

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, May 13, 2013

7:00 p.m. Call to Order

I. CALL TO ORDER

II. APPROVAL OF MINUTES

April 22, 2013

III. MANAGER'S REPORT

- Phase II engraving of Veterans names
- Snow Plow Rodeo results
- Town Hall weekend parking

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

- 13 – 082** To hold a Public Hearing to consider and act on a Class III (vinous only) and Class IV (malt liquor) Liquor License for Doc's Café.
- 13 – 083** Review of Personnel Policy.
- 13 – 084** To set a Public Hearing date (June 3rd) to consider and act on a Mass Gathering Permit for the United Maine Craftsmen's 44th Annual Cumberland Arts & Crafts Show to be held from August 8th through 11th, 2013 at the Cumberland Fairgrounds.
- 13 – 085** To appoint a member to a vacant committee seat.
- 13 – 086** To countersign the Warrant and Notice of Election to call the June 11, 2013 M.S.A.D. 51 Budget Validation Referendum.

VI. NEW BUSINESS

VII. EXECUTIVE SESSION pursuant to 1 M.R.S.A., §405(6)(A) re: a personnel matter.

VIII. ADJOURNMENT

MOTIONS

MOTIONS

- 13 – 082 I move to approve** the Class III (vinous only) and Class IV (malt liquor) Liquor License for Doc's Café.
- 13 – 083 Pursuant to the Town of Cumberland** Council Manager Charter, Article 4 (Personnel Management) is amended as attached.
Further, the Town Manager is directed to codify the amended May 13, 2013 Personnel Ordinance.
- 13 – 084 I move to set** a Public Hearing date of June 3rd to consider and act on a Mass Gathering Permit for the United Maine Craftsmen's 44th Annual Cumberland Arts & Crafts Show to be held from August 8th through 11th, 2013 at the Cumberland Fairgrounds.
- 13 – 085 I move to appoint** Susan Nolde to the _____.
- 13 – 086 I move to countersign** the Warrant and Notice of Election to call the June 11, 2013 M.S.A.D. 51 Budget Validation Referendum.
- I move to recess** to EXECUTIVE SESSION pursuant to 1 M.R.S.A., §405(6)(A) re: a personnel matter.

MINUTES

04/22/13

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, April 22, 2013

7:00 p.m. Call to Order

Present: Councilors Stiles, Turner, Copp, Storey-King, Gruber, Perfetti and Jennings

I. APPROVAL OF MINUTES

Motion by Councilor Gruber, seconded by Councilor Storey-King, to accept the April 8, 2013 minutes as presented.

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

II. MANAGER'S REPORT

We have been very successful with the tax foreclosure sales. We have been able to sell a property on Longwoods Road and one on Highland Avenue. The final sale is this Thursday for the property on the corner of Tuttle and Middle Roads. Currently, the property is encumbered with a water district easement, but the water district has agreed to remove the easement for 1/5 of the proceeds (they own 1/5 of the property). Tammy O'Donnell has done a great job in getting these properties sold and back on the tax rolls.

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

13 – 074 To hold a Public Hearing to consider and act on a Temporary Victualer's License application for the Cumberland/North Yarmouth Boy Scout Troop #58.

Nick Josephson of the Boy Scouts explained that the Scouts would like to sell hamburgers, hot dogs, and possibly baked goods in the parking lot of Atlantic Regional Credit Union during the Memorial Day parade.

Chairman Stiles asked if the scouts had gotten permission from the Credit Union.

Mr. Josephson said that they had.

Chairman Stiles opened the Public Hearing.

Public discussion: None

Chairman Stiles closed the Public Hearing.

Motion by Councilor Perfetti, seconded by Councilor Jennings, to approve the Temporary Victualer's License application for the Cumberland/North Yarmouth Boy Scout Troop #58 for May 27, 2013.

VOTE: 7-0 UNANIMOUS

Chairman Stiles took the next item out of order:

13 – 076 To hear a report from Doug Reynolds of Gorrill Palmer Consulting Engineers re: Blanchard Road Town/MDOT joint project (neighborhood meeting scheduled for April 30th).

**Blanchard Road Reconstruction
Cumberland Town Council
April 22, 2013**



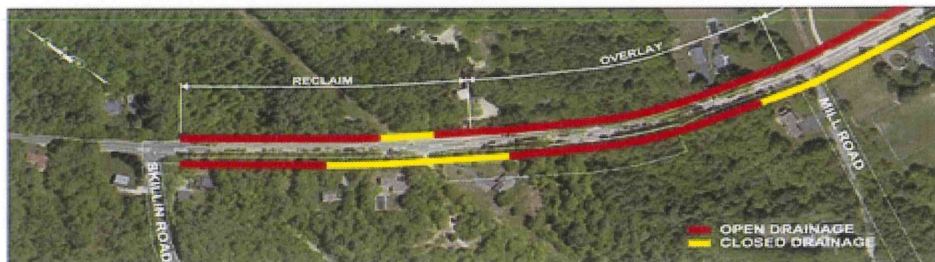
Project Limits – Bruce Hill Road to Skillin Road

GP Gorrill-Palmer Consulting Engineers, Inc.
Engineering Excellence Since 1998

P.O. Box 1257/158 Miller Road
Gray, Maine 04039

207.657.6040 info@gp-engineers.com

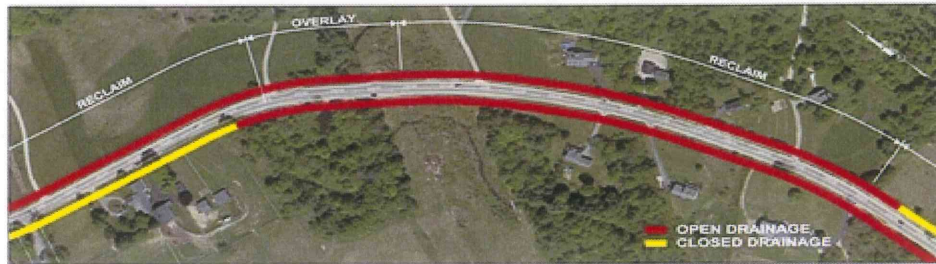
**Blanchard Road Reconstruction
Cumberland Town Council
April 22, 2013**



Scope of Work

GP Gorrill-Palmer Consulting Engineers, Inc.
Engineering Excellence Since 1998

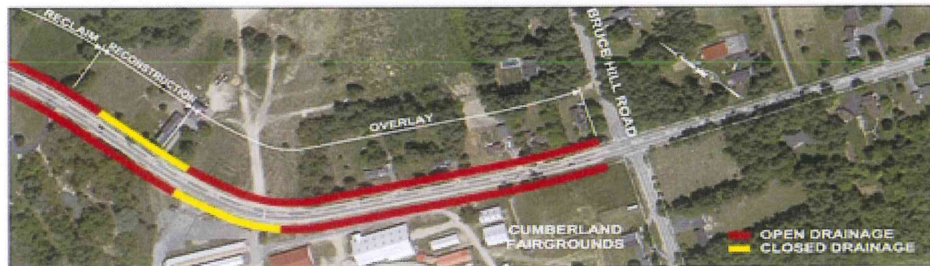
Blanchard Road Reconstruction
Cumberland Town Council
April 22, 2013



Scope of Work

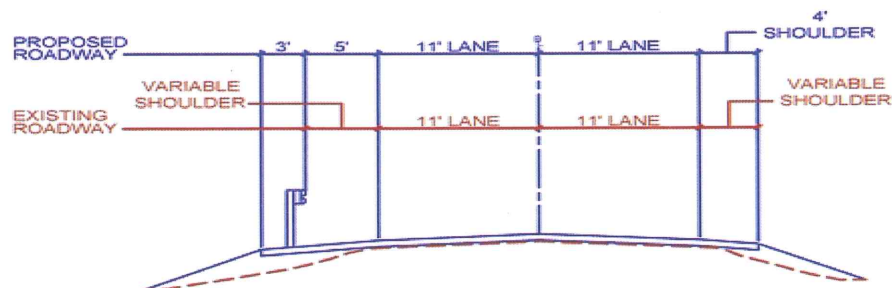
GP Gorrell-Palmer Consulting Engineers, Inc.
Engineering Excellence Since 1998

Blanchard Road Reconstruction
Cumberland Town Council
April 22, 2013



Scope of Work

GP Gorrell-Palmer Consulting Engineers, Inc.
Engineering Excellence Since 1998



Typical Roadway Section

GP Gorrell-Palmer Consulting Engineers, Inc.
Engineering Excellence Since 1998

**Blanchard Road Reconstruction
Project Budget**

Design Components

Survey	\$5000
Wetland Report	\$1000
Material Testing	\$2500
Civil Design (incl. Construction Obs.)	<u>\$77,000</u>
Subtotal	\$85,500

Construction Components

Reclaim, Gravels, Excavation	\$95,000
Drainage & Curbing	\$200,000
Pavement	\$470,000
Misc. (Grass, Guardrail, Etc.)	<u>\$106,000</u>
Subtotal	\$871,000

Construction Contingency	\$43,500
Total	\$1,000,000

**Blanchard Road Reconstruction
Project Schedule**

Release for Bid	May 10, 2013
Bid Opening	May 30, 2013
Contractor Award	June 3, 2013
Substantial Completion (Base Pavement)	September 15, 2013
Surface Pavement	May 15, 2014



Chairman Stiles clarified that the state was paying for ½ of this project.

Mr. Reynolds said that is correct.

Councilor Perfetti asked Mr. Reynolds to explain what reclaim is and how the project will affect traffic on the road in the summer.

Mr. Reynolds responded that reclaim is the process of a machine digging up the top layer of pavement, grinding it up, spreading it out, and paving over it. In some cases, gravel has to be used where the road needs to be built up.

Mr. Reynolds said that this is a significant project on this 1-mile stretch of Blanchard Road that will affect traffic, but he is not certain if the contractor will have it down to one lane or not.

Councilor Copp said that there is a snowmobile trail that crosses the road in the construction area and he hoped that curbing would not interfere.

Mr. Reynolds said that has been considered and the trail opening will not be impacted.

13 – 075 To hear a report from Director of Library Services, Thomas Bennett re: Prince Memorial Library.

Library Director, Thomas Bennett presented the following overview of what the Library has done over the past few years and what is happening this year that is a little different than prior years:

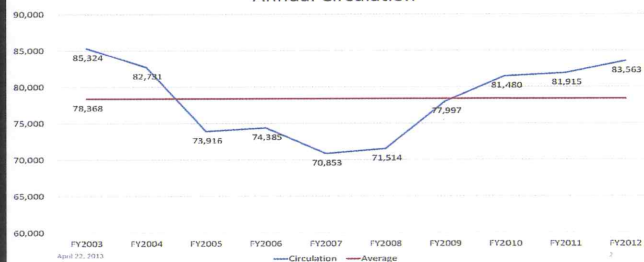


Prince Memorial Library Presentation to the Cumberland Town Council

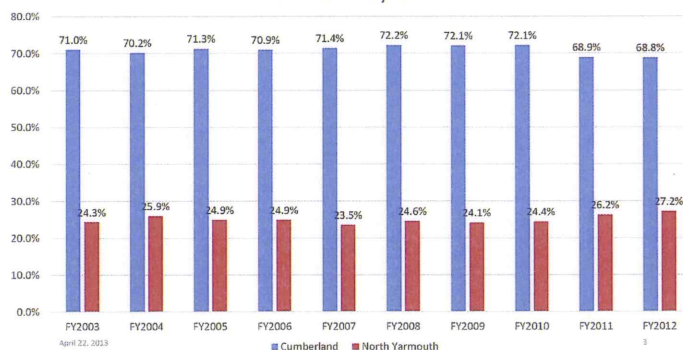
April 22, 2013



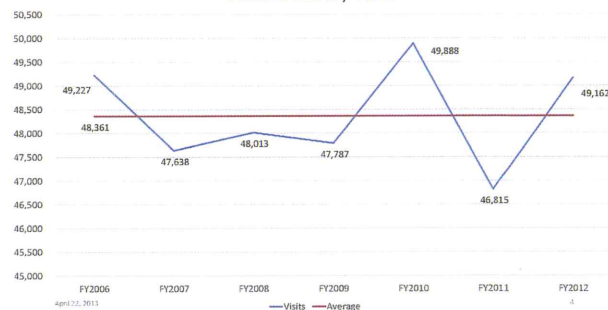
Annual Circulation



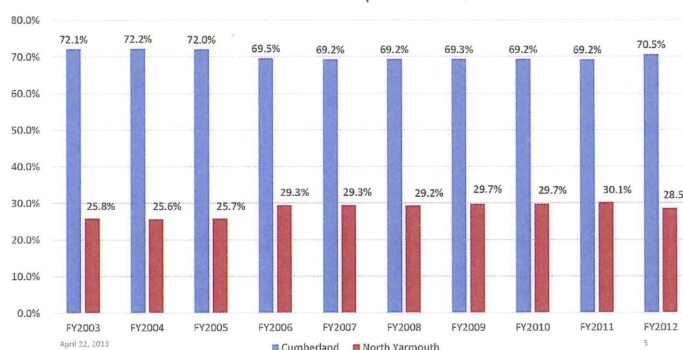
Circulation by Town



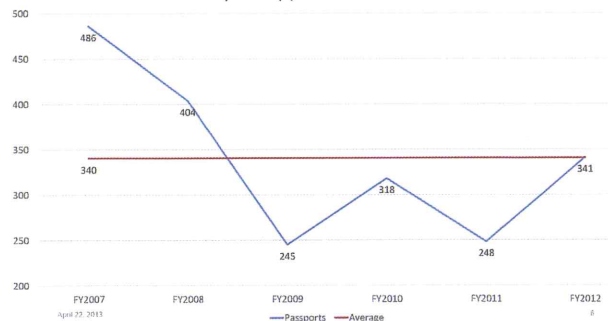
Annual Library Visits



Patron Composition



Passport Applications Processed



- Maine Community Heritage Project, 2009-2010
- Cumberland Overseers of the Poor Archives Project: Davis Family Foundation grant, 2009-10; Maine Historical Records Advisory Board grant, 2013
- Grace E. Hutchinson Negative Collection: Davis Family Foundation grant, 2013

- Report: Library Services in the Digital Age
- 80% say borrowing books is a very important service
- 80% say reference librarians are a very important service
- 77% say free access to computers and the Internet is a very important service
- 59% have visited a library, bookmobile, or library website within the past year
- 52% say their library usage has stayed the same over the past five years, while 26% say it has increased and 22% say it has decreased

- 73% visit to browse the shelves and borrow materials
- 54% visit to research topics of interest
- 50% visit to get help from a librarian
- 49% visit to sit, read and study
- 46% visit to use a research database
- 41% visit to attend or bring a young person to a class, program or event
- 23% visit to attend a meeting
- 21% visit to attend a class, program or lecture
- 17% visit to borrow or download an audiobook



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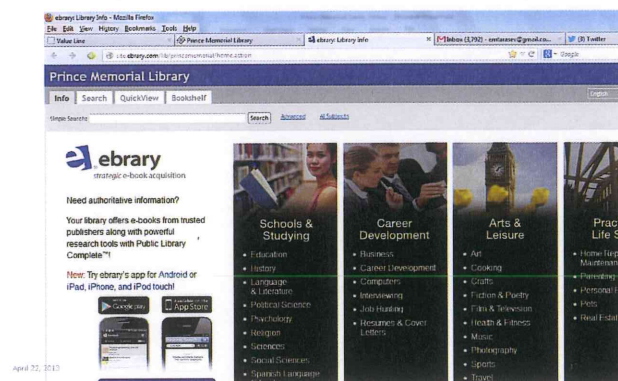
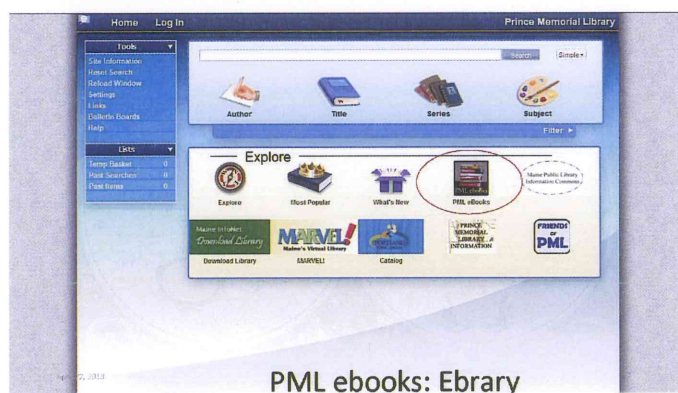
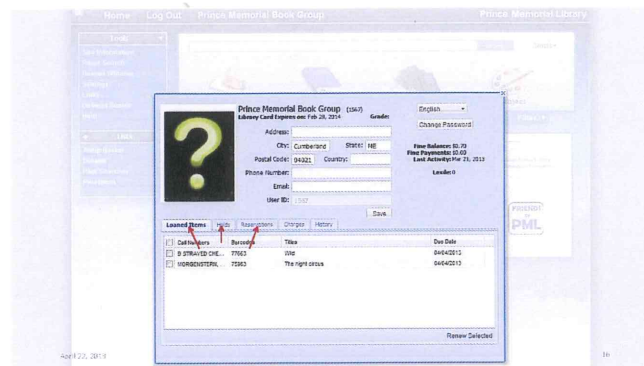
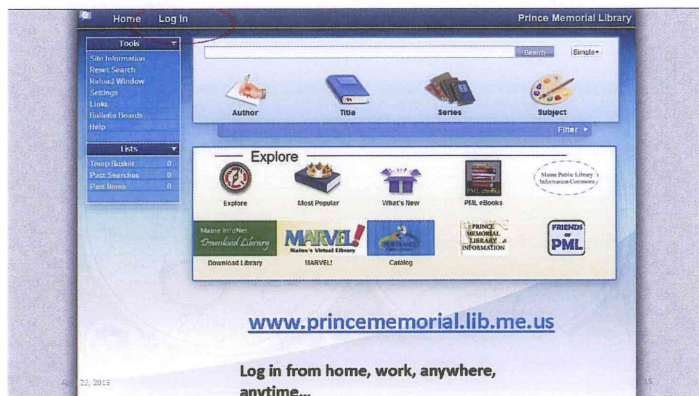
The Telling Room is a non-profit writing center in Portland Maine dedicated to the idea that children and young adults are natural storytellers. Focused on Young Writers, we seek to build confidence, strengthen literacy skills, and provide real audiences for our students. We believe that the power of creative expression can change our communities and prepare our youth for future success.



Online Resources



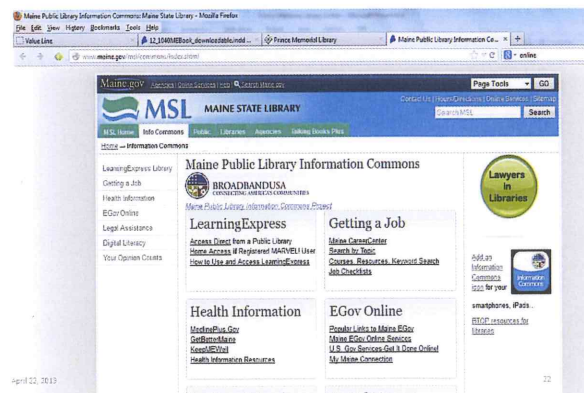
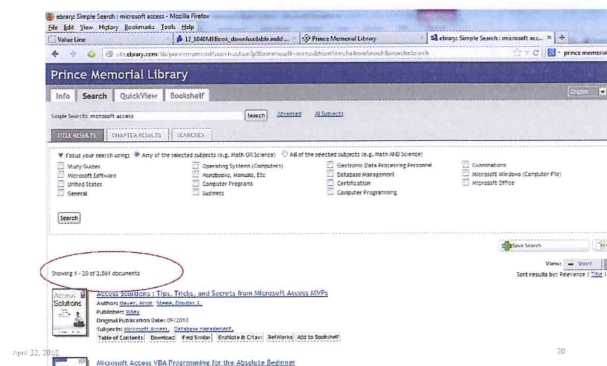
Reference Librarian, Elizabeth Tarasevich presented the next portion of the presentation on the Library webpage:



Prince Memorial Library's ebrary

Public Library Complete

- **Subscription: multi-user platform, + 27,000 titles**
- **Browser based viewing, with download option**
- **Powerful research tools: emphasis on nonfiction**
- **Free Data sharing, personalized Bookshelves**
- **[Quick Start Guide](#)**





Prince Memorial Library:

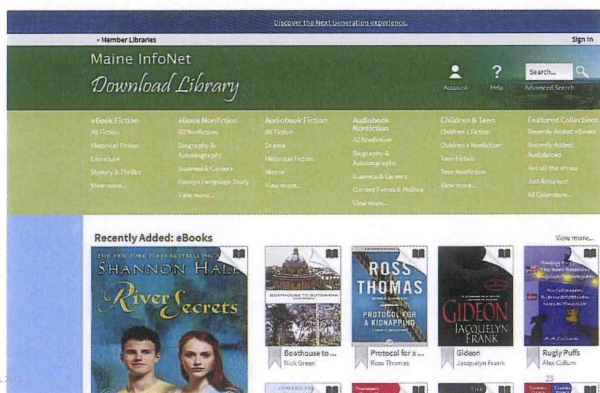
Maine Public Library Information Commons



- Government Portal: via Maine State Library
- Learning Express Library
- Education and Test Preparation
- GED
- Citizenship
- Job Search & Workplace Skills
- Consumer & Health
- Business & Legal

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Prince Memorial Library:

Maine InfoNet Download Library



- Audio & ebooks
- Kindles, Tablets, multi-platform devices
- Log in via PML with library card number
- Check out Up to 3 books at a time
- Place holds, email notification
- Automatic return

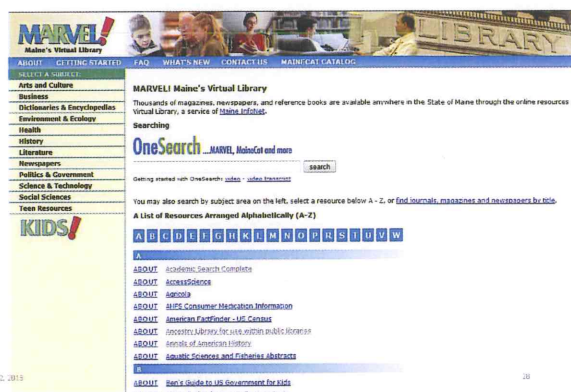
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Prince Memorial Library:

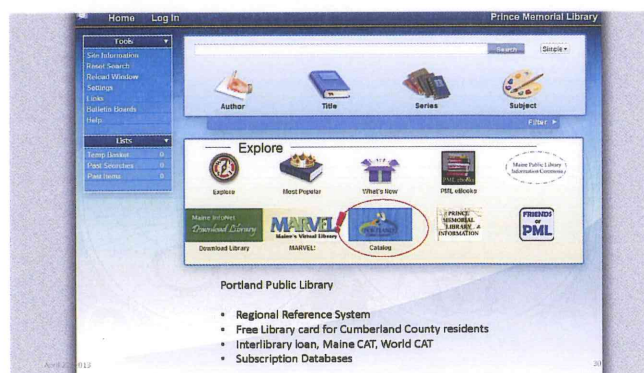
Maine's Virtual Library



- Databank of databases
- Newspapers, Magazines, Academic Journals
- Remote access with registration
- Full text articles: pdf & html
- Data sharing: folders, email, downloads
- In library access: Value Line & Ancestry.com

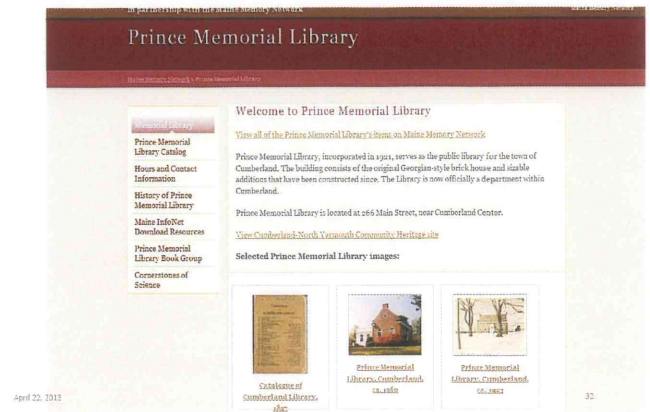
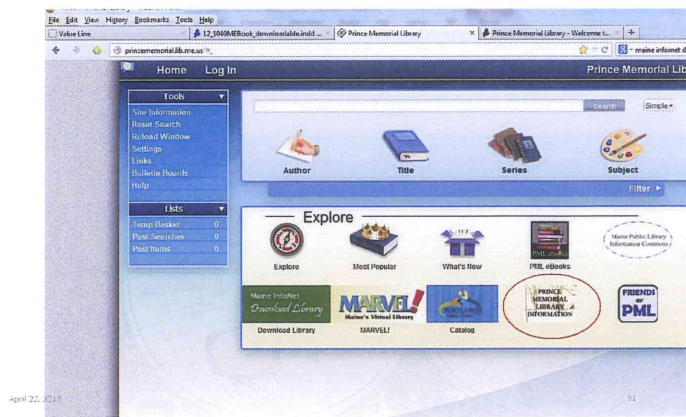
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Prince Memorial Library Online



April 22, 2013

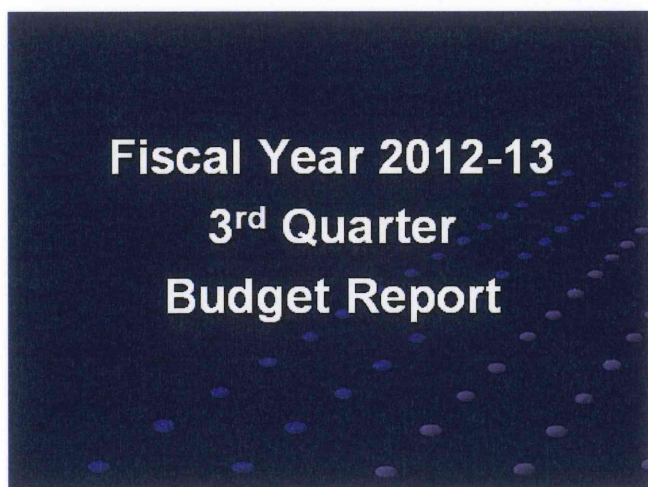
And, don't forget...

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13 – 077 To hear a report from the Finance Committee Chair re: third quarter financials.

Finance Committee Chairman, Councilor Gruber said that we are trending slightly better than last year on expenses and revenues. He thanked the Council for moving forward on the sale of foreclosed properties. The Lands & Conservation Commission is looking into 3 of those properties to see if they would work for trail connectivity and/or open space. Selling foreclosed properties not only pays all the back taxes owed to the town, but it puts those properties back on the tax rolls.

Councilor Gruber introduced Finance Director, Heather Perreault, who presented the following:



Town of Cumberland		Through March 31, 2013			
Year to Date Expenses		FY 2013			FY 2012
Department	Budget	YTD Expenses	Used	Used	Used
General Administration	\$ 1,031,403	\$ 860,385	83.4%		82.7%
Public Safety	\$ 1,896,372	\$ 1,473,331	77.7%		75.5%
Public Works	\$ 1,563,454	\$ 1,249,893	79.9%		76.4%
Parks & Recreation	\$ 771,686	\$ 601,544	78.0%		83.6%
Library	\$ 372,366	\$ 286,352	76.9%		72.6%
Other Expenses	\$ 407,037	\$ 304,665	74.8%		88.1%
Controllable Expense Total	\$ 6,042,318	\$ 4,776,170	79.05%		78.5%
Other Expenses					
MSAD #51	\$ 13,193,552	\$ 9,882,455	74.9%		74.9%
Debt Service	\$ 913,551	\$ 572,893	62.7%		85.1%
Insurance	\$ 271,584	\$ 290,907	107.1%		96.7%
County Tax	\$ 623,416	\$ 623,416	100.0%		100.0%
Capital Imp. Plan	\$ 896,137	\$ 896,137	100.0%		100.0%
Other Expense Total	\$15,898,240	\$ 12,265,808	77.15%		77.6%
All Expenses Total	\$21,940,558	\$ 17,041,978	77.67%		77.8%

Town of Cumberland			Through March 31, 2013	
Year to Date Revenues				
Description	FY 13			FY 12
	Budget	Actual	% Collected	%
Misc Revenues	\$2,416,020	\$1,949,996	81%	77%
Dept Revenues	\$1,198,729	\$ 745,100	62%	68%
Total Revenues	\$3,614,749	\$2,695,096	74.6%	74%
Selected Revenue Lines	Budget	Actual	FY 13	FY 12
Excise Tax	\$1,330,000	\$1,050,573	79%	73%
State Revenue Sharing	\$ 575,000	\$ 428,010	74%	80%
Building Permits	\$ 40,000	\$ 69,605	174%	113%
Recreation Revenues	\$ 542,653	\$ 314,561	58%	79%
Bags/Universal Waste	\$ 290,000	\$ 165,106	57%	55%

This year versus last two

	3rd Quarter			Year End		
	12-13	11-12	10-11	12-13	11-12	10-11
Revenues	74.6%	74.3%	67.0%	?	101.5%	101.0%
Expenses	77.7%	77.8%	77.9%	?	100.3%	100.2%

13 – 078 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the 3rd Annual Cumberland Sho-n-Shine to be held on June 9th from 8:00 a.m. to 3:00 p.m. at the Cumberland Fairgrounds.

Chairman Stiles opened the Public Hearing.

Public comment: None

Chairman Stiles closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Gruber, to approve the Mass Gathering Permit for the 3rd Annual Cumberland Sho-n-Shine to be held on June 9th from 8:00 a.m. to 3:00 p.m. at the Cumberland Fairgrounds.

VOTE: 7-0 UNANIMOUS PASSAGE

13 – 079 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Chickadee Classic Dog Show to be held June 20th – 23rd from 8:00 a.m. to 5:00 p.m., at the Cumberland Fairgrounds.

Chairman Stiles opened the Public Hearing.

Public comment: None

Chairman Stiles closed the Public Hearing.

Motion by Councilor Turner, seconded by Councilor Storey-King, to approve the Mass Gathering Permit for the Chickadee Classic Dog Show to be held June 20th – 23rd from 8:00 a.m. to 5:00 p.m., at the Cumberland Fairgrounds.

VOTE: 7-0 UNANIMOUS PASSAGE

13 – 080 To consider and act on sending the Mass Gathering Ordinance to the Ordinance Committee to review insurance requirement and police coverage.

Chairman Stiles explained that he felt that the insurance requirement and police coverage on mass gatherings needed to be reviewed. He recommended forwarding it to the Ordinance Committee.

Motion by Councilor Perfetti, seconded by Councilor Copp, to forward the Mass Gathering Ordinance to the Ordinance Committee to review insurance requirement and police coverage.

VOTE: 7-0 UNANIMOUS PASSAGE

13 – 081 To consider and act on cancelling the May 27th Town Council meeting and rescheduling the June meetings from June 10th and 24th to June 3rd and 17th.

Chairman Stiles explained that May 27th is Memorial Day and a lot of people travel that day. Moving the June meetings is due to election set up in the Council Chambers, and the need to swear in newly elected Councilor's after the election.

Motion by Councilor Jennings, seconded by Councilor Copp, to cancel the May 27th Town Council meeting and reschedule the June Town Council meetings from June 10th and 24th to June 3rd and 17th.

VOTE: 7-0

UNANIMOUS PASSAGE

V. NEW BUSINESS

Councilor Turner – He attended a Maine Municipal Association Policy Committee meeting recently. The most interesting topic that was discussed at the meeting was the East/West Highway. There was an LD suggesting that a committee be formed by the Legislature. The idea of the committee was approved, but it was suggested that it be made up of only people on the corridor. The feeling was that the people who will be impacted are the only people who should be on the committee. It should not be put into the political realm.

Councilor Copp – Condolences to the Burgess family. Cumberland Police Sergeant Tom Burgess's father passed away last week.

Councilor Storey-King – None

Councilor Gruber – Little League and softball start this week. Parents should continue to bring their children to the ball park. The bridge in the back of Town Hall that leads to the ball field is very impressive. Public Services did a great job and the fields look great.

The food pantry continues to do well. Thank you to all the volunteers and people who donate.

Chairman Stiles – Asked Councilor Gruber if the food pantry is in need of any specific items. Councilor Gruber responded that a list is published and posted on the pantry's website. Word has a way of getting out and the specific needs have a way of getting filled.

Chairman Stiles said that there has been an ongoing water issue on Range Road that will be fixed this week. Portland Water District will be installing a drainage system that should take care of the overflow and drainage problem on the adjacent property. Thank you to PWD and the Town Manager for making it happen.

Councilor Jennings – None

Councilor Perfetti – Thank you to Councilor Turner for reading a message in his absence at the last meeting. To reiterate, he will not be seeking another term on the Town Council. He will speak to this more as his last meeting approaches. Thank you to his fellow Councilors, the Manager, and the public for their patience. Things change and he has been very busy with his work life.

Town Manager Shane – There has been a lot of inquiry about the gas main project, which is good, but he wants to remind the public that they should not be doing any heating conversions to their homes yet. By doing conversions now, they will miss out on a \$1,500 rebate from Summit Natural Gas. The rebate is not retroactive, so it is best to wait for more information and informational meetings coming later this year.

Letters will be going out to residents on private roads next week regarding Waste Management taking over trash pick-up on July 1st. There has to be a person assigned from each private road to be the contact person for Waste Management. Private road residents will have to indemnify Waste Management from any damage (from their trucks) to a private road. It is common to see numerous trash bins at the end of private roads because the road may be too narrow for the trash truck or the residents want to avoid the truck damaging their roads.

VI. ADJOURNMENT

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

VOTE: 7-0

TIME: 8:32 p.m.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

MANAGER'S REPORT

Town of Cumberland - Veterans Recognition Monument

Name	Conflict	Branch
Bickmore, Harold V., Jr.	Korea	Navy
Bickmore, Hattie M.	Korea	Marines
Bickmore-Bidwell, Brenda	Persian Gulf, Iraq	Army
Blake, Geroge M.	WWII	Army
Bosarge, Jonathan T.	Afghanistan	Army
Bosarge, Theo D., II	Persian Gulf	Army
Bowman, Thomas G.	Korea	Marines
Breitenberg, Harry J.	Korea	Army
Brown, James B.	Iraq	Marines
Buglione, Neil	WWII	Army
Caruso, Louis	Vietnam	Army
Clinch, Terry L.	Vietnam	Air Force
Copp, Bert O., Jr.	Afghanistan	Army
Corcoran, Horace D.	WWII	Army
Crowley, Artell B.	Vietnam	Coast Guard
Cushman, Stuart L.	Persian Gulf	Army
Danowski, Patricia A.	Persian Gulf	Air Force
Doughty, Waitstell	WWII	Army
Hoyt, Warren M.	Korea	Air Force
Hudson, Wheaton G., Jr.	Korea	Navy
Hutchins, Charles J.	WWII	Navy
Hutchins, Danny I.	Vietnam	Army
Kinney, Wesley A., Sr.	WWII	Army
L'Hommedieu, Edward F.	Vietnam	Air Force
Lindholm, Eric	Korea	AFNG
Lisa, Anthony J.	Vietnam	Air Force
Lyford, William G.	Peace Time	Army
Maitland, Frederick R.	Korea	Army
March, Daniel W.	Vietnam	Navy
Mikkelsen, Howard N.	Korea	AFNG
Mullin, John R.	Korea	Army
Murray, Andrew J.	Persian Gulf, Iraq	Navy
Packard, Linwood	Korea, Vietman	Air Force
Pastore, John J.	Persian Gulf	Navy
Pastore, Joseph	Korea	Air Force
Pastore, Michael S.	Persian Gulf	Navy, Army
Peterson, Herbert A.	Korea	Air Force
Reed, Harriett L.	Vietnam	Navy
Robinson, Richard J., III	Afghanistan, Iraq	Army, Marines
Rogers, Bradley P.	Persian Gulf	Marines
Rogers, Christopher F.	Afghanistan, Iraq	Marines
Rogers, Frank R.	Korea	Marines

Rogers, Russell E.	Peace Time	Marines
Rogers, Timothy F.	Peace Time	Marines
Schwarz, Richard F.	WWII	Navy
Theriault, Roger W.	Peace Time	ANG
Thompson, William W.	Vietnam	Air Force
White, Robert E.	Vietnam	Army
Wilkinson, Samuel A. III	WWII, Korea	Navy
Willock, Marcia B.	Korea	Marines
Willock, Roger	Korea, Peace Time	Army, Marines
Yarumian, Robert A.	Korea	Marines
Young, Daniel M., Sr.	Vietnam	Air Force
Young, George A., Jr.	Vietnam	Army

Additions to existing names:

Burnell, Victor M.	Add: WWI and Army
Monroe, Harold J.	Add: Korea

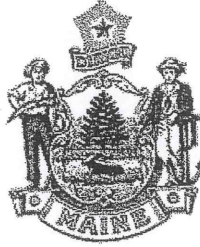
ITEM

13-082

To hold a Public Hearing to consider and act on a Class III (vinous only) and Class IV (malt liquor) Liquor License for Doc's Café

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

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



License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

6 | 5 | 13

INDICATE TYPE OF PRIVILEGE: ~~X~~ MALT ☒ SPIRITUOUS ~~X~~ VINOUS

INDICATE TYPE OF LICENSE:

RESTAURANT/LOUNGE (Class XI ف) RESTAURANT (Class I,II,III,IV ف)
 HOTEL (Class I,II,III,IV ف) HOTEL-OPTIONAL FOOD (Class I-A ف)
 CLUB-ON PREMISE CATERING (Class I ف) CLASS A LOUNGE (Class X ف)
 GOLF CLUB (Class I,II,III,IV ف) CLUB (Class V ف)
 OTHER (ف) TAVERN (Class IV ف)

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B/A)		
Rebecca Williams			Doc's Cafe and Marketplace		
DOB:			DOB:		
DOB:			DOB:		
Address			Location (Street Address)		
329 Greely Rd			371 Tuttle Rd		
N. Yarmouth ME 04097			City/Town State Zip Code		
City/Town State Zip Code			City/Town State Zip Code		
Telephone Number Fax Number			Business Telephone Number Fax Number		
Federal I.D. #			Seller Certificate #		
45-4820323			207 829 4250 1155716		

3. If premises are a hotel, indicate number of rooms available for transient guests: N/A

4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ 2208

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

If YES, complete Supplementary Questionnaire

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

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

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

Requested inspection date: _____ Business hours: _____

9. Business records are located at: 371 Tuttle Rd Cumberland 04021

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

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

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

Name in Full (Print Clearly)	DOB	Place of Birth
Rebecca Williams		Danvers, MA

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

329 Greely Rd N. Yarmouth ME 04097

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

Yes ☐ No ☒ If Yes, give name: _____

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

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

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

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

YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 100 yds Which of the above is nearest? Church

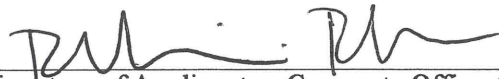
20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: _____

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

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

Dated at: Cumberland, ME on April 22, 2013
Town/City, State Date


Signature of Applicant or Corporate Officer(s)

Rebecca Williams
Print Name

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE.....\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

Dated at: Cumberland ME, Maine Cumberland ss
City/Town (County)
On: 4/22/13

STATE OF MAINE

Date

The undersigned being: ٱ Municipal Officers ٱ County Commissioners of the
Unincorporated Place of: _____, Maine ٱ Plantation ٱ Town ٱ City ٱ

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).][1993, c730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receUpon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

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

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

- Exact Corporate Name: Docs Cafe and Marketplace LLC
Business D/B/A Name: Docs Cafe and Marketplace
- Date of Incorporation: JUN 2012
- State in which you are incorporated: Maine
- If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:

- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Rebecca Williams	329 Grady Rd N. Yarmouth ME 04097	7-1-70	100%	owner, operator

- What is the amount of authorized stock? _____ Outstanding Stock? _____
- Is any principal officer of the corporation a law enforcement official? () YES ☒ NO
- Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES ☒ NO.
- If yes, please complete the following: Name: _____

Date of Conviction: _____ Offense: _____

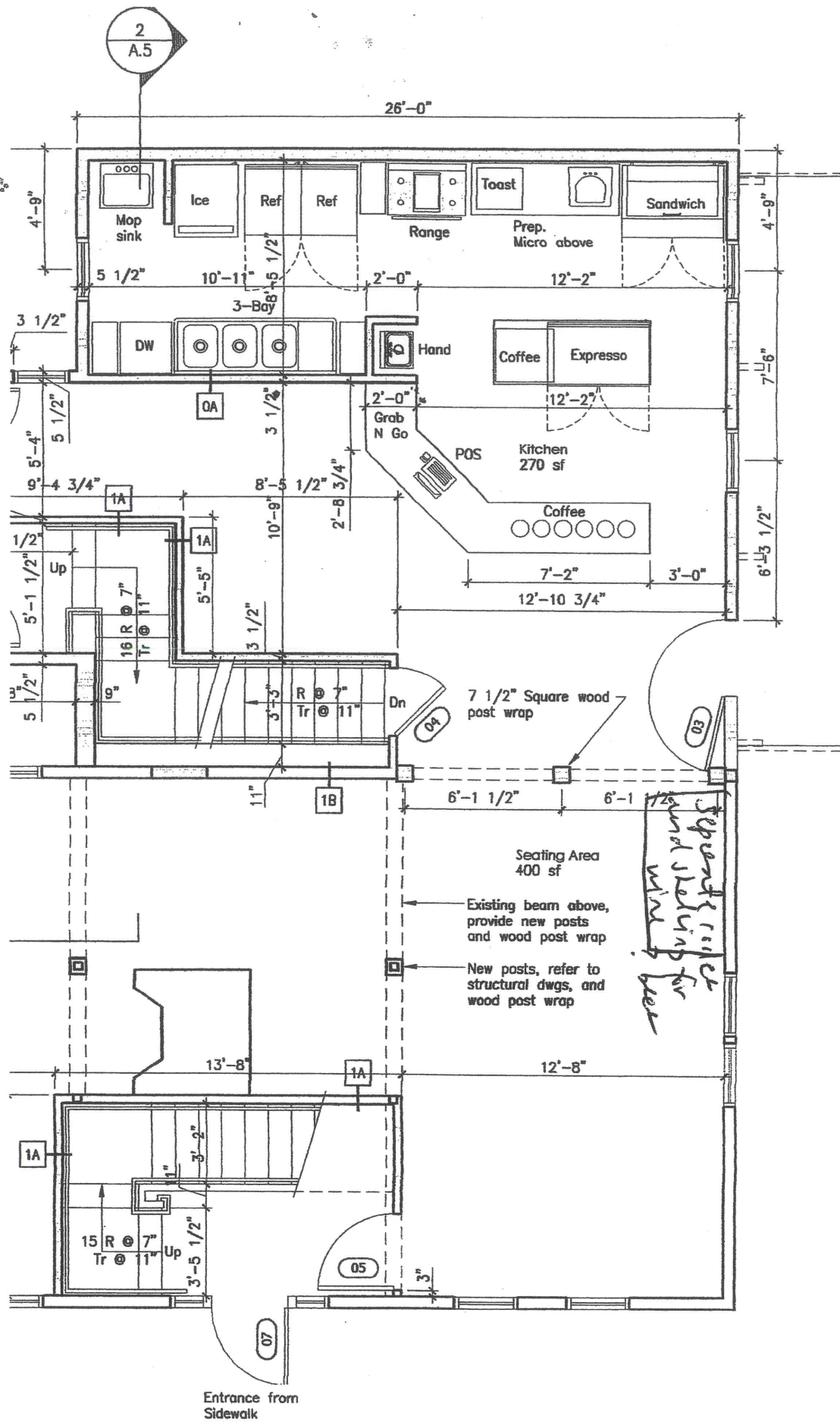
Location: _____ Disposition: _____

Dated at: _____ City/Town _____ On: _____ Date _____

[Signature] Date: 4/22/13
Signature of Duly Authorized Officer

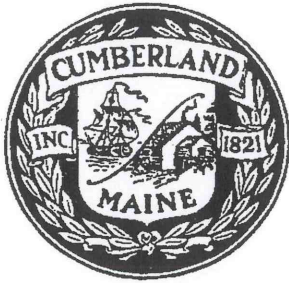
Rebecca Williams
Print Name of Duly Authorized Officer

STATE OF MAINE
Liquor Licensing & Inspection Unit
164 State House Station
Augusta, Maine 04333-0164



ITEM 13-083

Review of Personnel Policy



TOWN OF CUMBERLAND

OFFICE OF
ECONOMIC DEVELOPMENT
& HUMAN RESOURCES

To: William Shane, Town Manager
From: Alyssa Tibbetts, Assistant Town Manager
Date: May 9, 2013
Re: Personnel Policy
CC: Town Council

Article IV of the Council-Manager Charter states that the Council shall enact a personnel ordinance and thereafter review the personnel ordinance annually. Section 2 of Article IV also states that the Manager shall update and review the personnel ordinance and shall submit recommendations to the Council for its annual review.

We have completed a comprehensive review of the existing Personnel Policy and are suggesting several changes and amendments, including a change of title to "Personnel Ordinance" to be consistent with the Charter.

The Ordinance Committee will review the proposed changes at their meeting on Thursday, May 9th and will provide a report to the Council at its regular meeting on Monday, May 13th. Any revisions resulting from the Ordinance Committee's discussion will be provided on Monday prior to the meeting.

TOWN OF CUMBERLAND



PERSONNEL POLICY ORDINANCE

Effective Date: November 23, 1998

Revised: ~~June 2008~~

May 2013

Town of Cumberland
Personnel Policy Ordinance

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ARTICLE 1. INTRODUCTION

Pursuant to Article IV of the Council – Manager Charter, the Town Council shall enact a personnel ordinance and shall thereafter review the personnel ordinance annually. The general purpose of this ~~policy~~ **ordinance** is to establish a system of personnel administration that meets the social, economic and program needs of Town employees; it is not to be construed as a contract of employment. This system shall provide the means to recruit, select, develop, and maintain an effective and responsive work force, and shall include policies and procedures for employee hiring, advancement, training, job classification, salary administration, retirement, fringe benefits, discipline and other related activities.

ARTICLE 2. APPLICABILITY OF POLICY ~~POLICY~~ ORDINANCE

This ~~policy~~ **ordinance** and the procedures herein shall apply to all Town employees including those employees covered by collective bargaining agreements, except where otherwise provided or addressed in such bargaining agreements, or except for individual cases where a differing procedure is provided for in the Town ordinances or Town Charter.

ARTICLE 3. DEFINITIONS

For the purposes of this ~~policy~~ **ordinance**, the following words and phrases shall have the meanings respectively ascribed to them.

~~**Amendments:** The Town Manager may modify and amend the Personnel Policy at any time.~~

Anniversary Date: The anniversary of the employee's initial employment date.

Appointing Authority: The appointing authority shall be the Town Manager or a person appointed by him/her who shall also be responsible for enforcing this **ordinance** ~~Personnel Policy~~.

Break in Service: Any separation from Town service, whether by resignation, removal, layoff, dismissal or retirement, after which the employee is subsequently re-employed. An authorized leave without pay will not constitute a break in service.

Continuous Service: Employment without a break in service.

Demotion or Reduction in Rank: Assignment of an employee from one position to another which has lower rate of pay.

Disability: A permanent disabling condition, partial or complete, which prevents, hinders or adversely affects an individual's performance of the essential functions of the position.

Dismissal: Separation from employment.

Exempt: Designation of employment status in accordance with provisions of the Fair Labor Standards Act (FLSA). Designation as an exempt employee generally means that the employee is not entitled to overtime pay.

Fire/EMS Personnel: A Fire and EMS employee is one who is assigned to work a budget authorized position on an indefinite basis, regardless of the amount of hours worked and whether on-call or for regularly scheduled shifts. No benefits, except those required by law, are available for Fire and EMS personnel other than regular full-time employees as defined herein.

Greivance: A complaint or dispute of an employee regarding his/her terms of employment as provided for in this ~~policy~~ **ordinance**.

Immediate Family: The employee's spouse, ~~significant other (living in the same household),~~ domestic partner, natural or adopted children, parents, ~~brothers, sisters,~~ siblings, grandparents or dependents residing in the same household that qualify as a dependent for federal income tax purposes.

Non-exempt: Designation of employment status in accordance with the provisions of the Fair Labor Standards Act. Designation as a non-exempt employee generally means that the employee is entitled to overtime pay.

On-Call Employee: An on-call employee is one who is subject to call based upon a need and not a regular work schedule, and the need for on-call work is intermittent in nature, ~~and includes but is not limited to part-time firefighters.~~ This employee status includes but is not limited to part-time firefighters and EMS staff. No benefits are available for on-call employees, except those required by law.

Probationary Employee: Probationary employees are those who are still in the six month probationary period following initial appointment or promotion to a regular full or regular part time position. Probationary employees accrue benefits based on their status as regular full or regular part time employees.

Probationary Period: Any person employed on a regular full or regular part time basis by the Town shall be employed on a probationary status for a period of six months.

Regular Full-Time Employee: A regular full time employee is one who has successfully completed his/her six month probationary period and has been appointed to a budget authorized position to work a standard work week of ~~at least 37 hours per week~~ (as defined below) on a continuing and indefinite basis. Regular full time employees are entitled to all benefits provided by this ordinance ~~Personnel Policy~~.

Regular Part-Time Employee: A regular part time employee is one who has successfully completed his/her six month probationary period and has been appointed to a budget authorized position which requires a minimum of 20 hours per week and a minimum of 1,040 hours per fiscal year. Regular part time employees employed prior to July 2007 are entitled to all benefits, on a pro-rata basis, provided by this ordinance ~~Personnel Policy~~. No benefits, other than holiday and sick and vacation accruals, are available to regular part-time employees hired after July 1, 2007, except those required by law.

Non-Regular Part-Time Employee: A non-regular part-time employee is one who is assigned to work a budget authorized position of less than twenty hours per week on an indefinite basis, and includes but is not limited to part-time EMS personnel, lifeguards and camera operators. No benefits are available for non-regular part-time employees, except those required by law.

Seasonal Employee: A seasonal position shall be less than year round, appointed for a period of time for which the project or task is known, regardless of the number of hours worked each week, and meets the definition of a seasonal employee under the FLSA. Seasonal employees include, but are not limited to, seasonal recreation program employees and seasonal Val Halla staff. No benefits are available for a seasonal employee, except those required by law.

Standard Work Week: A standard work week is dependent upon the Department in which a regular full-time employee works. Standard work weeks are defined as follows:

<u>Town Hall (Administration, Finance, Clerk, Planning, Senior Housing, Assessing, Code Enforcement, Recreation and administrative support staff of Public Works and Police Departments)</u>	<u>33 hours</u>
<u>Police, Fire, Public Works, Library, Val Halla</u>	<u>40 hours</u>

Temporary Employee: A temporary employee is one who is appointed to a position that is less than year round, regardless of hours worked, and that is for a specific project or period of time to fill a specific need of a less than permanent nature. No benefits are available for a temporary employee, except those required by law.

Suspension: Any enforced leave of absence with or without pay for disciplinary purposes or pending investigation of charges made against an employee.

ARTICLE 4. RESPONSIBILITY

As outlined by Article III, Section 3 of the Town Charter, the Manager, or his/her designee, shall have the responsibility for administration of the personnel program and make every effort to adequately consider the rights and interest of the Town employees, consistent with the best interests of the Town of Cumberland. The Town Manager shall update and review the personnel ordinance and shall submit recommendations to the Council for its annual review.

ARTICLE 5. EMPLOYER AND EMPLOYEE RESPONSIBILITY

The Town shall furnish each new employee with a copy of this Personnel Ordinance Policy at the time of the employee's orientation. It will be the responsibility of the employee to read the Employee Bulletin Boards daily for memoranda relative to working rules and amendments thereto.

ARTICLE 6. SEVERABILITY CLAUSE

If any provision of this Policy ordinance or the application thereof to any person or circumstance is held invalid, this invalidity shall not affect other provisions or application of this Policy ordinance which can be given effect without the invalid provision or application, and for this purpose the provisions of the Policy ordinance are severable.

The Town Manager may waive or modify any provision of this Policy ordinance if the strict application of the Policy ordinance to a particular situation is impractical or would result in hardships. Requests for a waiver or modification shall be considered only with respect to particular situations and a decision in one situation shall not create a precedent applicable to any other person or situation.

ARTICLE 7. EQUAL EMPLOYMENT OPPORTUNITY

The Town shall employ, without discrimination as to race, ~~creed~~, color, age, sex (including pregnancy), sexual orientation, genetic information, national origin, religion, political affiliation or physical or mental disability (except as a bona-fide occupational qualification) the best qualified persons who are available at the salary level established for Town employment, with first preference being given to citizens of the Town, all factors being equal.

ARTICLE 8. POSITION VACANCIES

Vacancies in any position may be filled internally by posting, or from outside through advertising. Vacancies in positions above entry level may be filled by promotion when in the judgment of the Town Manager and department head it is in the best interests of the Town to do so. In making promotions, the appointing authority shall give appropriate consideration to each applicant's qualifications, record of performance, and seniority, although the appointing authority retains the discretion to appoint the person he/she believes is best qualified for the position.

ARTICLE 9. APPLICATIONS

Application for employment must be filed on forms prescribed by the Town and available at the Town Manager's Office and/or meet the specified requirements as advertised. Such forms may require whatever

information is deemed necessary and applications must be signed by the person applying unless the applicant is physically incapable of doing so. The Town will only accept applications for positions when there are vacancies to be filled or when an eligibility list or per diem list must be established.

ARTICLE 10. PHYSICAL EXAM/DRUG & ALCOHOL TESTING

After a conditional offer of employment is made, the prospective employee must successfully complete a pre-employment physical exam. The physical examination will focus on the applicant's ability to perform the essential functions for the position as identified in the job description, with or without accommodation.

Prospective employees whose future position requires them to undergo drug and/or alcohol testing under Federal law, such as holders of a Commercial Driver's License (CDL), must submit to and successfully complete a pre-employment drug screening. Random drug and alcohol testing of covered employees will occur in accordance with Federal law. For more information on drug and alcohol testing, refer to the Town of Cumberland Policy on Drug and Alcohol Testing.

ARTICLE 11. NEW EMPLOYEE ORIENTATION

Each new employee will be given an orientation to receive information regarding benefits and policies.

ARTICLE 12. PROBATIONARY PERIOD

Any person employed on a regular full or regular part-time basis by the Town shall be employed on a probationary status for a period of six months. The conduct and work performance of employees on probation will be subject to review and evaluation during the six months, and they may be removed or demoted at any time during the probationary period. Such removals or demotions will not be subject to review or appeal.

ARTICLE 13. PROMOTIONS

A. Method of Promotion

Promotions to fill vacancies in positions of greater responsibility shall be made on the basis of merit of past work performance, seniority, achievements in any in-service training programs, initiative and any other relevant considerations. If an examination is required to select a candidate for promotion, the Town Manager, or his /her designee shall determine the examination material, and the candidates shall be given proper notice of the examination. Whenever practical or consistent with the best interest of the Town, preference for promotion within any Department shall be given to any employee of the department. The Town Manager or his/her designee may, however, open any promotion to any qualified applicants.

B. Probationary Period

Anyone who is promoted to a higher position shall complete a six-month probationary period for the new position and without losing any earned benefits.

ARTICLE 14. HEALTH INSURANCE

A. Health Insurance

Regular full-time employees are eligible to enroll in the health plan offered by the Town. The health plan is subject to change by the town on an annual basis; however, the town will provide employees with 30 days notice of a change to the health plan.

Effective July 1, 2007, the Town will pay 90% of the cost for the plan selected by the employee, and the employee shall pay the remaining 10% on a pre- or post-tax basis. The town offers a health insurance waiver plan, which is subject to review and change or suspension by the town on an annual basis.

The Town offers group health insurance to regular full-time employees and their dependents. The town will pay a minimum of eighty percent (80%) of the cost of the employee's selected health plan and a maximum of twenty percent (20%) will be paid by the employee in the form of a payroll deduction on a pre-tax basis. Employees may choose to participate in a predesigned wellness program as outlined in Article 15 to reduce the percentage of cost paid by the employee to no less than 10%.

B. Incentive Program

Eligible employees who do not elect coverage under the town's health plan for themselves and/or their spouse or dependents will be eligible to receive an annual incentive. The incentive program is subject to change by the town on an annual basis. The applicable incentive is determined as follows:

	<u>Single Employee</u>	<u>Married Employee</u>	<u>Single Employee w/ Child(ren)</u>	<u>Married Employee w/ Child(ren)</u>
<u>No Coverage</u>	<u>\$1,500</u>	<u>\$2,250</u>	<u>\$2,250</u>	<u>\$3,000</u>
<u>Employee Only</u>	<u>-</u>	<u>\$1,500</u>	<u>\$1,500</u>	<u>\$2,250</u>
<u>Employee & Spouse</u>	<u>-</u>	<u>-</u>	<u>\$1,500</u>	<u>-</u>
<u>Employee & Children</u>	<u>-</u>	<u>\$1,500</u>	<u>-</u>	<u>-</u>

All incentive payments shall be made on a pay-period basis and are subject to taxation. In order to qualify for the incentive, the employee must provide evidence of insurance for him/herself, spouse and/or each eligible dependent for which they do not elect coverage under the town's health plan. The incentive will cease automatically at the time an employee or dependent becomes ineligible for coverage.

C. Dependent Eligibility

The dependent(s) of an employee that is eligible for coverage under the town's health plan are also eligible for coverage under town's health plan up to age 26. However, an eligible employee may not receive an incentive for an eligible dependent that is employed and receives benefits through their employer.

D. Vision Insurance

Employees that elect coverage under the town's health plan will also receive coverage for vision services. The cost of the town's group health plan may include vision coverage; however, the town reserves the right to charge an additional premium for this coverage.

E. Long Term Care

The Town will provide a Long Term Care Insurance Plan to all regular full time employees according to the base policy as established by the town each fiscal year.

ARTICLE 15. WELLNESS PROGRAM

The town recognizes the importance of health and wellness in the quality of employees' lives. As such, the town instituted in January 2007 a Health Wellness Promotion Program focusing on health awareness and prevention. ~~Please refer to the town's policy for further details.~~

A. Health Insurance Premium Reduction

Employees may earn up to 100 points through the wellness program. An employee that earns the maximum 100 points will pay 10%, the lowest percentage of the cost of their selected health plan premium. Wellness points earned below 100 will be calculated respectively to determine the percentage of the employee's contribution, not to exceed 20%. The wellness program point system consists of the following:

33.34 points for an Annual Health Risk Assessment
16.67 points for periodic follow-ups to the HRA as necessary
16.66 points for meeting goals set by the wellness provider
33.33 points for attending or viewing Lunch & Learns
Bonus points may be awarded throughout the year for participation in additional health and wellness programs made available by the Town.

B. All employees are entitled to health coaching services offered by the wellness provider regardless of enrollment in the town's group health plan.

C. Fitness Membership Reimbursement

The Town will reimburse up to \$25 of the monthly cost of an employee's membership to a gym or fitness facility or the actual cost of membership, whichever is less. The employee is responsible for submitting a receipt of the monthly fee paid and must provide proof of attendance at the fitness facility at least twelve (12) times per month.

ARTICLE 16. LIFE INSURANCE

All regular full-time employees will receive life insurance coverage at no cost equal to one times their annual salary.

ARTICLE 17. RETIREMENT

A. Social Security

In addition to other retirement plans offered by the Town, the Town also participates jointly with employees in the Social Security System.

B. Deferred Compensation Plan

The Town offers a 457 deferred compensation plan through the International City Manager's Association (ICMA-RC). In this retirement program, the Town will match a regular full time employee's contribution up to 7% of their annual salary. The employee is responsible for the payment of any fees assessed to the employee's account, and the employee is also responsible for making their own investment decisions.

C. Maine Public Employees Retirement System (MainePERS)

The Town shall offer pension and disability retirement under the MainePERS Plan 2C for employees enrolled in MainePERS as a Town of Cumberland employee.

ARTICLE 18. DISABILITY INSURANCE

All regular full-time employees shall receive long-term disability coverage at a maximum of 60% of the employee's salary up to \$5,000 per month. ~~The Town's contribution to the plan shall not exceed 1% of the annual base salary of the employee. The employee shall pay any balance due through payroll deductions.~~

In addition, a short term (52 week maximum) disability plan, sometimes referred to as "Income Protection" is made available to Town employees. Regular full time employees who meet the Plan's eligibility requirements may select one of three protection levels, each with a different premium and benefit rate. The cost for this benefit is paid on a 100% basis by the employee shall be solely the responsibility of the employee.

ARTICLE 19. DENTAL INSURANCE

The Town shall make available a dental insurance plan to regular full-time employees who meet the eligibility requirements of the plan. The premium for the plan selected shall be solely the responsibility of the employee.

ARTICLE 20. EMPLOYEE DEVELOPMENT

A. Education and Training

Department Heads will submit requests for funding for training and development of department employees as part of their annual budget proposal. The use of training funds will be determined by the Town Manager or his/her designee in cooperation with the department heads.

B. Education and Reimbursement Policy

Regular full-time employees who are enrolled in an accredited work-related degree program shall receive a reimbursement for tuition costs at the rate of 75% of the University of Southern Maine credit hour rate, or actual tuition costs if less, for a maximum of six (6) credit hours per fiscal year. The credit hour rate will be based on either undergraduate or graduate tuition rates. Employees must submit an official record following completion of the class for reimbursement to occur. A grade of C or better is required. This benefit may be subject to taxation. Books and other supplies are not reimbursable. Employees must complete a Tuition Reimbursement Request form, available in the Administration Office, and submit for ~~Prior~~ approval by the Department Head and Town Manager ~~is required.~~ If possible, employees should provide notice of intent to utilize this benefit prior to January 15th in preparation of for the next fiscal year budget.

C. Records

A record of each in-service, employer approved training program, school or conference attended and completed by any employee will be kept as part of the employee's personnel record, and such accomplishments by an employee will be given consideration during the promotion and evaluation process.

ARTICLE 21. WORK PERFORMANCE EVALUATION

A. Annual Evaluation

Each department head shall annually evaluate each regular full and regular part time employee within his/her Department to determine if the employee is performing their job satisfactorily. A copy of each evaluation shall be given to, and reviewed with, the employee, after which a copy shall be placed in the employee's personnel file.

B. Town Manager's Responsibility

It will be the responsibility of the Town Manager or his/her designee to design the personnel evaluation forms and distribute the forms to the department heads. It will also be the Town Manager's ~~or his/her designee's~~ responsibility to complete annual evaluations of employees under the Town Manager's direct supervision.

C. Purpose of Evaluations

The Town Manager or his/her designee will consider the personnel evaluation forms when salary increases, promotions, disciplinary action, rewards, training programs, merit pay, or any other related personnel action is proposed.

ARTICLE 22. EMPLOYEE CONDUCT

A. General

All employees are expected and required to treat the public and fellow employees with promptness, patience, courtesy and respect. Information gained from their positions is to be considered confidential. All employees are expected to conduct themselves at all times during their hours of employment in a manner that will bring no discredit to their department or to the Town. Department Heads, if so designated by the Town Manager, shall make the determination of disciplinary actions, including dismissal, when in their opinion an employee's work performance or conduct justifies such action.

B. Local Political Activity

While working for the Town of Cumberland, (other than as a fire and/or rescue volunteer) all employees shall refrain from seeking or accepting nomination or election to the Cumberland Town Council or other Town Committee. Town employees shall not circulate petitions or campaign literature for elective Town officials, or be in any way concerned with soliciting or receiving subscriptions, contributions, or political service from any person for any political purpose pertaining to the Town government. This rule is not to be construed to prevent Town employees from beginning, or continuing to be, members of any political organization, from attending political meetings, from expressing their views of political matters, or from voting with complete freedom in any local, state or national election.

C. Conflict of Interest

No Town employee who is authorized to make purchases shall have any interest either directly or indirectly in any contract with the Town. No Town employee shall sell materials to the Town unless such material is awarded under sealed bid.

D. Receipt of Gifts

Town employees are prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loan, or any other item of monetary value from any person, within or outside Town employment whose interests may be affected by the employee's performance or nonperformance of their official duties. Acceptance of nominal gifts, such as food and refreshments in the ordinary course of business meetings or unsolicited advertising or promotional materials such as pens, note pads, calendars, etcetera, is permitted.

E. Outside Compensation

Town employees may engage in outside employment, subject to the conditions stated herein; however, no employee may engage in outside employment which in any manner interferes with the proper and effective performance of the duties of their position, results in a conflict of interest, or if it is reasonable to anticipate that such employment may subject the Town to public criticism or embarrassment. Employees must inform their department head of their outside employment. If the Town Manager determines that such outside employment is disadvantageous to the Town, based on the above criteria, he/she shall notify the employee in writing that the outside employment must be terminated. Any employee who engages in employment outside their regular working hours shall be subject to perform his/her regular duties first.

F. Smoking Policy

In accordance with the provisions of the Workplace Smoking Act of 1985, the Town of Cumberland has adopted a smoking policy. The Town restricts smoking to designated smoking areas located outdoors, at least 20 feet from the entryway of any town building ~~areas outside Town buildings where an ashtray is located.~~

G. Drugs and Alcohol

The possession, use or distribution of illegal drugs and alcohol is prohibited in the workplace or during working time. Violation of this policy will be treated as a serious offense. Employees of the Town who possess and/or distribute alcohol in the course of their employment are authorized to possess and/or distribute alcohol only to the extent necessary to carry out the duties of their employment.

H. Loss of Job as a Result of Loss of License or Certification

If it is a requirement for an employee in a specific position to possess a valid license and/or class of license or certification, then it shall be a condition of employment for that employee to maintain such license and/or certification. Failure to do so may result in job loss or re-assignment to an alternative position.

I. Concealed Firearms

Pursuant to Title 26 M.R.S.A. Section 600, an employee who has a valid permit to carry a concealed firearm under Title 25, chapter 252 may keep a firearm in their vehicle as long as the vehicle is locked and the firearm is not visible. Employees that do not possess a permit to carry a concealed firearm may not keep a firearm in their vehicle on town property. No employee may carry a firearm into a town building.

ARTICLE 23. HOURS OF WORK

A. Normal Working Days

Owing to the variations in the different services provided by the Town, it may be necessary that there be distinctions in the normal working days and the hours of work per week within each department. ~~The normal working days in the workweek shall be Monday through Friday. However, it may be necessary, owing to the variations in the different services provided by the Town, that there be variations in the hours of work per week within the different departments. The hours of work, the starting and quitting time and lunch periods will be established within each department by the department head with the Town Manager's approval. It is understood, however, that salaried employees exempt from overtime shall accomplish the work assigned to the position regardless of the hours required to do the work; this policy will be applied within reason. It is the responsibility of each department head to ensure that the department's work hours are adhered to by all employees and that the daily work hours of each non-exempt~~ all employees are reported to the Finance Director when submitting payroll timesheets.

Library: The normal working days in the workweek for the library staff shall be Tuesday through Saturday. The normal working hours from September – May are: Tuesday – Thursday 9:00 am – 8:00 pm, Friday 9:00 am – 5:00 pm and Saturday 9:00 am – 2:00 pm. The normal working hours from June – August are the same, except a reduction in Saturday hours from 9:00 am – Noon.

Public Safety: This category includes the Police, Fire and EMS Departments. The normal working days in the workweek for administrative staff of these departments shall be Monday – Friday 8:00 am – 5:00 pm. All other staff will be assigned shifts or schedules as needed or in accordance with a collective bargaining agreement by their respective department head.

Public Works & Parks: The normal working days in the workweek for the staff of Public Works and the Parks Department shall be Monday through Friday 7:00 am – 3:30 pm, subject to Article 4 of the Collective Bargaining Agreement for the Public Works/Val Halla Employees Association

Town Hall: The normal working days in the workweek for staff at Town Hall that are not included in any other department listed in this section or serve as administrative support staff to those departments shall be Monday through Wednesday 8:00 am – 5:00 pm and Thursday 8:00 am – 6:00 pm.

Val Halla: The normal working days and hours for staff at Val Halla shall be flexible in accordance with Article 4 of the Collective Bargaining Agreement for the Public Works/Val Halla Employees Association.

B. Absenteeism

To maintain a productive work environment, the Town of Cumberland expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness result in a burden on other employees and on the town's overall operations. Employees who are unable to be at work on time or are unable to work as scheduled must notify their supervisors as soon as possible via telephone in advance of the tardiness or absence. A reason for the absence shall be provided for each absence. Excessive tardiness and poor attendance may lead to disciplinary action up to and including termination of employment. Article 26 Section 25 of this policy ordinance provides further details related to sick time accruals and usage.

C. Overtime

- a. Any time actually worked by non-exempt employees in excess of 40 hours per week shall be compensated for either by overtime pay at a time and one-half rate or by compensatory time at time and one-half rate, at the option of the employee. The scheduled use of earned compensatory time shall be determined by the employee's supervisor based upon department needs and demands. Comp time accruals shall not exceed 240 hours (160 hours of overtime work) without prior authorization from the Town Manager. This section shall not apply to exempt employees. Hours worked between 37 and 40 shall be compensated for by payment at the employee's regular straight time rate.
- b. For those employees whose normal working days total less than 40 hours per week, any hours worked in excess of their normal working hours but less than 40 hours shall be compensated for by payment at the employee's regular straight time rate.
- c. Sick leave, vacation, holidays and other forms of paid absences shall not be counted as time worked. Holidays shall be considered workdays. Time worked shall be calculated according to the employee's normal working days.
- d. The Town will attempt to distribute overtime equally among employees in their respective departments; however, refusal to accept such overtime shall be deemed overtime offered, for the purposes of this paragraph.
- e. Overtime work must be pre-authorized by the department head.

D. Professional Conference

A non-exempt employee shall receive compensation for hours spent traveling to or attending a conference during their normal working days and hours. A non-exempt employee shall receive compensation for hours spent attending a conference session outside of their normal working days and hours. All time spent actively attending conference sessions shall be considered time worked, however travel time outside of normal working days and hours will not be considered time worked.

ARTICLE 24. HOLIDAYS

- A. The following holidays shall be paid holidays for all regular full time and regular part time employees are recognized by the Town of Cumberland:

New Year's Day, Martin Luther King Day, Presidents' Day, Patriot's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Day after Thanksgiving, and Christmas Day.

~~Non-exempt employees may opt to receive compensatory time rather than pay for a holiday that falls on a regularly scheduled non-work day (e.g., for a Library employee when the holiday falls on a day the Library is closed).~~

~~During a calendar year, eight hours may be taken by a regular employee as a Personal Day at a time agreeable to the department head or Town Manager and the individual employee. The Personal Day must be taken prior to the end of the calendar year or the day will be lost.~~

~~If a paid holiday falls on a Sunday, the following Monday is considered a holiday; if on a Saturday, the preceding Friday is considered a holiday, unless otherwise regulated by law.~~

Holidays shall be paid for all regular full time and regular part time employees when the holiday occurs on a normal working day as defined in Article 23(A) above. When a holiday falls on a regularly scheduled non-working day, the following shall occur:

Town Hall: If a holiday falls on a Saturday, employees shall receive eight (8) hours of personal time for that holiday. If a holiday falls on a Sunday, the following Monday shall be considered a paid holiday and Town Hall will be closed. Holidays that fall on a Friday shall not be paid holidays for Town Hall staff.

Library: If a holiday falls on a Sunday, employees shall receive personal time equal to the amount of hours they regularly work on a Saturday. If a holiday falls on a Monday, employees shall receive compensatory time equal to the amount of hours they regularly work on a Tuesday.

Public Safety & Services: This section applies to administrative staff in the Police, Fire and EMS Departments. If a holiday falls on a Saturday, the preceding Friday shall be considered a paid holiday. If a holiday falls on Sunday, the following Monday shall be considered a paid holiday.

Police & Public Works: Non-administrative staff in these departments shall receive holiday pay in accordance with their respective collective bargaining agreements.

- B. Regular part-time employees shall receive holiday pay, proportionate to the hours normally worked on that day for a holiday that falls on the employee's regularly scheduled day of work. Regular part-time employees shall not receive holiday pay for a holiday that falls outside of the employee's regular work schedule.
- C. Seasonal, temporary, on-call, and non-regular employees shall not be entitled to paid holidays.
- D. During a calendar year, eight hours may be taken by a regular full time employee as a Personal Day at a time agreeable to the department head or Town Manager and the individual employee. The Personal Day must be taken prior to the end of the calendar year or the day will be lost.

ARTICLE 25. VACATION

- A. Each regular full time employee shall be awarded annual vacation time with pay in accordance with the employee's current term of continuous employment and in accordance with the following schedule:

Salaried employees:

One year or more of service:	80 hours <u>2 Weeks</u>
Five years or more of service:	120 hours <u>3 Weeks</u>
Ten years or more of service:	160 hours <u>4 Weeks</u>

Full-time Hourly employees:

One year or more of service:	74 hours
Five years or more of service:	111 hours
Ten years or more of service:	148 hours

Accruals will be pro-rated for regular part-time employees working between (20) twenty and (40) forty hours a week according to the number of hours authorized in the budget for that position each fiscal year.

- B. Regular part-time employees will be awarded vacation on a pro-rata basis proportionate to their regular working hours and the number of hours authorized in the budget for that position each fiscal year in accordance with the above schedule. Employees other than regular full-time and regular part-time are not eligible for paid vacation.
- C. Vacation will be accrued on a biweekly ~~monthly~~ basis and may be used as accrued, subject to the approval of the ~~supervisor or~~ department head. Probationary employees accrue vacation from their date of hire, but are may not be eligible to use it until their probationary period has been successfully completed, at the discretion of the department head.
- D. Employees shall provide their ~~supervisor~~ department head with their request for the use of vacation leave at the earliest opportunity. The ~~supervisor~~ department head shall consider operational needs when granting approval for the use of vacation leave. If a holiday falls within the vacation period, the employee will not be charged vacation for such holiday. Department heads shall provide the Town Manager with their request for the use of vacation leave at the earliest opportunity.
- E. No employee shall be ~~entitled~~ permitted or required to work their vacation with pay, except in emergency conditions as approved by the ~~department head and~~ Town Manager.
- F. Employees, regardless of length of service, may accrue up to a maximum of 240 hours of vacation leave. If an employee accumulates more than 240 hours of vacation, he/she will lose all time in excess of 240 hours. ~~Due to unusual circumstances, the Town Manager may authorize an exception to this requirement.~~
- G. The Town Manager must approve vacations beyond one week.
- H. ~~The entire system~~ Vacation accruals will be based on the employee's anniversary date of hire rather than the calendar year.
- In the year at which the employee advances to a higher rate of accrual, the additional accrual will commence on the anniversary date of the year preceding the advancement.
- I. Accrued vacation leave shall be paid to an employee upon separation from service or to his/her beneficiary or estate upon death.

ARTICLE 26. SICK LEAVE

- D. Sick leave may be used for personal illness or physical incapacity of such a degree as to render the employee unable to perform the duties of his/her position, or for a personal medical or dental appointment. Sick leave may also be used as outlined in Section G. below.
- E. Paid sick leave is earned at the rate of one working day per month of service for a regular full-time employee. Regular part-time employees earn sick leave on a pro-rated basis according to the number of hours authorized in the budget for that position each fiscal year. If an employee is on sick leave, credit will still accrue.
- F. Sick leave may be accumulated to a maximum of 480 hours. ~~Accruals will cease when an employee reaches the maximum accrual~~ Sick leave in excess of 480 hours will be treated in accordance with Section K. below. Accrued sick leave will not be paid to an employee upon separation from service.
- G. For employees participating in MainePERS, accumulated sick time, not to exceed 720 hours, may be used for service credit in the MainePERS when the employee terminates from employment with the Town if the Town is the employee's final place of employment prior to retirement. The employee will not receive payment for such time.
- H. The employee must report his/her intended use of sick leave, and the reason thereto, to his/her supervisor prior to or at the beginning of his/her regularly scheduled work shift.
- I. Sick leave may be taken in hourly increments as needed. All employees, both exempt and non-exempt, shall be charged one hour of sick leave for each hour of leave taken and a reason for the absence shall be provided for each absence. For payroll documentation purposes, sick leave shall be recorded as one of the following types: personal, family, child's school activities, or FMLA.
- J. An employee may use up to a maximum of fifty-six (56) hours of family sick leave per fiscal year due to the illness of a member of the employee's immediate family. "Immediate family" shall mean the following individuals living in the employee's household: spouse, domestic partner, father, mother, child, stepchild, or other family member living in the same household. Exceptions may be made at the discretion of the department head and Town Manager for the approval of use of sick leave under this section for immediate family members living outside the employee's household. Family Sick leave may also be used for transporting immediate family members to health care appointments. For purposes of applying family medical leave requirements, the town shall treat leave under this section in the same manner as it treats leave for a sick employee.
- K. An employee may use up to a maximum of twelve (12) hours of his/her accrued sick leave per year for the purpose of attending their child(ren)'s school activities. Employees requesting leave for school activities are expected to notify their department head within forty-eight 48 hours before the leave is needed.
- L. Probationary employees shall be entitled to use any sick leave accrued from date of hire upon approval of their ~~supervisor~~ department head.
- M. After three (3) consecutive days of sick leave time, including any subsequent treatment or period of incapacity relating to the same condition, that also involves continuing treatment by or under the supervision of a health care provider, or at any time that abuse of sick leave is suspected, the Town Manager may, as condition precedent to the continuation of sick pay, require a certificate from the employee's physician certifying the condition of the employee to be such as to justify the continued absence from employment. The Town shall designate any such leave as Family Medical Leave when the Department Head becomes aware of sick leave being used by an employee for a purpose that qualifies for leave under the Maine Family Medical Leave Law or the

Federal Family Medical and Military Leave Act. The town will require a health provider's certification for and recertification during all leaves of absence designated as family medical leave. (Specific details concerning family medical leave are contained in the Town of Cumberland Family Medical and Military Leave Policy).

- N. Effective July 1, 2007 all eligible employees shall enroll in the town-established Retirement Health Savings Plan (RHSA Account). An employee becomes eligible for enrollment in the RHSA when his/her sick time accruals reach 480 hours. Enrollment in the plan is irrevocable. Employees will continue to accrue sick time at one day per full calendar month upon reaching the 480 hour maximum; however, at the end of each fiscal year, unused accruals above 480 hours will be valued at \$150 for every eight hours of accrual and this value deposited in the employee's retirement health savings account. ~~For those employees whose sick leave accumulations exceed 480 hours on June 30, 2008, the town will purchase the hours above the maximum in five equal annual installments made during the month of June.~~ Deposits to an account shall not reduce an employee's sick leave accumulation below 480 hours.

If an employee severs employment with the town prior to receiving the total value of the annual deposits, the remaining amount shall be deposited to the employee's account at separation. RHSA savings are accessible to the employee at separation from service, retirement, or attainment of age fifty-five. Please refer to the town's RHSA Policy for further details.

- O. Use of sick leave for false claims of sickness or disability, or falsification of proof to justify such sick leave, shall be cause for disciplinary action deemed appropriate by the Town Manager.
- P. ~~In the event of the death of an employee, unused accrued sick leave, up to the maximum accrual, shall be paid to the surviving spouse, and if none, then to the trustee of minor children if any, or other beneficiary, on the same basis established in Section c above.~~
- Q. ~~Sick Leave Donations. Employees may choose to donate accumulated sick leave to a sick leave bank pursuant to the procedures contained in the Town of Cumberland Policy Regarding Sick Leave Donations. Donations will be confidential. Donating sick time will reduce the donating employee's accrued sick leave balance by the amount of the donation. Employees who have exhausted their sick leave accruals may apply for a donation from the sick leave bank. Management will use discretion and judgment in granting access to time in the sick leave bank, according to the procedures stipulated in the policy. The denial of access to time in the sick bank shall be non-grievable.~~
- R. ~~The town recognizes the importance of health and wellness in the quality of employees' lives. As such, the town instituted in January 2007 a Health Wellness Promotion Program focusing on health awareness and prevention. Please refer to the town's policy for further details.~~

ARTICLE 27. INCLEMENT WEATHER

Town Hall will not close due to inclement weather conditions, except in the event of an emergency. Employees of Town Hall shall be entitled to use a maximum of twelve (12) hours of sick leave per calendar year, or more as deemed necessary by the Town Manager, for work hours missed when traveling conditions are unsafe or when public utilities are unavailable during inclement weather events. The Town Manager may determine that it is necessary to close the Library due to inclement weather, in which case the Library employees that are scheduled to work on that day may use sick leave to be compensated for the hours they would have otherwise worked.

In order to provide for public safety, the Town Manager, or his/her designee, may close the Town Offices or postpone opening when poor weather makes traveling conditions unsafe or when public utilities are unavailable. Non-public safety employees shall be compensated at their regular pay rate for any time not worked due to an inclement weather closing. Employees who choose not to come to work on delayed

opening days will be required to use vacation for their absence. Public safety employees (defined as Police, Fire, Rescue and Public Works employees) shall work those hours required by schedule or Department Head directive with regular compensation paid, or overtime pay/compensatory time, if applicable.

If there will be a closing or delay due to an emergency event, a notice will also be posted on the town's website and a recorded message will be left at 829-4264.

ARTICLE 28. LEAVES OF ABSENCE

The Town Manager upon recommendation of the Department Head concerned may grant a regular full or regular part-time employee in good standing a leave of absence without pay. Such leave of absence without pay shall not exceed one year in length and shall only be granted when it appears because of the past record of the employee, or because of the purpose for which the leave is requested, that it is in the best interest of the Town to grant the leave. A leave of absence (LOA) is defined as an unpaid approved absence from work for a specified period of time for medical, parental, military or personal reasons. The Town of Cumberland complies with all requirements of the state and federal Family Medical and Military Leave Acts, and the provisions of the FMLA are hereby incorporated into the LOA policy. LOAs will start on the date of request or date of need and not after the exhaustion of paid time off. While on LOA, an employee must make arrangements for continuation and payment of benefits and contact the Human Resources department at least every 30 days. Failure to do so may result in voluntary termination. All requests for a LOA must be made on a LOA Request Form. An employee must provide 30 days advance notice when the need for the leave or absence is foreseeable. The department head shall notify the employee as to whether the request was approved and HR will provide notice if the leave is being designated as FMLA leave. A leave of absence will not be granted to allow an employee time off to seek employment elsewhere or to work for another employer. Employees who hold employment elsewhere while on LOA, except military reserve duty, are considered to have quit voluntarily.

An employee that is granted a leave of absence shall retain all rights to accrued vacation and accrued sick leave, but shall not earn vacation or sick leave, or accrue seniority, while on a leave of absence. An employee who does not return from the leave of absence as scheduled and approved may be terminated as of that date.

ARTICLE 29. BEREAVEMENT LEAVE

An employee shall be allowed:

A maximum of five (5) working days off with pay for the death of a parent, step-parent, spouse, significant other (defined as having resided in the same household) or a child/stepchild.

A maximum of three (3) working days off with pay for the death of other family members to include the following: sister, brother, grandparent, grandchild, father-in-law, mother-in-law, legal guardian.

One working day off with pay will be allowed to attend the funeral of an aunt or uncle when the service occurs on a scheduled workday.

One working day with pay may be allowed for the attendance at a funeral or service of a non-family member at the discretion of the ~~department head~~ Town Manager.

Bereavement leave shall not be counted as sick time.

ARTICLE 30. JURY DUTY OR WITNESS LEAVE

An employee shall be granted a leave of absence any time they are required to report for jury service or when subpoenaed to testify in court.

The Town shall pay the employee the difference between the amount of regular pay and the juror's or witness' fee. The employee will continue to be paid his/her full wage during the term of the leave, provided the employee agrees to reimburse the Town in the amount received for witness fees or jury pay.

When the term of the jury duty leave is complete, the employee shall report to the Town the number of regular working days he/she was required to serve as a juror or witness.

Any juror's pay or witness' fee received for services on a regular workday shall be deducted from the following week's wages. The amount to be deducted will be determined by multiplying the number of regular working days the employee was required to serve as a juror or witness by the rate of compensation established by 14 M.R.S.A. Sec. 1215 or by 16 M.R.S.A. Sec. 251.

Any juror's pay or witness fee received for service on a regular non-working day will not be deducted from the employee's wage.

ARTICLE 31. FAMILY MEDICAL LEAVE

The Town of Cumberland complies with all requirements of Maine's Family Leave Law and the Family and Military Medical Leave Acts. If an employee finds that he/she must be out of work for more than three days for a recurring illness/injury, he/she should contact the Human Resources department to determine if the absence is considered eligible for family medical leave. The town reserves the right to designate leave as Family Medical Leave Act (FMLA) leave if it determines the reasons for the leave meet the criteria for FMLA leave. For further details, please refer to the Town of Cumberland Family Medical and Military Leave Policy.

ARTICLE 32. MILITARY SERVICE AND RESERVE TRAINING LEAVE

Eligible employees will be granted a non-paid leave of absence for military service or training as defined by the Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA), the Maine Leave Relating to Reserve Training or Military Service (M.R.S.A. 26 814), or the National Defense Authorization Act for FY 2008 (Military Family Leave). Employees may use accrued vacation leave, but are not required to do so, for eligible leave that falls within these statutes. Employees are requested to notify their supervisors as soon as they are aware of the military obligation. The town may require certification from the proper military authority to verify an employee's eligibility for military or family military leave.

ARTICLE 33. PERSONNEL FILES

The Town shall maintain a personnel record for each employee in the service of the Town of Cumberland. It may contain the following types of information: employee's name, address, phone number, the title of the position held, the department to which the employee is assigned, salary, changes in employment status, employee performance reviews and other performance related information, and such other information as may be considered pertinent. Medical information shall be maintained in a separate, locked file.

The employee may have access to such records during normal working hours of the Administration Department and the office shall provide one copy of any record upon request. All personnel records shall be considered confidential to the extent permitted by law. All personnel records of each employee shall be retained by the Town following termination as required by law.

The employee is responsible for notifying the Town of all changes of address, telephone numbers or family status (births, deaths, adoptions, marriage, death, divorce, or legal separation) in order to provide for accurate record keeping and appropriate benefit information.

Prospective employers, financial institutions, and residential property managers routinely contact employers requesting information on a former or current employee's work history and salary. All such

requests of this type shall be referred to and completed by either the Human Resources or Finance Director. For written requests, information will be provided on the form provided only when it is accompanied by a former or current employee's signed authorization to release information. The written form will be returned directly to the requesting party. Reference requests will be limited to confirming information stated by the requesting party, and/or verifying dates of employment and position(s).

ARTICLE 34. WORKERS COMPENSATION

A. Reporting and Treatment of the Injury

Reporting: All injuries sustained in the course of employment shall be immediately reported to the employee's ~~supervisor or~~ department head as a requirement for leave or compensation. The employee's ~~supervisor~~ department head must complete a First Report of Occupational Injury or Illness. Department Heads must submit the completed First Report of Occupational Injury or Illness to the ~~Finance Director~~ Administration Department within 48 hours from the date of injury.

Treatment: Pursuant to State law, the Town requires that the health care provider of the Town's choice provide treatment of an occupational injury or illness within the first 10 days following the submission of a First Report. The Town has selected Dr. Haller at InterMed in Yarmouth as the health care provider of choice for the assessment and treatment of workplace injuries. The injured employee, Department Head, supervisor Town Manager or his/her designee may make the appointment for an evaluation and treatment following a First Report of Occupational Injury.

If the injury is serious, the employee should go immediately to the nearest hospital emergency room for treatment; an assessment by the Town's health care provider can be done at a later date. An employee may elect to go to a physician of their choice, but should understand that the Town, through its workers' compensation plan, will not make payment for these visits unless the employee has successfully petitioned to change health care providers.

B. Worker's Compensation Payment

The Town of Cumberland provides workers' compensation insurance coverage for all employees. It is the responsibility of any injured employee to assist his/her supervisor in completing a First Report of Occupational Illness or Injury and in having the injury or illness assessed by the Town's health care provider as outlined above in the ~~Town of Cumberland Policy for Pre-employment Physicals, Workplace Injury Treatment and Drug and Alcohol Testing.~~

Any employee who sustains a personal injury or compensable illness arising out of and in the course of his/her employment shall be paid during each week of total incapacity resulting from the injury an amount sufficient, when added to the weekly payment of the Worker's Compensation paid within the laws of the state, to equal 100% of his/her regular salary or normal wage, for the twelve (12) weeks immediately following the injury.

Any injured employee may request that the Town begin full payment of salary immediately to insure there will be continued income provided the employee agrees in writing to reimburse the Town the amount of the workers compensation benefits received upon receipt of said payments. Said reimbursement shall be made through reduction of future salary payments.

Such supplemental payments shall not be continued beyond twelve (12) weeks. No supplemental payments shall be made in any instance when the employee incurred the injuries as a result of intoxication, willful intent, violation of rules and regulations, or while the employee is in the employ of any other person, firm, or corporation. The Town of Cumberland shall discontinue payments and be entitled to recoup any payments made to an employee pursuant to this section, when the Town is notified that the employee's Workers Compensation claim has been denied. An employee may elect to charge lost time to either sick leave, vacation or compensatory time if the

employee has accrued such time, otherwise, the employer is authorized to make payroll deductions to recover the amount paid to the employee.

C. Light Duty

Due to work-related injury or illness, an employee, upon recommendation from the treating physician, shall be given light duty for the period of time the condition exists, provided that light duty is available. The Town Manager or his /her designees, and the Department Head must approve light duty assignments. The employee must provide a medical request from the treating physician explaining the need for light duty, the estimated duration of the need for light duty, and what restrictions on working assignments apply.

ARTICLE 35. DISCIPLINARY PROCEDURE

A. Progressive Discipline

A policy of progressive discipline will apply to all department heads and employees. Instances of poor job performance or misconduct will be subject to progressively more severe sanctions, which may include oral warnings, written warnings, suspension with pay, and suspension without pay, demotion, and termination.

All disciplinary action taken against an employee or department head, except for an oral warning, shall be documented in writing, and the written record of disciplinary action shall be maintained in that individual's personnel file. Copies of the written records of disciplinary action shall be available to employee and department heads upon request.

The disciplinary response to unsatisfactory job performance or misconduct will depend upon the seriousness of the unsatisfactory performance or misconduct. Serious job performance problems or misconduct such as dishonesty, violence, breach of public trust, or theft, may result in the most severe disciplinary sanctions, including dismissal, even on the first occurrence.

B. Discipline of Employees

When in the judgement of a department head, the work performance or conduct of an employee supervised by that department head justifies disciplinary action, the department head may take disciplinary action against that employee. Prior to imposing any discipline, a department head shall give consideration to the severity of the performance problem or misconduct and prior disciplinary sanctions, if any, against the employee in question. Repeated misconduct or continuing performance problems may be considered cumulatively and will be subject to progressively more severe disciplinary sanctions.

Notice of disciplinary action, except for an oral warning, will be given by the department head in writing to the disciplined employee, with a copy to the Town Manager. Such notice will specify the action taken, the reason or reasons for the action taken and the extent and duration of the discipline imposed. This notice will be given to the employee at the time that discipline is imposed.

Any employee aggrieved by virtue of disciplinary action imposed by a department head may appeal within ten (10) working days to the Town Manager. The Town Manager may require the appeal to be submitted in writing. The Manager shall give the department head an opportunity to respond to the appeal and to justify the action taken. The Manager shall reply in writing to the appeal within ten (10) working days, and the Manager may affirm, modify, or reverse the action taken by the department head. The decision of the Manager shall be final except where the disciplinary action taken involves suspension without pay for more than five (5) days or termination.

In cases involving suspension without pay for more than five (5) days or termination, an aggrieved employee may appeal the decision of the Town Manager to the Personnel Appeals Board in accordance with the provision of ~~Article 35~~, Paragraph D of this ~~Policy~~ Article.

C. Discipline of Department Heads

When in the judgment of the Town Manager the work performance or conduct of a department head justifies disciplinary action against that department head. Prior to imposing any discipline, the Manager shall give consideration to the severity of the performance problem or misconduct and prior disciplinary sanctions, if any, against the department head in question. Repeated misconduct or continuing performance problems may be considered cumulative, and will be subject to progressively more severe disciplinary sanctions.

Notice of disciplinary action, except for an oral warning, will be given by the Manager in writing to the disciplined department head. Such notice will specify the action taken, the reason or reasons for the action taken, and the extent and duration of the discipline imposed. This notice will be given to the department head at the time the discipline is imposed.

The decision of the Manager shall be final except where the disciplinary action taken involves suspension without pay for more than five (5) days or termination.

In cases involving suspension without pay for more than five (5) days or termination, an aggrieved department head may appeal the decision of the Manager to the Personnel Appeals Board in accordance with the provisions of ~~Article 35~~, Paragraph D of this ~~policy~~ Article.

D. Personnel Appeals Board

The Town Council shall appoint from among the qualified voters of the Town a Personnel Appeals Board consisting of five (5) regular members and two (2) alternate members, to serve staggered terms of three (3) years. A quorum of the Personnel Appeals Board shall consist of three (3) members, and every decision shall require the affirmative vote of at least three (3) members.

Any department head or employee who has been terminated or suspended without pay for more than five (5) days may appeal to the Personnel Appeals Board. An appeal must be filed in writing with the Town Manager within ten (10) working days of the imposition of the disciplinary action which is the subject of the appeal. Upon request, the Town Clerk will assist any department head or employee who needs assistance to file a written appeal.

The Personnel Appeals Board shall meet with the town employee, or department head, or his or her representative, and with a representative of the Town within ten (10) working days from the receipt of a notice of appeal. The Board may request and is entitled to receive all written materials pertaining to the disciplinary action which is the subject of the appeal. After consultation with the parties, the Board in the exercise of its discretion shall conduct such hearings as it deems to be necessary, provided that such hearings shall be held as soon as practicable after the initial meeting with the parties.

The Board shall have the power of subpoena to order the compulsory attendance of witnesses and the compulsory production of evidence and documents. The Board shall have the power to administer oaths and to receive testimony in conjunction with a pending appeal.

The Board may adopt rules and regulations deemed to be necessary for the transaction of its business.

The Board shall issue a written decision within thirty (30) days following the conclusion of all hearings held on the appeal, unless the parties to an appeal mutually agree to extend the time period for the issuance of a decision. The Board may affirm, modify, or reverse the disciplinary action taken against the department head or employee initiating the appeal. The decision of the Board shall be final.

ARTICLE 36. LAYOFFS AND REINSTATEMENTS

A. Notice of Layoff and Reinstatement

A notice shall be given to each employee scheduled to be laid off seven (7) calendar days prior to the effective layoff date.

A notice of return to work shall be sent to each employee by Certified Mail at least seven (7) calendar days before the date of the re-employment. An employee must return at the appointed time, unless special arrangements have been made with the department head to return at some other date. Failure by the employee to report for work or notify the department head shall be considered as termination of employment.

ARTICLE 37. GRIEVANCE PROCEDURE

Grievances, which for the purpose of this ~~Policy~~ **ordinance** are defined as disputes with respect to the interpretation or application of the specific terms of this ~~Policy~~ **ordinance**, excluding disciplinary matters as described in Article 35 hereof, and shall be processed in the following manner:

- A. An employee who believes he/she has a grievance shall first present the grievance, in an informal manner, to his/her immediate supervisor or Department head within three (3) working days of its occurrence. If the grievance is not resolved to the satisfaction of the employee within three (3) working days, the employee may within three (3) working days thereafter, reduce the grievance to writing and request the department head to render a written decision on the grievance. The written grievance shall contain a concise statement of the events allegedly giving rise to the grievance, a statement as to when the grievance arose, became known, or should have become known to the employee, and a statement of the relief requested. Upon receipt of a grievance in writing, the department head shall respond in writing to the employee within seven (7) working days.
- B. If the grievance is not solved to the satisfaction of the employee, the employee may within five (5) working days of the date of the written decision of the department head, or within twelve (12) working days of the submission of the grievance in writing, request a review of the grievance by the Town Manager or his/her designee. The Town Manager or his/her designee shall arrange, at the earliest possible time, for a hearing of the grievance which shall include the aggrieved employee and his/her department head, and which may include the calling of witnesses who may have knowledge of the grievance. The Town Manager or his/her designee shall conduct the hearing and respond in writing to the employee and the department head within seven (7) working days following the adjournment of the hearing. The decision of the Town Manager shall be final with regard to the employee's grievance.
- C. All grievances shall be filed and appealed within the time limit set forth above or they shall be deemed waived; provided, however, that the time limits may be extended by mutual agreement.

ARTICLE 38. RESIGNATION

- A. **Sufficient Notice:** To resign in good standing, full-time employees shall submit resignations in writing to their supervisor at least ten (10) working days in advance of the effective date of their resignation.
- B. **Quitting Without Sufficient Notice:** Any employee who quits without sufficient notice may lose some of the rights and benefits granted by this ~~policy~~ **ordinance**.

ARTICLE 39. UNIFORMS AND PROTECTIVE CLOTHING

If an employee is required to wear uniform, protective clothing or any type of protective device as a condition of employment, such uniform, the Town shall furnish protective clothing or protective device to the employee. The Town shall pay for any equipment required by the Department for its employees. At the issuance of a new article of clothing or piece of equipment and at the termination of employment, the department head may require the return of all items of equipment and clothing paid for by the Town.

ARTICLE 40. TRAVEL

Employees required to travel and/or use personal conveyances on official business for the Town will be reimbursed for such expenses as food, lodging and transportation as may be incurred while on such official business. Reimbursements for use of a personal vehicle shall be reimbursed at the prevailing IRS mileage rate. The Town shall promulgate specific guidelines for advance approval, reimbursement and eligibility.

ARTICLE 41. ANTI-NEPOTISM

Unless the Town Council shall, following the recommendations of the department head and Town Manager, determine that the best interests of the Town shall be served, the following relatives of any elected or appointed regular full or regular part time position are disqualified from being in a supervisory relationship with any of the following relatives: son, daughter, spouse, parent, grandchild, grandparent, brother, sister, half or step sister/brother, or spouse of any of the above. All relationships shall also include those arising from adoption.

ARTICLE 42. FLEXIBLE BENEFIT PROGRAM

The Town will provide a flexible benefit program to its regular full time employees and fund the administrative fee for premium conversion and spending accounts.

ARTICLE 43. EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Town offers its regular full and regular part time employees and their immediate family members, as defined, an Employee Assistance Program (EAP) which provides confidential assistance by certified counselors for help in addressing a wide range of problems including depression, anxiety, alcoholism, drug abuse, marriage and family problems, and financial problems. The plan provides for free initial sessions for an assessment of the problem and a treatment plan which may include free or low-cost, on-going counseling. For more information, contact the Human Resources Director.

Effective: November 23, 1998

Revised: December, 2005

January, 2007

June 2008

May 2013

ITEM

13-084

To set a Public Hearing date (June 3rd) to consider and act on a
Mass Gathering Permit for the United Maine Craftsmen's 44th
Annual Cumberland Arts & Crafts Show to be held from
August 8th through 11th, 2013 at the Cumberland Fairgrounds

MAR 15 RECD

TOWN OF CUMBERLAND

Publication Dates: _____
Publication Names: _____
Date Filed: _____
Fee Received: _____
Date Ordinance Received: _____
Issued: _____
Denied: _____

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

This application must be filed with the Town Clerk not less than 60 days before the date of the event.
Application must be accompanied by a non-refundable fee of \$500.00.

Name of Applicant: United Maine Craftsmen, Inc.

Address of Applicant: 16 Old Winthrop Rd. #2 Manchester ME 04351

Name of Event: 44th Cumberland Arts & Crafts Show

Facility where the event will be held: Cumberland Fairgrounds

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

Name of promoter (if different from above): Same

Telephone number: 207-621-2818

Date of Event: Aug. 8-11, 2013 Time (start and finish times): Thurs-Sat 9-5
Sun 10-4

Number of tickets available: unlimited - sold at gate

Expected attendance: 10,000 +/-

Description of event: 250 +/- Maine Artisans selling their
handcrafted products

Will any food vendors be serving at the event: ☒ yes, _____ no, (if yes, how many, and
what types) 10 +/- food vendors/concessions in free standing
tents/truck units and Lions Club Building

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

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

1. 11th Fall Festival of Arts & Crafts - Smiling Hill Farm, Westbrook, ME
Sept 8, 2012 87 Exhibitors 1998 customers
2. 43rd Cumberland Arts & Crafts Show - Cumberland Fairgrounds, Cumberland
Aug 9-12, 2012 Customers 7900
3. ~~Bangor Arts & Crafts Show~~ 10th Fall Festival Arts & Crafts Show
Sept 10, 2011, 100 Exhibitors 2500 customers

Description of facility:

- A. Seating capacity: permanent; temporary
- B. Other seating capacity: festival; standing room only (sq. ft.)
- C. Number of toilets available: 12 onsite permanent; 14 portable plus 3 handicap
- D. Number of parking spaces available: on-site; off-site
- E. Are all parking lots lighted (applicable only if event runs into evening hours: yes;
 no, if no, which lots are not lighted
- F. Source of potable water: Portland Water District
- G. Refuse containers available, number and size: (2) 30 yard roll-off containers
- H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse)
Tritorano Waste Services
- I. When will refuse be picked up? Monday, August 12th

Public Safety:

- J. Describe first aid facilities: Cumberland Rescue
- K. Describe emergency facilities: Cumberland Police & Rescue
- L. Describe communication facilities: All necessary personnel will carry radios - cell phone also available
- M. Number of certified police officers: 1 on site - will increase if necessary
- N. Other security personnel (include company name and qualification): Publicover Security
- O. Describe fire personnel: Cumberland Fire Dept

Traffic Plan

- P. Description of routes persons attending the event are likely to take, include number of traffic controllers and deployment descriptions. *Cumberland Police will be at the Blanchard Rd gate to assist with traffic if necessary*
- Q. Describe methods used to publicize alternate routes of reaching the scene of the event.
Directional signs
- R. Attach statement of availability of private towing firms to remove disabled vehicles.

Crowd Management

- S. Plan for discouraging those not holding tickets for the event from not coming to the event Site. *All gates manned during show hours.*
- T. Plan for preventing trespassing on private property in the area.
Not an issue
- U. Will all publicity stop as soon as it is apparent that the event is sold out? ____ Yes;
____ No *Not an issue*
- V. Description of how the event will be publicized, include how a sell-out will be publicized.
TV, print, e-mail, posters, flyers, postcards, website
- Other: *(sell out not an issue)*
- W. Name of liability insurance *Zurich Insurance*
Amount of coverage *2,000,000*; amount of property insurance *1,000,000*
- X. Preferred type of performance guarantee (i.e. escrow account, irrevocable letter of credit)
N/A

June Budhaw
Authorized Signature

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

Authorized Signature

Cumberland Farmer's Club

Mike Timmons, President
140 Bruce Hill Road
Cumberland, ME 04021
Business Telephone: 207-829-5531 Fax: 207-829-3205

Rental Agreement

NAME OF ORGANIZATION: United Maine Craftsmen, Inc.

EVENT DATES: August 8-9-10-11, 2013

Rental of Grounds for the period August 5, 2013 through, August 12, 2013 \$8,200.00
Rent for Exhibition Hall 500.00

Maintenance person on grounds during event \$ N/A

Camping to be handled by the Cumberland Farmers Club.

The following conditions will apply:

United Maine Craftsmen will provide proof of \$1,000,000 liability insurance
and name Cumberland Farmers club as co-insured.

Terms: One-half of rental due at the time of signing of this agreement; the balance due
the day before the scheduled event.

NAME OF ORGANIZATION: United Maine Craftsmen, Inc.

MAILING ADDRESS: 16 Old Winthrop RD #2, Manchester, ME 04351

TELEPHONE NUMBER: 207-621-2818 FAX# 207-621-1945

FEDERAL ID# 23-7072870

DATES OF RENTAL: August 5-12, 2013

Date Signed: 3/27/13
June Budrow
Signature of Authorized Person for UMC
June Budrow, Administrator

Date Signed: 4/15/2013
Michael Timmons
Cumberland Farmers Club Official

ITEM 13-085

To appoint a member to a vacant committee seat



<input type="checkbox"/> BOARD OF ADJUSTMENT & APPEALS	<i>Vacancy</i> <input checked="" type="checkbox"/>	<input type="checkbox"/> PRINCE MEMORIAL LIBRARY ADVISORY BD.
<input type="checkbox"/> BOARD OF ASSESSMENT REVIEW	<i>Vacancy</i> <input checked="" type="checkbox"/>	<input type="checkbox"/> LANDS & CONSERVATION COMM.
<input type="checkbox"/> BOARD OF SEWER APPEALS	<input type="checkbox"/>	<input type="checkbox"/> PLANNING BOARD
<input type="checkbox"/> PERSONNEL APPEALS BOARD	<i>Full</i> <input checked="" type="checkbox"/>	<input type="checkbox"/> RECREATION/COMMUNITY ED ADVISORY BOARD
<input type="checkbox"/> COASTAL WATERS COMMISSION	<input type="checkbox"/>	<input type="checkbox"/> CUMBERLAND ENERGY ADVISORY COMM.
<input type="checkbox"/> CUMBERLAND HOUSING AUTHORITY	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> RINES FOREST ADVISORY COMM	<input type="checkbox"/>	<input type="checkbox"/> SHELLFISH CONSERVATION COMM.
<input type="checkbox"/> TWIN BROOK ADVISORY COMM	<input type="checkbox"/>	<input type="checkbox"/> VAL HALLA BOARD OF TRUSTEES
<input type="checkbox"/> CUMBERLAND ENERGY ADVISORY COMM	<input type="checkbox"/>	<input type="checkbox"/> VOTER REGISTRATION APPEALS BOARD

NAME: SUSAN NOLDE

ADDRESS: 10 WILLOW LANE CITY/STATE/ZIP CUMBERLAND MF 04021

TELEPHONE: Home: _____ Work: _____ Cell: 406-250-6103

EMAIL ADDRESS: epnolde@montanasky.us

I HAVE LIVED IN BOTH MONTANA & ALASKA WHERE ISSUES INVOLVING LAND & CONSERVATION WERE CRITICALLY IMPORTANT AND WIDELY ARGUED. I HAVE BEEN A MEMBER OF GROUPS ADVOCATING & STUDYING SOMETIMES VERY CONTROVERSIAL ITEMS. I HAVE SERVED ON BOARDS & COMMISSIONS SEVERAL TIMES & HAVE BEEN A FACILITATOR.

ARE YOU AVAILABLE FOR EVENING MEETINGS? Yes

DATE: 4/13/13 SIGNATURE: Susan D. Nolde

Note: Thank you for your interest in serving the Town of Cumberland. This application will be kept on file for one year. You may be asked to attend a brief interview meeting with a subcommittee of the Town Council prior to your appointment when committee vacancies occur. Please return this form to the Town of Cumberland Administration Office at 290 Tuttle Road, Cumberland, ME 04021.

-----Town of Cumberland Use Only-----

Date Application Received/Posted _____ *Interview Date* _____

Committee/Board Nominated/Approved _____ *Term Expiration* _____

ITEM 13-086

To countersign the Warrant and Notice of Election to call the
June 11, 2013 M.S.A.D. 51 Budget Validation Referendum

**WARRANT AND NOTICE OF ELECTION
CALLING SCHOOL ADMINISTRATIVE DISTRICT NO. 51
BUDGET VALIDATION REFERENDUM
(20-A M.R.S. § 1486)**

TO: Tammy O'Donnell, a resident of School Administrative District No. 51 (the "District") composed of the Towns of Cumberland and North Yarmouth, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within School Administrative District No. 51, namely, the Towns of Cumberland and North Yarmouth, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective municipal officers. The municipal officers shall meet forthwith and countersign this warrant and notice of election. The municipal officers shall provide below for the respective municipal clerks to post or have posted this warrant and notice of election.

**TOWN OF CUMBERLAND
DISTRICT BUDGET VALIDATION REFERENDUM
WARRANT AND NOTICE OF ELECTION**

Cumberland ss.

State of Maine

TO: Tammy O'Donnell, Town Clerk of Cumberland: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

TO THE VOTERS OF CUMBERLAND:

You are hereby notified that a District budget validation referendum election will be held at Cumberland Town Hall, 290 Tuttle Road in the Town of Cumberland on Tuesday, June 11, 2013 for the purpose of determining the following Articles:

Article 1A: To elect a moderator to preside at said meeting.

Article 1: Do you favor approving the School Administrative District No. 51 budget for the upcoming school year that was adopted at the latest District budget meeting?

Article 2: Do you wish to continue the budget validation referendum process in School Administrative District No. 51 for an additional three years?

INFORMATIONAL NOTE ON ARTICLE 2:

A "YES" vote will require School Administrative District No. 51 to continue to conduct a referendum to validate its annual school budget for the next three years.

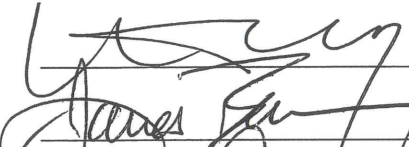
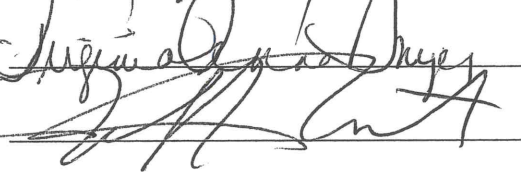
A "NO" vote will discontinue the budget validation referendum for at least three years and provide instead that the annual school budget shall be finally adopted at a meeting of the voters of School Administrative District No. 51.

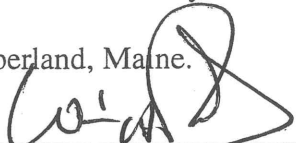

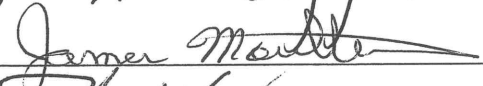

The voting on Articles 1 and 2 shall be by secret ballot referendum. The polls will be opened immediately after election of the moderator following commencement of the meeting at 7:00 a.m. and closed at 8:00 p.m.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, May 6, 2013 at Cumberland, Maine.

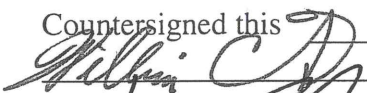

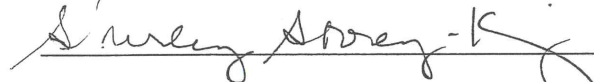





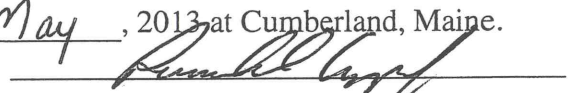
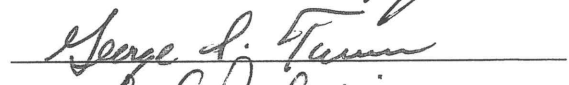
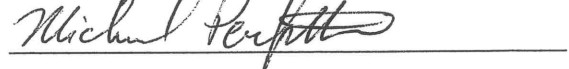
A majority of the School Board of School Administrative District No. 51

A true copy of the Warrant and Notice of Election, attest:

Tammy O'Donnell, Resident
of School Administrative District
No. 51

Countersigned this 13th day of May, 2013 at Cumberland, Maine.

A majority of the municipal officers of the Town of Cumberland

A true copy of the Warrant and Notice of Election, attest:

Tammy O'Donnell, Town Clerk
Town of Cumberland

RETURN

Cumberland County, ss.

State of Maine

TO: The School Board of School Administrative District No. 51
_____, 2013

Pursuant to the within warrant and notice of election, directed to me, I have served in hand upon the municipal clerk of the Town of Cumberland, an attested copy of this warrant and notice of election, directing the municipal officers of said municipality to call a School Administrative District No. 51 budget validation referendum at said time and place and for the purposes therein stated.

Tammy O'Donnell
Resident of School Administrative District
No. 51

RETURN

Cumberland County, ss.

State of Maine

TO: The municipal officers of the Town of Cumberland

I certify that I have notified the voters of the Town of Cumberland of the time and place of the School Administrative District No. 51 budget validation referendum by posting an attested copy of the within warrant and notice of election as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION OF POSTING</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

being public and conspicuous places in said municipality and being at least seven days next prior to election day.

Dated at the Town of Cumberland: _____, 2013

Tammy O'Donnell, Town Clerk
Town of Cumberland, Maine

NEW BUSINESS

BANGOR DAILY NEWS

South Portland homeowner faces hearing under newly strengthened 'nuisance' property ordinance



David Harry | The Forecaster

The home at 119 Wythburn Road in South Portland, where owner Craig Patterson says he is finishing an addition and cleaning up the grounds. Whether the property and one next door at 125 Wythburn Road are nuisances and require an abatement order will be the subject of a June 3 City Council hearing.

David Harry

Posted May 09, 2013, at 2:20 p.m.

SOUTH PORTLAND, Maine — A Thornton Heights homeowner said he is working hard to clean up his Wythburn Road yard and complete home renovations, but he will have to present his case to the City Council at a June 3 public hearing.

Craig A. Patterson, 53, of 119 Wythburn Road became the first city homeowner to be called to a public hearing to face possible civil penalties for having a “nuisance property.”

City Councilors voted Monday night to call the hearing.

"Trying to do things by yourself takes a long time, but anyone who drives by here can see things are getting done," Patterson said Wednesday at his home.

Conditions at the adjacent 125 Wythburn Road home, owned by the Nataleen A. Patterson Family Trust, will also be discussed at the hearing. Nataleen Patterson is Craig Patterson's mother.

Last October, City Councilors revised the ordinance governing "Nuisances in General" to redefine what constitutes a nuisance property and allow councilors to issue an abatement order for a cleanup.

Civil penalties for noncompliance with the order are in accordance with Maine law, and range from \$100 to \$2,500 per day with a cap of \$5,000.

In their sunlit front yard Wednesday morning, Craig and Victoria Patterson explained efforts they have made, including removing scrap lumber and mounds of dirt, and repainting a boat trailer described as "deteriorating" by city Code Enforcement Officer Patricia Doucette.

"We'd be happy to work on any specific thing, if anyone has a specific issue," Patterson said. He added he was expecting a loam delivery so he could plant a front lawn.

Doucette, who last fall asked councilors to strengthen the nuisance ordinance, requested the public hearing because conditions have not improved despite letters and property inspections in the last two years.

The ordinance allows city department heads or officials to make a complaint, or for at least 10 property owners living with 500 feet of an affected property to present a petition seeking a hearing.

About 30 residents of Wythburn Road, and nearby Kirkland and Herford avenues, signed a petition received by Doucette on May 1, 2012. It said "we feel the property borders on being a 'public nuisance.'"

In a council workshop on the ordinance revisions last September, Wythburn Road resident Scott Day and former Kirkland Avenue resident James Wallace supported the added enforcement and claimed Patterson was ignoring orders to clean up his property.

Patterson said he grew up in the home at 125 Wythburn Road. He bought the 119 Wythburn Road property in 1989, according to city tax records. In 2005, he was granted a variance by the city Board of Appeals to build a 960-square-foot addition to the home.

Patterson received a building permit in June 2005. He planned to expand the house over the footprint of an old garage and adjacent workshop where a former owner once built radios.

Files kept by Doucette indicate she began receiving complaints from neighbors in 2011, six years after the building permit was issued.

On July 11, 2011, she sent a letter to Patterson.

"It does not appear that you have started or completed any of the work proposed back in 2005," Doucette wrote, adding the building permit had expired and needed renewal before Patterson could continue work.

In her letter, Doucette said she had to inspect the property and wanted to work with the Pattersons "to bring the properties up to applicable safety standards."

Victoria Patterson said the couple also received an anonymous letter at that time saying their properties were preventing neighbors from selling their homes. She said she visited two neighbors she knew were trying to sell homes and both denied writing the letter.

The Pattersons said no neighbors have spoken to them directly about the situation.

"I want to be in good standing with my neighbors," she said. "I want my kids to be proud of where they live and where they come from. I don't know how to start a dialogue that is not fueled by hostility."

After getting no response to her July letter, Doucette sent the Pattersons a letter on Sept. 13, 2011, warning of possible legal action.

Patterson said his mother's health problems and flooding at her home next door led to delays in the work at his home. He said he and his wife also objected to Doucette's demeanor.

"She has shown up here without any warning at all," he said. "To me, that is not OK."

By early April 2012, Doucette was also warning Patterson about conditions at 125 Wythburn Road, where a shed in disrepair needed immediate removal, and a junked motor and camper trailer sat in the yard.

After receiving the petition May 1, 2012, Doucette asked South Portland Deputy Fire Chief Steve Fox to accompany her on a property inspection, but said she hoped to "avoid that public display" of a hearing.

Patterson renewed his building permit June 19, 2012, and began building an addition on the side of his house. He has shingled much of the roof over the addition and has timbers to frame and build the rest, which is now open to the elements. In a March 11 email to Doucette, he vowed to have walls enclosed and the roof finished next month.

Patterson also said winter weather inhibited work to clean up debris and refuse in his yard, noting he got a letter from Doucette on Feb. 7, just before a nor'easter struck.

In his March response to Doucette, Patterson disputed allegations his property was unsafe.

"There is nothing on either property that is a sanitation, fire, or health or safety risk to us or any neighbors," he said.

<http://bangordailynews.com/2013/05/09/news/portland/south-portland-homeowner-faces-hearing-under-newly-strengthened-nuisance-property-ordinance/> printed on May 13, 2013

SOUTH PORTLAND CODE OF ORDINANCES

Chapter 16

NUISANCES GENERALLY*

* **Cross reference(s)**--Dangerous dogs a nuisance, § 3-45; when erection, continuance, use of building a nuisance, § 5-7; bitches in heat running at large declared a public nuisance, § 8-44.

State law reference(s)--Nuisances, generally, 17 M.R.S.A. § 2701 et seq.

Sec. 16-1. Purpose.

This ordinance is adopted pursuant to 30-A M.R.S.A. §3001 for the purpose of regulating and eliminating public health and safety hazards and public nuisances in order to promote the public health and safety.

(Code 1966, § 6-5-1 ; Ord. No. 4-12/13, 10/1/12 [Fiscal Note: Less than \$1000])

Sec. 16-2. Committing, creating or maintaining a nuisance prohibited.

No person shall commit, create or maintain any public nuisance.

(Code 1966, § 6-5-1 ; Ord. No. 4-12/13, 10/1/12 [Fiscal Note: Less than \$1000])

Sec. 16-3. Public Nuisances Affecting Public Health and Safety.

- (a) *Declaration of public nuisance.* The following conditions constitute a public nuisance affecting public health and/or safety:
- (i) failure to keep waste, refuse or garbage in an enclosed building or properly contained in a closed container designed for such purposes;
 - (ii) failure to maintain a structure so as to avoid health hazards;
 - (iii) allowing any discharge into the environment of toxic or noxious materials in such concentrations as to endanger the public health;
 - (iv) causing or allowing the effluent from any cesspool, septic tank, drainfield or sewage disposal system to discharge upon the surface of the ground;
 - (v) causing or allowing the contamination of any well, cistern, stream, pond or other body of water by sewage, waste or other materials or substances;
 - (vi) carcasses of animals, birds or fowl not intended for human consumption which are not buried or otherwise disposed of in a sanitary manner within 24 hours after death or as required by Maine law;
 - (vii) accumulations of manure from domestic animals and fowl that are handled, stored or disposed of in a manner that creates a health hazard;
 - (viii) accumulations of decayed animal or vegetable matter, trash, rubbish, garbage, rotting lumber, packing material, scrap metal or any substance in which flies, mosquitoes, disease carrying insects, rats or other vermin can breed, live, nest or seek shelter but not including the composting of nontoxic agricultural, organic or domestic waste;
 - (ix) any chemical and/or biological material that is stored, used or disposed of in such quantity or manner that creates a public health hazard;
 - (x) any condition or situation which renders a structure or any part thereof unsanitary, unhealthy or unfit for human habitation, occupancy or use, or renders any property unsanitary or unhealthy;
 - (xi) failure to comply with any law, rule or ordinance regarding sanitation and health, including, but not limited to: plumbing; water supplies, including wells and surface waters; waste disposal; and storage of chemical pesticides or herbicides; and
 - (xii) the outdoor storage for more than fifteen (15) days of items of personal property that (a) are worn out, broken, deteriorated, dismantled or, based

on their physical condition, have been discarded or abandoned, and (b) pose a sanitation, fire, health or safety risk at the property or to neighboring properties, such as, in both instances, household furnishings, appliances and fixtures, used or salvaged building materials, packing, clothing, equipment and machinery or parts thereof, tires, scrap metal, scrap lumber, masonry blocks, large limb piles, boxes, containers, bins, cabinets, covered electronic devices as defined in 38 M.R.S.A. § 1610(2)(C), as may be amended from time to time; provided, however, that this restriction shall not apply to any construction site for which a valid building and/or land use permit issued by the City is in effect or to any property for which the sale of such items is otherwise allowed under law; and provided, further, that the Code Enforcement Officer must first notify the property owner or occupant of the need to remove the items prior to any further proceedings under this Ordinance.

- (b) *Complaint and establishment of hearing.* Upon complaint to the City Council by any City official or department head of such conditions, or upon receipt by the City Council of a petition signed by at least ten (10) real estate taxpayers of record within five hundred (500) feet thereof complaining of such condition, the City Council shall, by order, establish a date, time and place for a public hearing to determine whether or not such condition is in fact a public nuisance within the purview of this section.
- (c) *Notice of public hearing.* The City Clerk shall, by both first class and certified mail, return receipt requested, give notice to the owner of the premises as shown upon the last tax rolls of the City, and such mailing thereof shall be considered sufficient notice to the owner of such hearing, and such notice shall be given not less than five (5) days next prior to the date of the hearing as established by Council order.
- (d) *Hearing procedure.* At the time and place as designated by Council order, the City Council shall hear and consider the complaints as rendered in subsection (b), and shall hear and consider the objections to the proposed findings, if any. At the conclusion of the hearing, the City Council shall, by Council order, find or not find that there is in fact such conditions as complained of that constitute a public nuisance. The hearing may be continued from time to time at the discretion of the City Council.
- (e) *Abatement order.* Should the City Council find and pass such order that such condition complained of is a nuisance, then such order shall contain a directive and order to the owner thereof, as shown on the last tax roll of the city to abate the nuisance and condition within fifteen (15) days from the date of the order of abatement. A copy of the Council order shall be sent to the owner and occupants (if different than the owner) of the premises.
- (f) *Violation and penalties.* Whenever the City Council, after the hearing, issues an order declaring that a nuisance exists, and after ordering the same to be abated by the owner of the property on which same is situated, no person shall refuse or fail to abate such nuisance within fifteen (15) days from the date of the notice to abate issued by the City Council. Any person, including but not limited to the owner, owner's agent, lessee, or contractor who commits, creates or maintains a public nuisance in violation of this ordinance shall be penalized in accordance with 30-A M.R.S.A. §4452, as may be amended from time to time. Each day in which a violation is proved to exist shall constitute a separate offense. In addition to the penalties provided herein, the City may bring an action in the Superior Court or District Court for injunctive relief to abate the public nuisance, for collection of penalties, and for such other relief as may be provided by law.

(Ord. No. 4-12/13, 10/1/12 [Fiscal Note: Less than \$1000])

Sec. 16-4. Applicability.

Notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, the amendments to this Ordinance, as evidenced by Ordinance #4-12/13, when enacted, shall govern any condition existing as of September 24, 2012, the applicability date of the amendments, or thereafter.

(Ord. No. 4-12/13, 10/1/12 [Fiscal Note: Less than \$1000])



Executive Department
Robert E. Macdonald
Mayor



May 9, 2013

Chief Dan Small
Cumberland Fire Department
366 Tuttle Road
Cumberland, ME 04021

Dear Chief Small:

On behalf of the City Council and our citizens, I would like to express our appreciation to you and your personnel who came to the assistance of the City of Lewiston and our firefighters in responding to the fires we recently experienced.

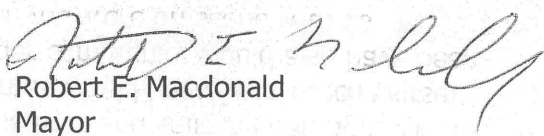
With your help, we were able to contain the spread of these fires and limit the damage. Without additional firefighting equipment and personnel, the outcomes would have been much worse. With all of our equipment and personnel on scene, the larger community would also have been left undefended when/if other incidents occurred. Whether you were on scene with us or protecting our community by staffing our vacant stations, we are deeply grateful for your assistance.

Although we hope never to be needed in your community, be assured that we stand ready to reciprocate should the call ever come.

Lately, we have heard a great deal of talk about the need for municipalities to cooperate to effectively and efficiently serve the public. Last week, at least twelve separate emergency service departments came together in Lewiston to act in concert to address severe threat to the lives and properties of our residents. If this doesn't epitomize our cooperative strengths, nothing ever will.

Please pass on my sincere appreciation to each and every member of your department who responded when the call went out. Our Council, Chief, and citizens are profoundly in your debt.

Sincerely yours,


Robert E. Macdonald
Mayor

cc: Town Manager Bill Shane

79 Schooner Ridge
Cumberland Foreside, ME 04110
207-829-5738

May 9, 2013

William Shane
Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland Center, ME 04021-9321

Dear Bill,

On March 27th I was notified that I was appointed to the Val Halla Board of Trustees. In the interim I have been told that since I am employed at the course that a conflict of interest exists. As I have elected to continue with my duties at the course I will have to resign from the board.

I had no idea when I applied that this policy would forgo my service and I apologize for any inconvenience that it may have caused.

Looking forward to playing with you this season.

Sincerely,



Lloyd Doughty



Financials, Revenue & Citizen Services and Human Capital Management



05/09/2013 14:24
wshane

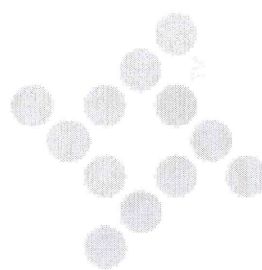
TOWN OF CUMBERLAND
YEAR-TO-DATE BUDGET REPORT

PG 1
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FOR 2013 09

	ORIGINAL ESTIM REV	ESTIM REV ADJUSTMTS	REVISED EST REV	ACTUAL YTD REVENUE	REMAINING REVENUE	PCT COLL
001 General Fund						
130 Administration	464,582	0	464,582	401,059.82	63,522.18	86.3%
140 Assessor	64,153	0	64,153	117,139.45	-52,986.45	182.6%
150 Town Clerk-HR-Tax Collector	222,370	0	222,370	130,686.96	91,683.04	58.8%
160 Technology	164,536	0	164,536	141,233.30	23,302.70	85.8%
165 Elections	17,936	0	17,936	4,108.87	13,827.13	22.9%
170 Planning	57,826	0	57,826	45,377.01	12,448.99	78.5%
190 Legal	40,000	0	40,000	20,779.78	19,220.22	51.9%
210 Police	1,038,354	0	1,038,354	833,522.77	204,831.23	80.3%
220 Fire	743,075	0	743,075	559,495.35	183,579.65	75.3%
240 Code Enforcement	80,663	0	80,663	49,502.60	31,160.40	61.4%
260 Canine Control	34,280	0	34,280	30,809.87	3,470.13	89.9%
310 Public Works	915,184	0	915,184	800,890.75	114,293.25	87.5%
320 Waste Disposal	648,270	0	648,270	449,001.94	199,268.06	69.3%
410 Recreation	571,001	0	571,001	490,962.07	80,038.93	86.0%
430 Parks	191,771	0	191,771	105,400.28	94,670.72	55.0%
440 West Cumberland Rec	8,914	0	8,914	5,182.23	3,731.77	58.1%
450 Library	372,366	0	372,366	286,352.14	86,013.86	76.9%
580 General Assistance	30,000	0	30,000	21,711.33	8,288.67	72.4%
590 Health Services	8,875	0	8,875	7,981.00	894.00	89.9%
620 Cemetery Association	26,700	0	26,700	24,240.00	2,460.00	90.8%
630 Conservation Commission	6,000	0	6,000	255.00	5,745.00	4.3%
650 Debt Service	913,551	0	913,551	572,892.69	340,658.31	62.7%
750 Insurance	271,584	0	271,584	290,907.24	-19,323.24	107.1%
800 Fire Hydrants	57,000	0	57,000	42,642.46	14,357.54	74.8%
810 Street Lighting	36,726	0	36,726	29,212.69	7,513.31	79.5%
830 Contingent	46,000	0	46,000	41,435.82	4,564.18	90.1%
840 Municipal Building	175,462	0	175,462	117,787.11	57,674.89	67.1%
850 Abateaments	20,000	0	20,000	19,399.95	600.05	97.0%
860 MSAD #51	13,193,552	0	13,193,552	9,882,454.95	3,311,097.30	74.9%
890 County Tax	623,416	0	623,416	623,416.00	.00	100.0%
910 Capital Imp. Plan	896,137	0	896,137	896,137.00	.00	100.0%
TOTAL General Fund	21,940,284	0	21,940,284	17,041,978.43	4,906,605.82	77.7%
GRAND TOTAL	21,940,284	0	21,940,284	17,041,978.43	4,906,605.82	77.7%

** END OF REPORT - Generated by William Shane **





Financials, Revenue & Citizen Services and Human Capital Management



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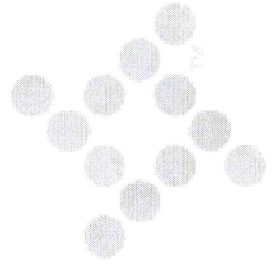
TOWN OF CUMBERLAND
YEAR-TO-DATE BUDGET REPORT

PG 1
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FOR 2013 09

	ORIGINAL ESTIM REV	ESTIM REV ADJUSTMTS	REVISED EST REV	ACTUAL YTD REVENUE	REMAINING REVENUE	PCT COLL
001 General Fund						
000 Unclassified	-21,154,565	0	-21,154,565	-20,818,877.62	-335,687.38	98.4%
210 Police	-38,100	0	-38,100	-57,487.22	19,387.22	150.9%
220 Fire	-185,000	0	-185,000	-99,138.48	-85,861.52	53.6%
230 Rescue	-2,000	0	-2,000	-1,500.00	-500.00	75.0%
310 Public Works	-295,200	0	-295,200	-168,883.00	-126,317.00	57.2%
410 Recreation	-542,653	0	-542,653	-304,337.42	-238,315.58	56.1%
430 Parks	-15,000	0	-15,000	-10,223.77	-4,776.23	68.2%
450 Library	-135,776	0	-135,776	-103,530.73	-32,245.27	76.3%
TOTAL General Fund	-22,368,294	0	-22,368,294	-21,563,978.24	-804,315.76	96.4%
GRAND TOTAL	-22,368,294	0	-22,368,294	-21,563,978.24	-804,315.76	96.4%

** END OF REPORT - Generated by William Shane **





a tyler erp solution

Financials, Revenue & Citizen Services and Human Capital Management



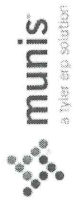
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TOWN OF CUMBERLAND
YEAR-TO-DATE BUDGET REPORT

PG 1
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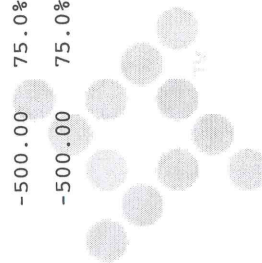
FOR 2013 09

	ORIGINAL ESTIM REV	ESTIM REV ADJSTMTS	REVISED EST REV	ACTUAL YTD REVENUE	REMAINING REVENUE	PCT COLL
001 General Fund						
000 Unclassified						
0011 0303 Excise Tax	-1,330,000	0	-1,330,000	-1,050,573.31	-279,426.69	79.0%
0011 0304 Boat Exc T	-10,000	0	-10,000	-3,752.50	-6,247.50	37.5%*
0011 0326 Tax Commit	-18,699,045	0	-18,699,045	-18,677,641.29	-21,403.71	99.9%
0011 0328 Outer Isle	-40,000	0	-40,000	-20,232.32	-19,767.68	50.6%*
0012 0311 H&F Lic	-700	0	-700	-304.83	-395.17	43.5%*
0012 0312 ML+VR	-3,000	0	-3,000	-1,637.80	-1,362.20	54.6%*
0012 0313 Birth Cert	-365	0	-365	-963.60	598.60	264.0%
0012 0314 Death Cert	-500	0	-500	-1,541.80	1,041.80	308.4%
0012 0315 Clerk Lic	-4,500	0	-4,500	-2,011.00	-2,489.00	44.7%*
0012 0316 Shell Lic	-3,000	0	-3,000	-2,252.80	-747.20	75.1%
0012 0317 Cons Fees	-500	0	-500	-547.20	47.20	109.4%
0012 0334 SnowMob Reg	-300	0	-300	-444.54	144.54	148.2%
0012 0361 Auto Reg	-20,000	0	-20,000	-13,713.00	-6,287.00	68.6%*
0012 0362 Boat Reg	-500	0	-500	-188.00	-312.00	37.6%*
0012 0366 Build Perm	-40,000	0	-40,000	-69,605.23	29,605.23	174.0%
0012 0367 Elect Perm	-15,000	0	-15,000	-17,333.08	2,333.08	115.6%
0012 0368 Plumb Perm	-10,000	0	-10,000	-13,323.00	3,323.00	133.2%
0012 0369 Oth Perm	-2,500	0	-2,500	-700.00	-1,800.00	28.0%*
0012 0383 Agent Fees	0	0	0	-13.92	13.92	100.0%
0012 0398 App Fee	-1,000	0	-1,000	-1,300.00	300.00	130.0%
0012 0401 Dog Rev	-6,000	0	-6,000	-1,922.00	-4,078.00	32.0%*
0012 0404 C Haul Lic	-500	0	-500	-200.00	-300.00	40.0%*
0013 0327 HS St Reim	0	0	0	-171,007.14	171,007.14	100.0%
0013 0331 St Rev Sha	-575,000	0	-575,000	-428,009.54	-146,990.46	74.4%*
0013 0332 Prk Fee Sha	-7,080	0	-7,080	0	-7,080.00	0%*
0013 0335 DOT Grant	-82,000	0	-82,000	-61,254.00	-20,746.00	74.7%*
0013 0397 Wind F&R	-3,900	0	-3,900	0	-3,900.00	0%*
0013 0509 Reg Assess	0	0	0	-43,866.00	43,866.00	100.0%
0013 0545 NY Side	-3,000	0	-3,000	-2,600.00	-400.00	86.7%
0014 0399 Staff Rev	-3,000	0	-3,000	-10,400.00	7,400.00	346.7%
0015 0305 Int & Pen	-50,000	0	-50,000	-35,749.10	-14,250.90	71.5%*
0015 0306 Ov/Short	-100	0	-100	48.82	-148.82	48.8%*
0015 0364 Growth Per	-750	0	-750	-2,400.00	1,650.00	320.0%
0015 0365 Brd of App	0	0	0	-100.00	100.00	100.0%
0015 0379 Int on Inv	0	0	0	-1,346.25	1,346.25	100.0%
0015 0380 Int on Sav	-10,000	0	-10,000	0	-10,000.00	0%*
0015 0381 Build Rent	-825	0	-825	0	-825.00	0%*

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wshaneTOWN OF CUMBERLAND
YEAR-TO-DATE BUDGET REPORTPG 2
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FOR 2013 09

	ORIGINAL ESTIM REV	ESTIM REV ADJUSTMTS	REVISED EST REV	ACTUAL YTD REVENUE	REMAINING REVENUE	PCT COLL
0015 0382 Sale of As	-50,000	0	-50,000	-15,224.00	-34,776.00	30.4%*
0015 0390 Misc Rev	-30,000	0	-30,000	-3,634.45	-26,365.55	12.1%*
0015 0402 Cable Rev	-110,000	0	-110,000	-116,739.20	6,739.20	106.1%
0015 0403 Mooring Fe	-1,000	0	-1,000	-160.00	-840.00	16.0%*
0015 0410 Priv Ways	-400	0	-400	-200.00	-200.00	50.0%*
0015 0432 WC Dividend	0	0	0	-7,300.34	7,300.34	100.0%
0015 0508 Impact Fee	-40,000	0	-40,000	-38,735.20	-1,264.80	96.8%
0015 0513 Ass Record	-100	0	-100	.00	-100.00	.0%*
TOTAL Unclassified	-21,154,565	0	-21,154,565	-20,818,877.62	-335,687.38	98.4%
210 Police						
0021 0347 NY Ch 2	-2,000	0	-2,000	.00	-2,000.00	.0%*
0021 0348 NY ACO Chr	-3,500	0	-3,500	-3,122.22	-377.78	89.2%
0021 0351 Pol Permit	-3,500	0	-3,500	-4,077.00	577.00	116.5%
0021 0353 Pol Ins Re	-500	0	-500	-344.00	-156.00	68.8%*
0021 0427 PARK TICK	-100	0	-100	-347.20	247.20	347.2%
0021 0428 OUTSIDE DE	-22,000	0	-22,000	-22,774.02	774.02	103.5%
0021 0536 ACO REVENUE	-2,500	0	-2,500	-1,693.60	-806.40	67.7%*
0021 0546 Court Reim	-3,500	0	-3,500	-1,491.04	-2,008.96	42.6%*
0021 0547 MiscPolice	-500	0	-500	-23,638.14	23,138.14	4727.6%
TOTAL Police	-38,100	0	-38,100	-57,487.22	19,387.22	150.9%
220 Fire						
0022 0390 Misc Rev	-15,000	0	-15,000	-10,518.50	-4,481.50	70.1%*
0022 0431 OUTSIDE COV	-15,000	0	-15,000	-15,866.00	866.00	105.8%
0022 0504 Resc Bill	-155,000	0	-155,000	-72,753.98	-82,246.02	46.9%*
TOTAL Fire	-185,000	0	-185,000	-99,138.48	-85,861.52	53.6%
230 Rescue						
0023 0507 Para Inter	-2,000	0	-2,000	-1,500.00	-500.00	75.0%
TOTAL Rescue	-2,000	0	-2,000	-1,500.00	-500.00	75.0%
310 Public Works						



05/09/2013 14:27
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YEAR-TO-DATE BUDGET REPORTPG 3
glytdbud

FOR 2013 09

	ORIGINAL ESTIM REV	ESTIM REV ADJUSTMTS	REVISED EST REV	ACTUAL YTD REVENUE	REMAINING REVENUE	PCT COLL
0031 0390 Misc Rev	0	0	0	-764.00	764.00	100.0%
0031 0517 Bag/Uni Ws	-290,000	0	-290,000	-165,106.00	-124,894.00	56.9%*
0031 4680 Brush Pass	-5,200	0	-5,200	-3,013.00	-2,187.00	57.9%*
TOTAL Public Works	-295,200	0	-295,200	-168,883.00	-126,317.00	57.2%
410 Recreation						
0041 0341 NY Rec Sha	-50,353	0	-50,353	-37,764.75	-12,588.25	75.0%*
0041 0370 Rec Progs	-10,579	0	-10,579	-6,718.00	-3,861.00	63.5%*
0041 0371 Fall Rec R	-48,552	0	-48,552	-43,884.60	-4,667.40	90.4%
0041 0372 Win Rec Re	-69,563	0	-69,563	-87,939.06	18,376.06	126.4%
0041 0373 Spr Rec Re	-27,000	0	-27,000	-972.10	-26,027.90	3.6%*
0041 0374 Sum Rec Re	-204,370	0	-204,370	-34,756.46	-169,613.54	17.0%*
0041 0375 MSAD Rec R	-10,000	0	-10,000	.00	-10,000.00	74.1%*
0041 0385 After Scho	-122,236	0	-122,236	-90,547.45	-31,688.55	74.1%*
0041 0570 Soccer Rev	0	0	0	-1,755.00	1,755.00	100.0%
TOTAL Recreation	-542,653	0	-542,653	-304,337.42	-238,315.58	56.1%
430 Parks						
0043 0390 Misc Rev	-15,000	0	-15,000	-10,223.77	-4,776.23	68.2%*
TOTAL Parks	-15,000	0	-15,000	-10,223.77	-4,776.23	68.2%
450 Library						
0045 0342 NY Lib Sha	-131,276	0	-131,276	-98,457.00	-32,819.00	75.0%
0045 0392 Lib Fines	-3,500	0	-3,500	-3,456.29	-43.71	98.8%
0045 0393 Lib Int In	0	0	0	-209.84	209.84	100.0%
0045 0394 Misc Lib I	-1,000	0	-1,000	-1,407.60	407.60	140.8%
TOTAL Library	-135,776	0	-135,776	-103,530.73	-32,245.27	76.3%
TOTAL General Fund	-22,368,294	0	-22,368,294	-21,563,978.24	-804,315.76	96.4%
TOTAL REVENUES	-22,368,294	0	-22,368,294	-21,563,978.24	-804,315.76	
GRAND TOTAL	-22,368,294	0	-22,368,294	-21,563,978.24	-804,315.76	96.4%

** END OF REPORT - Generated by William Shane **

Calendar Year Building Permit Report

	A	B	C	D	E	F	G
1	Building Permit Report	Apr-08	Apr-09	Apr-10	Apr-11	Apr-12	Apr-13
2							
3	MTD - Construction Dollar Amount	\$1,829,600.00	\$156,941.00	\$2,101,438.00	\$488,200.00	\$599,896.15	\$ 1,369,500.00
4	MTD - Number of Permits	29	9	18	10	16	25
5	MTD - Permit Fees	\$6,159.65	\$760.00	\$6,639.28	\$1,932.10	\$2,857.05	\$5,326.55
6							
7	YTD - Construction Dollar Amount	\$4,044,471.43	\$942,041.00	\$4,002,448.00	\$2,702,157.00	\$5,063,696.15	\$ 4,730,553.00
8	YTD - Number of Permits	60	25	55	36	57	65
9	YTD - Permit Fees	\$15,050.85	\$4,069.90	\$16,301.92	\$8,483.65	\$21,349.63	\$16,744.00

Master Summary Report

Monthly Building Permits			
		Start Date:	4/1/2013
		End Date:	4/30/2013
Commercial	1	\$1,000.00	\$100.00
Deck	3	\$5,500.00	\$75.00
Demolition	1	\$25,000.00	\$25.00
Foundation	2	\$25,000.00	\$188.80
Garage	1	\$30,000.00	\$68.40
House	5	\$1,132,000.00	\$3,613.10
Porches	1	\$1,500.00	\$50.00
Renovation	10	\$145,500.00	\$1,181.25
Shed	1	\$4,000.00	\$25.00
Totals	25	\$1,369,500.00	\$5,326.55

YTD Building Permits			
Addition	7	\$287,180.00	\$1,690.40
Commercial	3	\$51,000.00	\$300.00
Deck	4	\$6,250.00	\$100.00
Demolition	2	\$25,000.00	\$25.00
Foundation	2	\$25,000.00	\$188.80
Garage	4	\$132,088.00	\$486.20
House	15	\$3,840,000.00	\$11,109.55
Porches	3	\$23,500.00	\$150.00
Renovation	20	\$255,935.00	\$2,146.25
Shed	2	\$4,600.00	\$75.00
SHORELAND	2	\$4,000.00	\$300.00
Storage Barn	1	\$76,000.00	\$172.80
	65	\$4,730,553.00	\$16,744.00

*Electrical Permits for dates between
04/01/13 and 04/30/13*

<i>Count</i>	<i>Fee</i>
15	\$1,019.75

YTD Electrical Permits

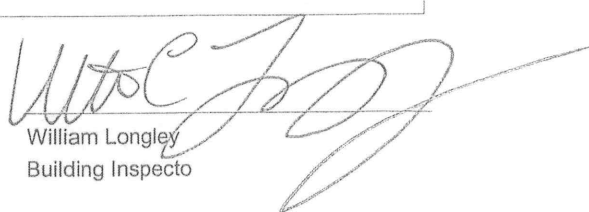
<i>Count</i>	<i>Fee</i>
54	\$9,375.65

*Plumbing Permits for dates
between 04/01/13 and 04/30/13*

<i>Count</i>	<i>Fee</i>
18	\$2,795.00

YTD Plumbing Permits

<i>Count</i>	<i>Fee</i>
49	\$6,700.00


William Longley
Building Inspector

Building Permits

Start Date:

4/1/2013

End Date:

4/30/2013

Date	Permit	Map/Lot	Owner	Location	Imprvmnt	Est Cost	Fee
4/2/2013	13-041	R07 / 70 C	Normand Berube	11 Old Colony La	Renovation	\$20,000.00	\$141.25
4/2/2013	13-042	R07E / 14	CHASE CUSTOM	35 WESTBRAN	House	\$359,000.00	\$978.50
4/9/2013	13-043	R02 / 30	CENTRAL MAINE	21 GREELY RO	Demolition	\$25,000.00	\$25.00
4/10/2013	13-044	R04 / 11	GRISWOLD PEG	215 TUTTLE RO	Renovation	\$30,000.00	\$50.00
4/11/2013	13-045	R06 / 17	LUKENS DANA	394 GREELY R	Porches	\$1,500.00	\$50.00
4/11/2013	13-046	U13 / 110	GUIDI JAMES	319 MAIN STRE	Foundation	\$10,000.00	\$138.80
4/11/2013	13-047	R07 / 91	SHERWIN BRUC	292 BLANCHAR	Deck	\$1,500.00	\$25.00
4/17/2013	13-048	R08A / 5	GAGNE GARY	22 WILD APPLE	Renovation	\$15,000.00	\$150.00
4/18/2013	13-049	R08A / 68G	TAN HIN A	21 FOX RUN R	Renovation	\$15,000.00	\$150.00
4/18/2013	13-050	U20 / 70	MERRILL TAMMY	199 GRAY ROA	Renovation	\$20,000.00	\$200.00
4/18/2013	13-051	U13 / 72	CLARK MICHAEL	18 FARWELL A	Renovation	\$20,000.00	\$200.00
4/18/2013	13-052	R05A / 13	OTLEY VICTOR	36 Partridge Driv	Garage	\$30,000.00	\$68.40
4/22/2013	13-053	U18 / 6 6	WALNUT HILL IN	5 BUD'S TRAIL	House	\$198,000.00	\$511.20
4/23/2013	13-054	R08A / 5	GAGNE GARY	22 WILD APPLE	Renovation	\$5,000.00	\$50.00
4/23/2013	13-055	U11A / 6	HUNTER SALLIE	38 MEADOW LA	Renovation	\$3,500.00	\$50.00
4/25/2013	13-056	U17 / 7	COUILLARD JEA	55 LOWER MET	Foundation	\$15,000.00	\$50.00
4/25/2013	13-057	R07 / 59C	GRAIVER LONI	15 WESTMORE	House	\$170,000.00	\$672.40
4/25/2013	13-058	R07 / 59P	GRAIVER HOME	20 WESTMORE	House	\$155,000.00	\$663.20
4/25/2013	13-059	U14 / 152	CARUSO LOUIS	14 COUNTRY C	Deck	\$2,500.00	\$25.00
4/25/2013	13-060	R07 / 70 G	NORMAND BERU	11 LIBERTY LA	House	\$250,000.00	\$787.80
4/30/2013	13-061	R06 / 56	WIESSNER, GRE	20 LABRADOR	Shed	\$4,000.00	\$25.00
4/30/2013	13-062	R06 / 14	HAYES ROGER L	389 GREELY R	Deck	\$1,500.00	\$25.00
4/30/2013	13-063	U08 / 2	CHESLEY PAUL	7 JUSAM WAY	Renovation	\$3,000.00	\$50.00
4/30/2013	13-064	R04 / 11	GRISWOLD PEG	215 TUTTLE RO	Renovation	\$14,000.00	\$140.00
4/30/2013	13-065	U19 / 14	COPP HOWELL	169 GRAY ROA	Commercial	\$1,000.00	\$100.00
						\$1,369,500.00	\$5,326.55

Electrical Permits

Date Permit	Owner	Location	Est Cost	Fee
4/3/2013 13-040	MICHAUD JOSEPH	21 Pine Lane	\$0.00	\$50.00
4/4/2013 13-041	HAGERTY ANDRE	5A EMERALD DRIV	\$0.00	\$100.35
4/4/2013 13-042	HAGERTY ANDRE	5B EMERALD DRIV	\$0.00	\$100.35
4/4/2013 13-043	HAGERTY ANDRE	5C EMERALD DRIV	\$0.00	\$100.35
4/10/2013 13-044	WALNUT HILL INVE	7 BUD'S TRAIL	\$0.00	\$132.30
4/10/2013 13-045	Normand Berube Buil	11 Old Colony Lane	\$0.00	\$58.60
4/11/2013 13-046	GRISWOLD PEG	215 TUTTLE ROAD	\$0.00	\$61.00
4/11/2013 13-047	TIME WARNER CA	VARIOUS TELEPH	\$0.00	\$50.00
4/16/2013 13-048	LUKENS DANA	394 GREELY ROAD	\$0.00	\$50.00
4/16/2013 13-049	FELKEL KELLI M*	52 CROSSING BRO	\$0.00	\$50.00
4/18/2013 13-050	MERRILL TAMMY	199 GRAY ROAD	\$0.00	\$50.00
4/22/2013 13-051	MAIN LINE FENCE	268 MIDDLE ROAD	\$0.00	\$50.00
4/22/2013 13-052	SHERWIN BRUCE	292 BLANCHARD R	\$0.00	\$50.00
4/29/2013 13-053	GUIDI JAMES	319 MAIN STREET	\$0.00	\$50.00
4/30/2013 13-054	COPP HOWELL	169 GRAY ROAD	\$0.00	\$66.80
		15	\$0.00	\$1,019.75

PLUMBING PERMITS

Permit ID	Date Issued	Owner	Location	Description	Plummer	Permit Type	Est. Cost	Fee
5056	4/2/2013	RABEY STEVEN	16 BLACK OAK DRIVE		Gabriel Plumbing &	Internal	\$0.00	\$40.00
5057	4/2/2013	CHASE CUSTOM HOME	35 WESTBRANCH ROA	Septic System	Chase Custom Ho	External	\$0.00	\$265.00
5058	4/4/2013	HAGERTY ANDREW	5A EMERALD DRIVE	Internal	Gordon Atkinson	Internal	\$0.00	\$270.00
5059	4/4/2013	HAGERTY ANDREW	6A EMERALD DRIVE	Internal	Gordon Atkinson	Internal	\$0.00	\$270.00
5060	4/4/2013	R. P. MORRISON BUILD	88 WYMAN WAY	Internal	E. C. Russell	Internal	\$0.00	\$160.00
5061	4/23/2013	Normand Berube Builders	11 Old Colony Lane		Letellier	Internal	\$0.00	\$50.00
5062	4/11/2013	R & N Enterprises, LLC	52 Maeves Way		Bellino	Internal	\$0.00	\$200.00
5063	4/11/2013	WALNUT HILL INVESTM	7 BUD'S TRAIL		Tim Davis	Internal	\$0.00	\$150.00
5064	4/16/2013	WALNUT HILL INVESTM	5 BUD'S TRAIL	Septic System	A. H. Grover	External	\$0.00	\$265.00
5065	4/23/2013	MCALLISTER BRIAN	39 RANGERS WAY		Chamberlain	Internal	\$0.00	\$40.00
5066	4/23/2013	GRISWOLD PEG	215 TUTTLE ROAD		Steve Chamberlain	Internal	\$0.00	\$40.00
5067	4/16/2013	BURNIE CHARLES E	56 LOWER METHODIST			Internal	\$0.00	\$40.00
5068	4/16/2013	FLETCHER JOHN	61 AUTUMN RIDGE ROA		Sanborn Plumbing	Internal	\$0.00	\$110.00
5069	4/25/2013	GRAIVER LONI	15 WESTMORE AVE	Septic System	Gravier Homes	External	\$0.00	\$265.00
5070	4/23/2013	GRAIVER HOMES	20 WESTMORE AVENUE			External	\$0.00	\$265.00
5071	4/25/2013	NORMAND BERUBE BUI	11 LIBERTY LANE	Septic System	Normand Berube B	External	\$0.00	\$265.00
S13-005	4/11/2013	GUIDI JAMES	319 MAIN STREET	Sewer	Storey Bros	Sewer	\$0.00	\$50.00
S13-006	4/23/2013	MULLIN KATHERINE G	7 FARWELL AVENUE	Sewer	Napolitano	Sewer	\$0.00	\$50.00

Impact fee log

A	B	C	D	E	F	G	H	I	J
Number	Date	Name	Location	Map	Lot	Area	Rec	Open	Total
1	13-001	7/19/12 Steve Winn	Off Stockholm Lane	U-10	9D	2,438			3,413.20
2	13-002	8/9/12 Bauer & Gilman	Lot # 4 Stirling Way	R-02	33C	1,240			1,736.00
3	13-003	8/9/12 Mark Axelsen	Lot # 6 Stirling Way	R-02	33E	440			616.00
4	13-004	9/11/12 Anthony & Cynthia Paine	Lot # 6 Maevies Way	U-02	5E	5,777			8,087.80
5	13-005	9/25/12 Sandy River LLC	28 Rose Drive	R-08	44K	878			1,229.20
6	13-006	10/11/12 Carla Manganello	66 Tuttle Road	R-01	58 A	2,312			3,236.80
7	13-007	10/11/12 Graiver Homes LLC	11 Westmore Ave	R-07	59 B	624			873.60
8	13-008	10/11/12 Graiver Homes LLC	12 Westmore Ave	R-07	59 R	641			897.40
9	13-009	10/16/12 John Fletcher	61 Autumn Ridge	R-08	42L	951			1,331.40
10	13-010	10/23/12 Mark & Brenda Kuntz	Goose Pond Road (Jason Copp)	R-07	45B	0			0.00
11	13-011	10/23/12 Chase Custom Homes	8 Westbranch	R-07E	2	2,012			2,816.80
12	13-012	10/31/12 Justin Fletcher	Lot # 6 Ledge Road	U-06A	3	1,520			2,128.00
13	13-013	11/5/12 Andy Haggerty	5 Emerald Common Unit A	U-21	1-5A	7			9.80
14	13-014	11/5/12 Andy Haggerty	5 Emerald Common Unit B	U-21	1-5B	7			9.80
15	13-015	11/5/12 Andy Haggerty	5 Emerald Common Unit C	U-21	1-5C	7			9.80
16	13-016	11/5/12 Andy Haggerty	6 Emerald Common Unit A	U-21	1-6A	7			9.80
17	13-017	11/5/12 Andy Haggerty	6 Emerald Common Unit B	U-21	1-6B	7			9.80
18	13-018	11/5/12 Andy Haggerty	6 Emerald Common Unit C	U-21	1-6C	7			9.80
19	13-019	11/6/12 Erin & Brian McCallister	Off Rangers Way	R-05	28 H	1,620			2,268.00
20	13-020	11/20/12 Mark Axelsen	33 Stirling Way	R-02	33E	700			980.00
21	13-021	1/3/13 R & N Enterprises	52 Maevies Way	U-02	5D	3,508			4,911.20
22	13-022	2/5/13 Norman Berube Builders	Lot # 12 Old Colony Lane (Phase 2)	R-07	70K	1,859			2,602.60
23	13-023	4/2/13 Chase Custom Homes	35 Westbranch	R-07E	14	2,096			2,934.40
24	13-024	4/23/13 Graiver Homes LLC	15 Westmore Ave (Lot # 8)	R-07	59C	1,076			1,506.40
25	13-025	4/23/13 Graiver Homes LLC	20 Westmore Ave (Lot # 15)	R-07	59P	1,292			1,808.80
26	13-026	4/25/13 Norman Berube Builders	11 Liberty Lane (Old Colony Lot # 5)	R-07	70 G	1,764			2,469.60
27	13-027	5/2/13 Tim & Hannah Renyl	Off Chestnut Way	U-04	8	4,075			5,705.00
28	13-028	5/7/13 Graiver Homes LLC	73 Autumn Ridge	R-08	42 J	1,366			1,912.40
29									
30									
31									
32									
33									
34									
35									
36									
37									
38									
39									
40									
41									
42		6/30/2012 \$74,987.12							\$ 53,523.40
43		6/30/11 \$36,306.96							
44	07-01-20	NET							
45		History of Impact Fees							
46		Jul 09- Jun 10 \$40,398.12							
47		Jul 08- Jun 09 \$38,985.76							
48		Jul 07- Jun 08 \$74,678.96							
49		Jul 06- Jun 07 \$68,469.20							
50		Jul 05- Jun 06 \$90,595.04							
51		Jul 04- Jun 05 \$107,125.84							
52		Jul 03- Jun 04 \$132,237.69							
53		Jul 02- Jun 03 \$80,253.60							
54		Jul 01- Jun 02 \$65,881.12							

Monthly Information Technology Report

A Visit is a group of interactions that take place on your website within a given time frame. For example a single visit can contain multiple pageviews, events, social interactions, custom variables, and e-commerce transactions

Pages/Visit (Average Page Depth) is the average number of pages viewed during a visit to your site. Repeated views of a single page are counted.

Avg. Visit Duration is the average time duration of a session.

New Visits is an estimate of the percentage of first time visits

Bounce Rate is the percentage of single-page visits (i.e. visits in which the person left your site from the entrance page without interacting with the page)

Direct Traffic

Mar 31, 2013 - Apr 30, 2013

 % of visits: 47.47%

Explorer

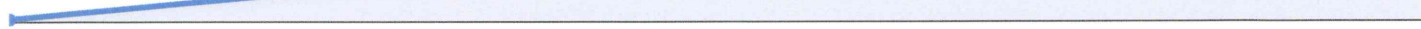
Site Usage

Town Website hits

● Visits

10,000

5,000



Visits

6,871

% of Total: 47.47% (14,474)

Pages / Visit

1.52

Site Avg: 2.23 (-31.89%)

Avg. Visit Duration

00:01:06

Site Avg: 00:01:43 (-36.25%)

% New Visits

83.99%

Site Avg: 63.32% (32.64%)

Bounce Rate

84.11%

Site Avg: 64.63% (30.14%)

Landing Page	Visits	Pages / Visit	Avg. Visit Duration	% New Visits	Bounce Rate
1. /	1,213	3.20	00:04:24	45.09%	37.02%
2. /m/	222	1.22	00:00:49	88.74%	74.77%
3. /government/departments/community-education-recreation/	161	1.75	00:01:23	44.72%	67.08%
4. /government/departments/assessor/	98	2.22	00:10:21	63.27%	64.29%
5. /government/departments/library/	54	1.76	00:01:34	68.52%	68.52%
6. /government/departments/community-education-recreation/greely-pool/	43	1.42	00:00:25	55.81%	79.07%
7. /government/departments/fire-department/	33	2.85	00:04:43	54.55%	51.52%
8. /hours-of-operation/	28	1.93	00:01:48	42.86%	85.71%
9. /government/departments/	27	4.07	00:02:34	55.56%	22.22%
10. /government/departments/police/	24	1.75	00:00:23	66.67%	70.83%

Rows 1 - 10 of 3965

Direct Traffic

Mar 31, 2013 - Apr 30, 2013

● % of visits: 38.64%

Explorer

Site Usage

Val Halla site hits

● Visits

3,000

1,500

Visits

2,193

% of Total: 38.64% (5,676)

Pages / Visit

2.65

Site Avg: 3.00 (-11.46%)

Avg. Visit Duration

00:02:25

Site Avg: 00:02:32 (-4.35%)

% New Visits

29.55%

Site Avg: 35.13% (-15.89%)

Bounce Rate

43.27%

Site Avg: 39.01% (10.94%)

Landing Page	Visits	Pages / Visit	Avg. Visit Duration	% New Visits	Bounce Rate
1. /	1,586	2.82	00:02:40	23.52%	40.54%
2. /?mobile=off	219	2.46	00:02:01	38.36%	37.44%
3. /wine-and-nine-2013	86	1.76	00:01:47	38.37%	66.28%
4. /junior-golf/summer	36	2.06	00:01:22	58.33%	69.44%
5. /viking-grill	26	1.46	00:00:34	61.54%	69.23%
6. /tournament-results	18	2.78	00:00:46	16.67%	22.22%
7. /daily-rates	15	3.20	00:04:24	73.33%	40.00%
8. /2012-membership-rates-fall-option	13	3.15	00:01:46	61.54%	30.77%
9. /vhcalendar.cfm?MonthChange=Forward&LastDate=05/16/2010	11	2.18	00:00:36	0.00%	27.27%
10. /greely-middle-school-golf	9	2.00	00:01:23	55.56%	44.44%

Rows 1 - 10 of 85



Town Crier

[Print Report](#)

The Town of Cumberland
Email Tracking Report
5/1/2013

Comparative Metrics

	Sent	Bounces	Opens	Clicks	Forwards
Overall	187144	5.7% (10752)	31.4% (55460)	2.6% (1468)	0.0% (14)
Last 3 months	10267	4.4% (453)	35.1% (3446)	2.0% (68)	0.0% (1)

Emails

Date Sent	Email Name	Sent	Bounces	Spam Reports	Opt-outs	Opens	Clicks	Forwards
4/30/2013	Copy of copy of May 2, 2013	1028	4.3% (44)	1	0.1% (1)	27.1% (267)	0	0.4% (1)
4/25/2013	copy of April 25, 2013	1028	4.7% (48)	0	0.1% (1)	35.7% (350)	0.6% (2)	0
4/18/2013	copy of April 18, 2013	1029	4.5% (46)	1	0.2% (2)	37.1% (365)	1.9% (7)	0
4/11/2013	Copy of copy of April 11, 2013	1029	4.9% (50)	0	0.1% (1)	36.8% (360)	0.3% (1)	0
4/4/2013	copy of April 4, 2013	1025	4.5% (46)	0	0	37.7% (369)	2.4% (9)	0

Key For Table

Sent	The total emails sent, including bounces.
Bounces	Emails sent, but not received by your contacts.
Bounced percent	Number of bounced emails divided by the number sent.
Spam Reports	Number of complaints received from an email.
Opt-outs	Contacts who unsubscribed from your list.
Opt-out percent	Number of opt-outs divided by the number sent.
Opens	Emails your contacts received and viewed.
Opened percent	Number of opened emails divided by the number of emails delivered (delivered = emails sent minus emails bounced).
Clicks	Contacts who clicked on a link within your email.
Click-through percent	Number of clicks divided by the number opened.
Forwards	Number of times the email was forwarded using the Forward Email to a Friend link.
Forward Email to a Friend percent	Number of forwarded emails divided by the number opened.
Overall	Totals since using Constant Contact.
Last 3 months	Totals for the last three months.

Assessing -

Monthly Web Statistics for Cumberland ME MapGeo Report

Time range: 4/1/2013 03:47:11 - 4/30/2013 22:08:52

Generated on Wed May 01, 2013 - 06:46:31

General Statistics

Summary

Summary

Hits	
Total Hits	32,086
Visitor Hits	31,777
Spider Hits	309
Average Hits per Day	1,069
Average Hits per Visitor	35.19
Cached Requests	637
Failed Requests	711
Page Views	
Total Page Views	4,385
Average Page Views per Day	146
Average Page Views per Visitor	4.86
Visitors	
Total Visitors	903
Average Visitors per Day	30
Total Unique IPs	763
Bandwidth	
Total Bandwidth	439.09 MB
Visitor Bandwidth	417.26 MB
Spider Bandwidth	21.83 MB
Average Bandwidth per Day	14.64 MB
Average Bandwidth per Hit	14.01 KB
Average Bandwidth per Visitor	473.17 KB

Advanced Stats

Vimeo -
Town Council & Planning Board
meetings viewed on website

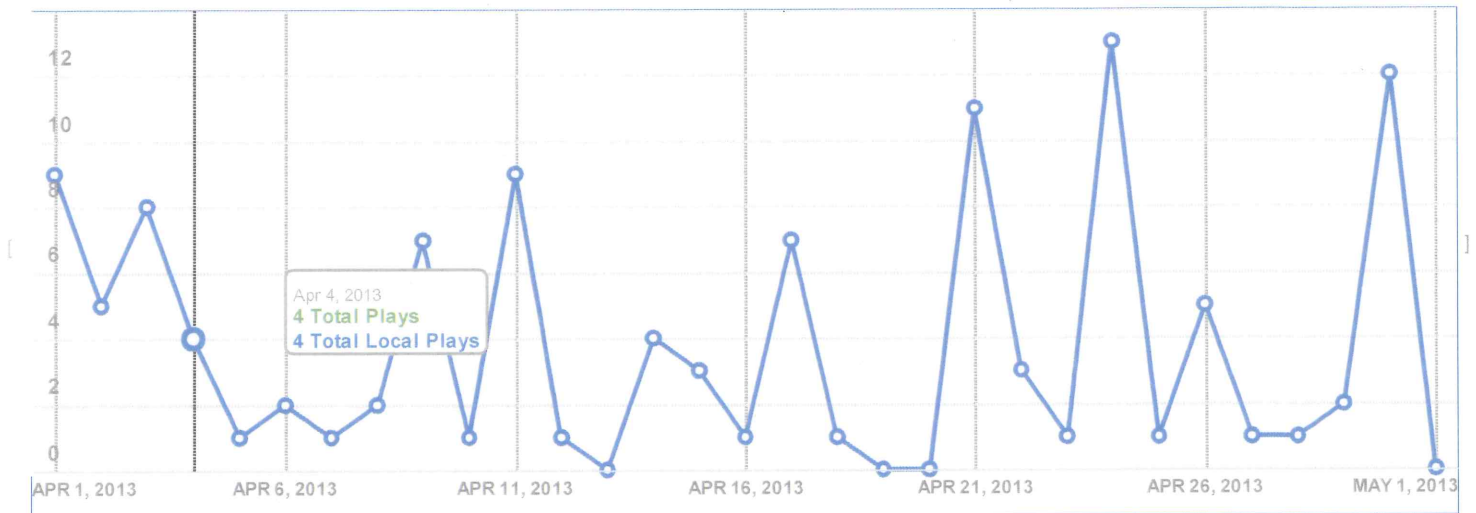
General

Embed

Geographic

Show past: Week / Month / Year / All-Time / Custom

Apr 1, 2013 – May 1, 2013



Date

Total Local Plays

Total Plays

+

Mon Apr 1, 2013

9

9

Tue Apr 2, 2013

5

5

Wed Apr 3, 2013

8

8

Thu Apr 4, 2013

4

4

Fri Apr 5, 2013

1

1

Sat Apr 6, 2013

2

2

Sun Apr 7, 2013

1

1

Mon Apr 8, 2013

2

2

Tue Apr 9, 2013

7

7

Wed Apr 10, 2013

1

1

Thu Apr 11, 2013

9

9

Fri Apr 12, 2013

1

1

Sat Apr 13, 2013

0

0

Sun Apr 14, 2013

4

4

Mon Apr 15, 2013

3

3

Tue Apr 16, 2013

1

1

Wed Apr 17, 2013

7

7

Thu Apr 18, 2013	1	1
Fri Apr 19, 2013	0	0
Sat Apr 20, 2013	0	0
Sun Apr 21, 2013	11	11
Mon Apr 22, 2013	3	3
Tue Apr 23, 2013	1	1
Wed Apr 24, 2013	13	13
Thu Apr 25, 2013	1	1
Fri Apr 26, 2013	5	5
Sat Apr 27, 2013	1	1
Sun Apr 28, 2013	1	1
Mon Apr 29, 2013	2	2
Tue Apr 30, 2013	12	12
Wed May 1, 2013	0	0
Totals	116	116

Export this data: [CSV](#) / [XML](#) / [Tab delimited](#)

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- [Geographical Stats](#)
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1



**TOWN OF CUMBERLAND
NOTICE OF PUBLIC HEARING
7:00 PM, May 13, 2013**

LEGAL ADVERTISEMENT

Notice is hereby given that the Town of Cumberland will hold a public hearing on May 13, 2013 at 7:00 p.m. at the Town Hall, 290 Tuttle Road in Cumberland for the purpose of holding a Public Hearing to consider and act on a Class III (vinous only) and Class IV (malt liquor) Liquor License for Doc's Café. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at the hearing.

Brenda Moore

From: Joan Jensen <jjensen@mainetoday.com>
Sent: Wednesday, April 24, 2013 2:40 PM
To: Brenda Moore
Subject: RE: Ad
Attachments: Cumberland apr 25.pdf

Hi Brenda,

All set to publish your ad on Thursday, April 25.
The cost is \$29.00 includes \$2.00 online charge. I included a proof.
Thank you,
Joan

Joan Jensen
Legal Advertising
Portland Press Herald/Maine Sunday Telegram
295 Gannett Drive
South Portland, ME 04106
Tel. 207-791-6157
Fax: 207-791-6910
Email: jjensen@mainetoday.com

Portland Press Herald
Maine Sunday Telegram
www.pressherald.com

From: Brenda Moore [<mailto:bmoore@cumberlandmaine.com>]
Sent: Wednesday, April 24, 2013 2:33 PM
To: Joan Jensen
Subject: Ad

Hi Joan,

Is there any way this legal notice can be run tomorrow?

*Brenda Moore
Administration Executive Assistant
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021
(207)829-2205*

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

PUBLIC NOTICE

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#4817645



Cumberland Town Council Meeting
Monday, May 13, 2013
7:00 p.m. Call to Order

The Cumberland Town Council will hold its regular meeting on Monday, May 13, 2013 at 7:00 p.m. in the Town Council Chambers. An opportunity for public comment will be provided. The following items will receive a public hearing:

- To hold a Public Hearing to consider and act on a Class III (vinous only) and Class IV (malt liquor) Liquor License for Doc's Café.
- Review of Personnel Policy.
- To set a Public Hearing date (June 3rd) to consider and act on a Mass Gathering Permit for the United Maine Craftsmen's 44th Annual Cumberland Arts & Crafts Show to be held from August 8th through 11th, 2013 at the Cumberland Fairgrounds.
- To appoint a member to a vacant committee seat.
- **EXECUTIVE SESSION** pursuant to 1 M.R.S.A., §405(6)(A) re: a personnel matter.

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

Forecaster
May 2nd + 9th



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