Owner	Location	Description	Plumber	Permit Type	Est. Cost	Fee
5366	10/2/2014	BOYINGTON RODNEY	SKILLINGS ROAD	Internal	Sanborn Plumbing	Internal	\$0.00	\$120.00
5367	10/9/2014	CHASE CUSTOM HOME	32 WESTBRANCH ROAD	Internal	Water Treatment	Internal	\$0.00	\$40.00
5368	10/9/2014	WOOD THOMAS E	35 KATHY LANE	Internal	Water Treatment	Internal	\$0.00	\$40.00
5369	10/9/2014	YARN CLARE	71 FORESIDE ROAD	Internal	Dan Burke	Internal	\$0.00	\$100.00
5371	10/9/2014	ANDREWS EDWARD C	30 HILLSIDE AVENUE	Disposal Field		External	\$0.00	\$165.00
5372	10/16/2014	GRAIVER HOMES	40 WESTMORE AVENUE	Septic System		External	\$0.00	\$265.00
5373	10/9/2014	LAVIGNE, CHARLES	TAMMY LANE	SEPTIC SYSTEM		External	\$0.00	\$265.00
5374	10/21/2014	BERNIER MICHELLE	269 GRAY ROAD	Internal		Internal	\$0.00	\$40.00
5375	10/21/2014	68 U S ROUTE 1, LLC	68 U S ROUTE ONE	Internal	AirTemp	Internal	\$0.00	\$80.00
5376	10/21/2014	CHASE CUSTOM HOME	27 WESTBRANCH ROAD	Septic System		External	\$0.00	\$265.00
5377	10/21/2014	WHITE DOG BUILDING,	16 GRAY ROAD	Internal	Paul Geoffron	Internal	\$0.00	\$100.00
5378	10/21/2014	NEW CENTURY DEVEL	3 CASTLEROCK DRIVE	Internal	Jammy Blanchard	Internal	\$0.00	\$120.00
5379	10/21/2014	NEW CENTURY DEVEL	20 CASTLEROCK DRIVE	Internal	Jammy Blanchard	Internal	\$0.00	\$120.00
5380	10/21/2014	JUSTIN M FLETCHER, IN	16 STONY RIDGE ROAD	Internal	All Aspects Plumbin	Internal		\$120.00
5381	10/30/2014	FRIENDS SCHOOL	11 US ROUTE ONE	Internal	Johnson & Jordan	Internal	\$0.00	\$470.00
5382	10/30/2014	WILLIAMS STEPHEN	11 RUSTIC WAY	Internal		Internal	\$0.00	\$40.00
5383	10/30/2014	WILLIAMS STEPHEN	11 RUSTIC WAY	Internal	Corey richardson	Internal	\$0.00	\$40.00
5384	10/30/2014	CHASE CUSTOM HOME	4 WESTBRANCH ROAD	Septic System	Chase Custom Ho	External	\$0.00	\$265.00



Cumberland Town Council Meeting

Monday, November 10, 2014

7:30 p.m. Call to Order

On Monday, November 10, 2014, the Cumberland Town Council will hold its regular meeting at 7:30 p.m. An opportunity for public comment will be provided. The following items will be considered:

To hold a Public Hearing to consider and act on the 2015 Shellfish License allocations, as recommended by the Shellfish Conservation Commission.

To hold a Public Hearing to consider and act on amendments Section 108(1) Commercial Licenses, of the Shellfish Conservation Ordinance as recommended by the Shellfish Conservation Commission.

To hold a Public Hearing to consider and act on authorizing the Code Enforcement Officer to enter into a Consent Agreement with property owners located at 84 Wyman Way.

To hear a report from the Finance Committee re: 1st Quarter Financials.

To hold a Public Hearing to adopt the Maine Municipal Association Model General Assistance Ordinance and Appendix B & C for the period of October 1, 2014 – October 1, 2015.

An opportunity for public comment will be provided. Additional items may also be considered.

Please refer to the town's website: www.cumberlandmaine.com for a complete agenda.