

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, June 17, 2013

6:00 p.m. Workshop

7:00 p.m. Call to Order

6:00 P.M. WORKSHOP re: FOAA Training with Jensen, Baird, Gardner & Henry

I. CALL TO ORDER

II. APPROVAL OF MINUTES

June 3, 2013

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

- 13 – 096** To swear in newly elected Town Councilors.
- 12 – 097** Election of Council Chair and Vice-Chair.
- 12 – 098** To hold a Public Hearing to consider and act on a Mass Gathering Permit for the 142nd Cumberland Fair to be held from September 22nd – 29th, 2013 at the Cumberland Fairgrounds.
- 13 – 099** To hear a report from the Finance Committee Chair and to authorize the Town Manager to transfer inter-departmental operating funds for FY'13.
- 13 – 100** To hold a Public Hearing to award the Tax Anticipation Notes for FY2014.
- 13 – 101** To hold a Public Hearing to consider and act on draft zoning amendments to Chapter 315, Zoning Ordinance, § 48 (Erosion and Sedimentation Control) of the Cumberland Code as recommended by the Planning Board.
- 13 – 102** To hold a Public Hearing to consider and act on draft zoning amendments to Chapter 229, Site Plan Ordinance, § 11 (Expiration of Approval) of the Cumberland Code as recommended by the Planning Board.
- 13 – 103** To hold a Public Hearing to consider and act on an amendment to the Official Shoreland Zoning Map to remove the Wetlands / Limited Residential designation to the following properties as shown on the Official Cumberland Zoning Map below: Map R05, Lots 33B, 33C, 35, 35A, 35B, 35C, 35D, 35E, 35F, 35G, 37, 37B, 37C, 37D, 37E, 37F and Map U15, Lots 10, 10A, 10B, and 7B.
- 13 – 104** To consider and act on Commercial Hauler's license renewals for FY'14.
- 13 – 105** FY'14 Town Council Committee Assignments.
- 13 – 106** To set a Public Hearing date (July 8th) to consider and act on a Mass Gathering Permit for the Cumberland Soccer Club Labor Day "Just for Fun Tournament" to be held August 31st – September 1st, 2013 at Twin Brook.

13 – 107 To authorize the Town Manager to accept an anonymous donation of \$10,000 for the Food Pantry and execute a gift letter.

13 – 108 To hear a report from the Town Manager re: 2014 – 2018 Capital Improvement Plan (CIP).

VI. NEW BUSINESS

- Recent donations to Food Pantry

VII. ADJOURNMENT

MOTIONS

MOTIONS

13 – 096 No action.

12 – 097 After nominations:

I move to elect Councilor _____ as Town Council Chair.

I move to elect Councilor _____ as Town Council Vice-Chair.

12 – 098 **I move to approve** the Mass Gathering Permit for the 142nd Cumberland Fair to be held from September 22nd – 29th, 2013 at the Cumberland Fairgrounds.

13 – 099 **I move the authorize the Town Manager** to make interdepartmental fund transfers between Departments to close-out the FY 2013 budget, per the recommendations of the Finance Committee.

I move to authorize the Town Manager to transfer end of year fund balance to the following accounts:

Senior Circuit Breaker Fund	\$ 80,000
Fuel Assistance	\$ 15,000
Road Improvement Fund	\$ 27,268
Equipment Reserve Fund	\$119,288
Val Halla Project	\$ 34,728
Val Halla Operations	\$ 68,000

And I further authorize the transfer of:

\$279,022 from the Drowne Road School Bond Fund to the Land Acquisition Fund, and

\$230,218 from the General Fund Balance and **any additional end of year revenues** to the Val Halla Fund.

13 – 100 **I move to authorize** the Town Manager to execute a Tax Anticipation Note with Bath Savings Institution for FY'14 at an interest rate of .71% and a total of \$3,000,000.00, per the Town Council Resolution included in meeting materials.

13 – 101 **I move to adopt** draft zoning amendments to Chapter 315, Zoning Ordinance, § 48 (Erosion and Sedimentation Control) of the Cumberland Code as presented.

13 – 102 **I move to adopt** draft zoning amendments to Chapter 229, Site Plan Ordinance, § 11 (Expiration of Approval) of the Cumberland Code as recommended by the Planning Board.

13 – 103 **I move to amend** the Official Shoreland Zoning Map to remove the Wetlands / Limited Residential designation to the following properties as shown on the Official Cumberland Zoning Map: Map R05, Lots 33B, 33C, 35, 35A, 35B, 35C, 35D, 35E, 35F, 35G, 37, 37B, 37C, 37D, 37E, 37F and Map U15, Lots 10, 10A, 10B, and 7B.

- 13 – 104 I move to approve** the Commercial Hauler’s license renewals for FY’14.
- 13 – 105 I move to approve** the Town Council Committee Assignments for 2013-2014 as presented.
- 13 – 106 I move to set** a Public Hearing date of July 8th to consider and act on a Mass Gathering Permit for the Cumberland Soccer Club Labor Day “Just for Fun Tournament” to be held August 31st – September 1st, 2013 at Twin Brook.
- 13 – 107 I move to authorize** the Town Manager to accept an anonymous donation of \$10,000 for the Food Pantry and execute a gift letter.
- 13 – 108 I move to accept** the 2014 – 2018 Capital Improvement Plan (CIP).

MINUTES

06/03/13

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, June 3, 2013

6:30 p.m. Call to Order

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

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

Motion by Councilor Perfetti, seconded by Councilor Turner, to recess to Executive Session pursuant to 1 M.R.S.A., Section 405(6)(C) re: real property acquisition.

VOTE: 7-0

TIME: 6:31 p.m.

Motion by Councilor Perfetti, seconded by Councilor Copp, to authorize the Town Manager to negotiate, develop and bring back to the Town Council for review and possible action, a PILOT (Payment in Lieu of Taxes) for the Maine State Golf Association.

VOTE: 6-0 (Councilor Storey-King left the room briefly during vote) MOTION PASSES

II. APPROVAL OF MINUTES

Motion by Councilor Gruber, seconded by Councilor Perfetti, to accept the May 13, 2013 minutes as presented.

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

III. MANAGER'S REPORT

The Manager held his report until the new business portion of the meeting.

IV. PUBLIC DISCUSSION

Brad Hilton of Blanchard Road and member of the Lands and Conservation Commission explained that the Commission is very busy and wanted to bring up a few things for the Town to consider.

The first item is the bamboo that grows along the side of the roads. It has become a safety issue for cyclists and walkers because it hangs into the roadway and they are forced to go into the road to avoid it. He has learned that the way to get rid of the bamboo is not pull it out, but to cut it 3 times a year and it will eventually disappear. Mr. Hilton requested that the Public Works road maintenance crews should be cutting the bamboo.

Town Manager Shane explained that this would be a very labor intensive project and the Town does not have the staff or resources to do that. It is not practical since the Town has over 500 acres of open space and facilities to maintain. He realized how frustrating invasive species are, but it is not a one and done treatment. It is a problem that is bigger than our small Public Works Department can handle.

Mr. Hilton reiterated that this is a safety issue that the Town has to address.

Councilor Perfetti suggested that Mr. Hilton come back to the Council at budget time to make the request.

The next topic that Mr. Hilton wants to discuss is in regard to illegal tree stands being left in the Town Forest. The tree stands are illegal because they are not marked with a name and address, and permission was not granted from the Town to put them up.

Town Manager Shane said that the Police Chief has spoken to the Public Services Director and asked that the tree stands be taken down.

Mr. Hilton's last point is to let the Council know that the Lands and Conservation Commission plans to deal with the problem of the invasive buckthorn. They will be asking for volunteers to help wipe out this invasive species and do some trail work in the Town Forest.

V. LEGISLATION AND POLICY

13 – 087 To hold a Public Hearing 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.

Town Manager Shane said that staff is recommending approval and all documentation is in place.

Chairman Stiles opened the Public Hearing.

Public discussion: None

Chairman Stiles closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Storey-King, to approve the 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.

VOTE: 7-0

UNANIMOUS

13 – 088 To hear a presentation from Peter Bingham of Cumberland Recreation re: Frisbee Golf at Twin Brook.

Recreation Superintendent, Peter Bingham gave the following presentation:



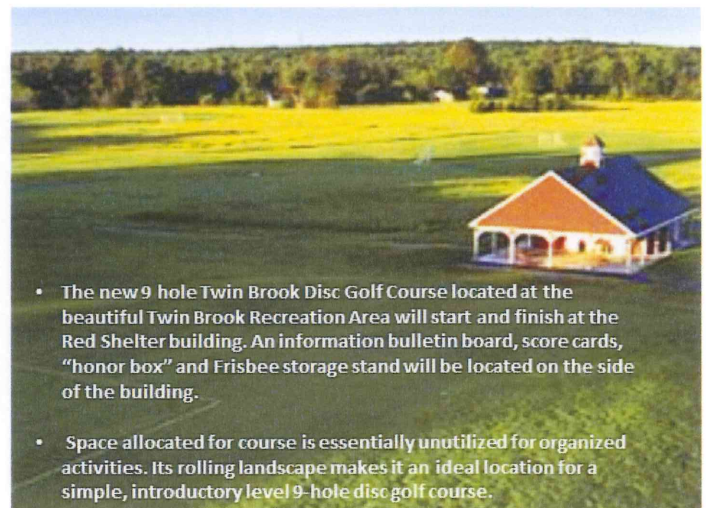
GREAT FAMILY FUN
Coming June 2013!
Twin Brook
Disc Golf Course

Beginning in June, Twin Brook will be home to our new 9 hole Disc Golf Course. The course will be based out of the Shelter Building which will have course information/map and scorecards available at the building.

The cost for all day unlimited play is \$5 per person or \$10 for a group of two or more. Payment is on the honor system.

Look for more info coming soon!

Course will be open from dawn to dusk daily and will only be closed during inclement weather or during major events



Benefits of Disc Golf

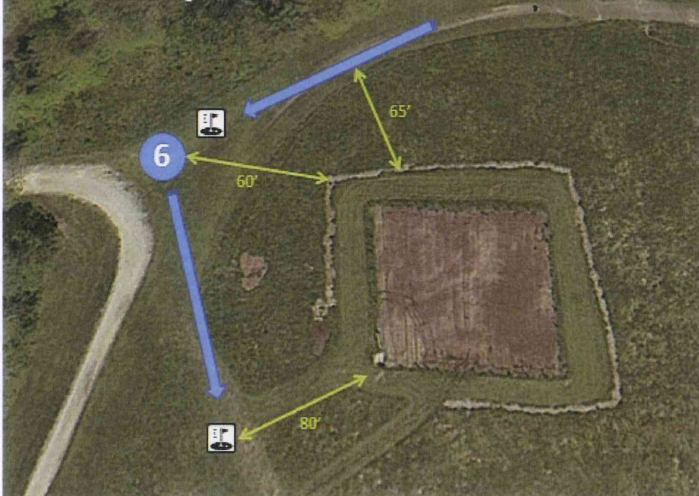
There are virtually few barriers to participating in the activity of Disc Golf while there are numerous benefits.

- Provides upper and lower body conditioning
- Aerobic exercise
- Concentration skills
- Promotes a combination of physical and mental abilities
- Can be played alone or in a group
- It is a great activity for the family
- Can play anytime the facility is open

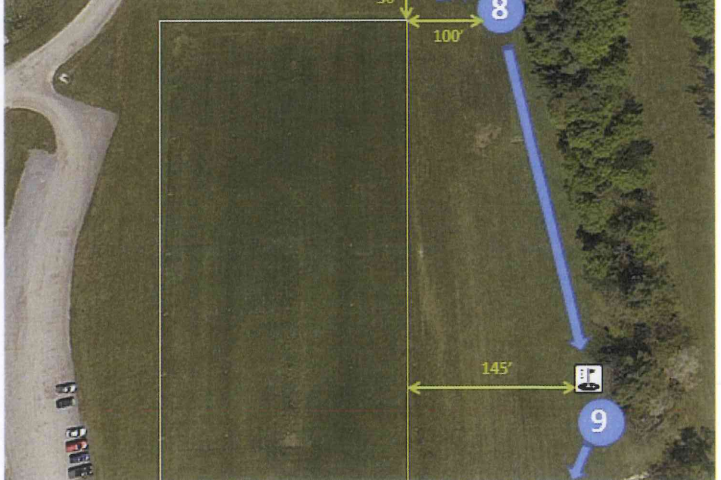
School Department currently implements Disc Golf into their PE curriculum and has expressed interest in using the course during the Disc Golf PE session



Community Garden Detail



Shelter Field Detail



Disc Golf Basics



- Disc golf is like traditional golf
- Players use Frisbees in place of golf balls
- Discs are throw into temporary basket targets
- Interest in the game has boomed in the last 15 years
- 560 permanent courses in 1995
- 3,276 courses in 2010
- Including 31 permanent courses here in Maine.

Tee- May be rotated to minimize excessive wear



An Easy Transition

- The course would provide a fun, inexpensive recreational opportunity
- Requires little to no upkeep apart from mowing
- Existing land uses would not be affected
- The course could be readily removed and reinstalled
- Passive recreation, like dog-walking, would not be affected
- The baskets and tee signs would not be placed in visible or open areas
- Baskets are removable at the end of the season
- No alterations to the area would occur

This proposed layout also avoids open spaces and areas where oversaturation is likely to be a problem, meaning the course will be dry most of the season. Each disc basket is strategically placed in areas where it will blend in with the natural surroundings.



Expenses/Revenue

Initial startup expenses include the following which is within the FY 2012-13 Budget

Initial Expenses	
9 Disc Baskets	\$1574.91
Outdoor Bulletin Board Display Case	\$250.00
Loaner Discs	\$200.00
Misc Expenses	\$200.00
Total Startup Costs	\$2224.91 (\$2500.00 in budget line)

Revenues/Fees

\$5 per person \$10 for groups of 2 or more for all day unlimited play

40 rounds per week (minus percentage who do not contribute to honor box)
\$150.00 per week x 20 weeks: \$3000.00 gross for summer/fall 2013

Anticipated payback is < 1 year

Disc Golf Links

- www.mainediscgolf.com
- www.pdga.com (Professional Disc Golf Association)
- <http://www.discgolfshack.com>
- http://en.wikipedia.org/wiki/Disc_golf



Mr. Bingham said that the startup costs are in the current budget and the program would break even within the first year. Fees would be collected on the honor system in a lock box on the shelter building.

Chairman Stiles asked Mr. Bingham why the course was not set up along the perimeter as opposed to back and forth across the fields.

Mr. Bingham said that it was the goal to keep it visible. Users of Twin Brook are encouraged to be out in the open. He would take the suggestion of moving it to the perimeter into consideration however.

Mr. Bingham introduced Bill Green, Chair of the Recreation/Community Education Committee to speak about this item.

Mr. Green explained that the Recreation Committee has not met to discuss this item yet, but he is in favor of this use at Twin Brook. He feels that any place for kids to go and play is a positive thing. As a community, we care a lot about how things look, and tend to drive kids into basements. He would rather have the kids in the park where they can be seen. This is family oriented, pro-kid activity that he is in support of.

Councilor Copp said this is very affordable recreation that will get the kids out of the house. He is in support of it. Twin Brook is for the entire Town to use and enjoy, not just for one group.

Chairman of the Twin Brook Committee, John Leavitt said that this idea was presented to the committee about a month ago. The committee felt that disc golf was a worthwhile endeavor, but voted not to endorse it at Twin Brook. The committee has a lot of concern about the multitude of uses at Twin Brook and trying to manage it so everyone can enjoy the park. The committee feels this use is not compatible and would perhaps be better suited for Val Halla or the Fair Grounds. Mr. Leavitt also has some concerns about the use of the honor system for payment and the program breaking even financially.

Councilor Perfetti said he feel that this use would be no more offensive than dogs running off leash. He respects the Twin Brook Committee's opinion, but he is in favor.

Councilor Gruber said he walked the course and feels that Twin Brook is the prime location for this activity. He will be voting in favor.

David Dow, Greely Cross Country Coach said that he agrees with the Twin Brook Advisory Committee that this is a great activity, but wrong for Twin Brook. 90% of the proposed disc golf course is on the cross country course. 50+ kids run these trails every day. Twin Brook is a place for runners, walkers, and dog walkers. It is not a place for Frisbee golf. He urged the Council to reconsider this proposal and look for another place for disc golf.

Mr. Bingham said there would be no disc golf during cross country meets.

Iwona Tarling, a member of the Twin Brook Committee said she is totally against this because much of the proposed course would run through walking paths that are being used by mothers with babies, and the elderly. She is concerned that someone is going to get hurt. This use will also bring many more people (non-residents) to Twin Brook. If the course were moved to the Greely Road side or along the perimeter, as Councilor Stiles suggested, it would be much safer.

Mr. Bingham made one last point on the choice of location design for the course. There is no shelter or restrooms on the Greely Road side of Twin Brook. If someone is dropping their kids off to play disc golf and a thunderstorm rolls in, they are never more than 300 yards away from shelter with the current course proposal.

Councilor Storey-King said that there are not many opportunities in our community for our "tweens" to play. This activity would give them something to do instead of sitting in the car while at their siblings sporting events. Although she shares reservations of the Twin Brook Committee, she feels it is worth a try. She requested frequent updates from Mr. Bingham over the next year.

Chairman Stiles reiterated that he likes the idea, but is concerned with the course location.

Motion by Councilor Perfetti, seconded by Councilor Copp, to authorize the Town Manager to have a Frisbee Golf Circuit installed at Twin Brook, as presented this evening.

VOTE: 6-1 (Stiles opposed) MOTION PASSES

Chairman Stiles took item 13-091 next because Mike Timmons of the Cumberland Farmers Club was present:

13 – 091 To set a Public Hearing date (June 17th) to consider and act on a Mass Gathering Permit for the 142nd Cumberland Fair to be held from September 22nd – 29th, 2013 at the Cumberland Fairgrounds.

Motion by Councilor Copp, seconded by Councilor Turner, to set a Public Hearing date of June 17th to consider and act on a Mass Gathering Permit for the 142nd Cumberland Fair to be held from September 22nd – 29th, 2013 at the Cumberland Fairgrounds.

VOTE: 7-0

UNANIMOUS PASSAGE

13 – 089 To hold a Public Hearing to consider and act on annual Victualer's Licenses for Non-Profit Organizations for the period of July 1st, 2013 – June 30th, 2014.

Town Manager Shane explained that the Town is only required to approve the non-profit Victualer's Licenses. The State takes care of the for-profit licenses. This is an annual approval.

Chairman Stiles opened the Public Hearing.

Public discussion: None

Chairman Stiles closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Perfetti, to approve the annual Victualer's Licenses for Non-Profit Organizations for the period of July 1st, 2013 – June 30th, 2014.

VOTE: 7-0

UNANIMOUS

13 – 090 To authorize the Town Manager to award the bid for the Blanchard Road Reconstruction Project.

Town Manager Shane said that the Town is partnering with the Maine Department of Transportation, who will reimburse the Town \$500,000 of this million dollar project. The paving and reclamation project will begin near Bruce Hill Road and end at Skillin Road. The road will be widened to add 5 foot shoulders. We will have paved shoulders from Route One to Route 100 when this project is complete.

Councilor Turner asked the Manager if this project was put out to bid.

Town Manager Shane said that it was, and A.H. Grover was the low bidder.

Councilor Storey-King pointed out that historically, the Town puts maximum dollar amount on the bid specifications and the bids come in just slightly under that amount. Wouldn't it make sense to not put a maximum dollar amount on projects to see if they might come in much lower?

Town Manager Shane said that is a good point, but this 1.4 million dollar project came in just under one million dollars. It can go either way.

Councilor Storey-King said she will abstain from the vote because she is related to one of the bidders.

Motion by Councilor Turner, seconded by Councilor Jennings, to authorize the Town Manager to award the bid for the Blanchard Road Reconstruction Project to A.H. Grover in the amount of \$472,411.40, and further authorize the Town Manager to expend up to an additional \$500,000 which will be reimbursed to the Town by the Maine Department of Transportation.

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

MOTION PASSES

13 – 092 To appoint a member to the Planning Board.

Motion by Councilor Turner, seconded by Councilor Perfetti, to appoint Teri Maloney-Kelly to the Planning Board.

VOTE: 7-0

UNANIMOUS PASSAGE

13 – 093 To set a Public Hearing date (June 17th) to award the Tax Anticipation Notes for FY2014.

Motion by Councilor Storey-King, seconded by Councilor Perfetti, to set a Public Hearing date of June 17th to award the Tax Anticipation Notes for FY2014.

VOTE: 7-0 UNANIMOUS PASSAGE

13 – 094 To set a date of June 17th to hear a report from the Finance Committee Chair and to authorize the Town Manager to transfer inter-departmental operating funds for FY'13.

Motion by Councilor Copp, seconded by Councilor Perfetti, to set a date of June 17th to hear a report from the Finance Committee Chair and to authorize the Town Manager to transfer inter-departmental operating funds for FY'13.

VOTE: 7-0 UNANIMOUS PASSAGE

13 – 095 To authorize the Town Manager to enter into a 60-month equipment lease agreement with Formax for the lease of a postage meter.

Motion by Councilor Perfetti, seconded by Councilor Jennings, to authorize the Town Manager to enter into a 60-month equipment lease agreement with Formax for the lease of a postage meter.

VOTE: 7-0 UNANIMOUS PASSAGE

VI. NEW BUSINESS

Councilor Turner – To Councilor Jennings, he will miss him and he hopes he realized that his input will be valued whether he is sitting on this Council or not. He filled a void and he hopes the next person will do as good a job as he did.

To Councilor Perfetti, when he first met him he thought they were on opposite ends of the spectrum, but they tended to agree on more things than they disagreed on over the past 6 years. He respects him tremendously and wishes him luck in his business.

Councilor Copp – This is the last meeting for Councilors Perfetti and Jennings. He has served 6 years with Councilor Perfetti and has enjoyed them all. Best of luck to him. He has done a fantastic job on the Council. Good luck to Councilor Jennings and thank you for your service.

Councilor Storey-King – Thank you to Councilor Jennings for his service, it has been a pleasure to get to know him. Good luck to him in his new position in South Portland.
To Councilor Perfetti, she has learned a lot from him and has learned to look at things from lots of different ways. She appreciates that. It has been a pleasure.

Councilor Gruber – He will miss the dialogue between Councilors Perfetti and Storey-King. He has worked with Councilor Perfetti for only two years and respects him for the person that he is. He is a genuine person.

To Councilor Jennings, he hates to see him go after only 6 months, but understands that he has other obligations. He hopes to see him around Town.

He has the honor to speak at the Memorial Day celebration at Moss Side Cemetery. Thank you to all the residents for allowing him that opportunity.

Chairman Stiles – To Councilor Perfetti, the last 6 years have been a pleasure, but it's time to pick up your campaign sign at the end of Range Road (laughs). He understands that the last year or two have been a struggle for him with work and family obligations.

Thank you to Councilor Jennings for stepping in and doing a great job. It has been a pleasure.

Councilor Jennings – This is a bittersweet night for him. He has grand plans to be on this Council for many years to come. Unfortunately, he has had back surgery recently which prevents him from pursuing the Town Council position. This has been a fantastic experience for him and he thanked the entire Council for the amazing opportunity to serve this great Town. Thank you to the Town Manager and Town Staff. He is proud to be a resident of Cumberland because of the hard working staff.

Councilor Perfetti – While not long, relative to others, I am hoping 6 years of service will buy me one last stand on my soap box:

Guy Clark sings, "He said I recall a time I'd set my soul on fire just for show
And all it ever taught me was the more I learned the less I seemed to know"

I joke with people how surprised I was when I showed up to my first council meeting dismayed the others were not waiting for me to arrive! Serving on Town Council I have learned much more from my fellow councilors, the manager, the staff and residents than I have taught anyone.

So I am sure residents will be disappointed to learn that I probably got more out Town Council than citizens got out of me serving on the town council.

Rodney Crowell sings, "I'd argue with a parking break to show it who's boss, that my self-importance is a God-forsaken bore, I aim for heaven but wind up on the floor"

I am a firm believer that the process we go through is as important as the result we produce. It matters that we debate and discuss issues like fireworks, chickens, parking signs and other seemingly innocuous things. These seem simple, mundane and sometimes absurd but they are practice for the bigger issues, like rezoning large areas of town, eliminating long-standing uses, deciding to control or not, where sex offenders live, and generally, voting on policies that will have intended, and often unintended consequences in people's lives.

I would like to thank my fellow councilors and the public who tolerated my arguing with a parking break. I hope that in hindsight you know that my aim was honest and true, even if I sometimes ended up on the floor.

Kris Kristofferson sings, "Thank you for a life that I'd call happy, over-lookin' all that we've been through."

I would like to thank the town manager who spent countless hours teaching me the "inside-baseball" of municipal finance and policy. He also humored me with lively discussions about any topic under the sun.

I would like to thank the Town staff, who care about our residents and work hard to provide services effectively and efficiently.

I would like to thank the members of the public who, throughout my tenure were brave enough to call or e-mail me or come here and ask us questions and cajole us in to action, or merely to point out our flaws. Thank you also to those in the public who came to compliment us (in some cases you are the same people!). I have often thought and believe that the public is the eighth councilor.

Above all and most especially, I am grateful for my family and want to thank them. They were not always pushing me out the door for evening or weekend meetings, but supported me knowing that serving on the Town Council was important to me. I could not have done it without you, so to Sara, Madeline, Hannah and Andrew, thank you, and I hope you are proud of me.

I will be taking a break from service to the community in an elected capacity.

Farewell and thank you for the opportunity to serve as your Town Councilor.

So to all of you, as Johnny Cash sings, "We'll meet again, don't know where, don't know when, but I know we'll meet again some sunny day."

I'll see you around.

Town Manager Shane – We received a very generous donation of \$10,000 to the food pantry today. This community is fabulous. So many people step up on a regular basis. It is amazing.

Kyle Bickford, Kyle Megathlin, and Nick Plummer raised \$278 for the Veterans Monument as their senior project. Thank you for stepping up and doing this for the monument.

The Bickford Family (Braden, Mitch, Jordan, and Brook) has a lemonade stand at the Memorial Day parade and donated 10% of their profits to the Food Pantry. We are very proud of the Bickford Family.

Thank you to Fire Chief Small and Peter Bingham for all their efforts in planning the parade and other Memorial Day events.

Good luck to Councilor Jennings with his job in South Portland. He will do great things in South Portland.

Councilor Perfetti is going to be missed tremendously. He never had reservations about bringing controversy to the Council and always put everything out in the open. He respects him for that and having made it a more transparent place. Best wishes.

Chairman Stiles presented Councilor Perfetti a Town chair and wished him well.

VII. ADJOURNMENT

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

VOTE: 7-0

UNANIMOUS

TIME: 8:41 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

MANAGER'S REPORT

ITEM 13-096

To swear in newly elected Town Councilors

ITEM 13-097

Election of Council Chair and Vice-Chair

ITEM

13-098

To hold a Public Hearing to consider and act on a Mass Gathering
Permit for the 142nd Cumberland Fair to be held from
September 22nd – 29th, 2013 at the Cumberland Fairgrounds

MEMORANDUM

To: William Shane, Town Manager

From: Tamara O'Donnell, Town Clerk

Re: 2013 Cumberland Fair, September 22 – September 29, 2013

I held a meeting at 9:00 a.m., on Thursday, March 28, 2013, with Cumberland Farmer's Club President Mike Timmons, , Police Chief Charron, and Deputy Fire Evarist Bernier.

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

- Exact attendance levels are unknown, however, it was determined that up to 50,000 is likely, therefore, the organizers will pay the Major Mass Gathering fee of \$500.00.
- Entrance fee for attendees is \$9.00 per person .
- There will be no parking fee this year .
- Profession Bull Riding and Rodeos will occur on Sunday, opening day and on Friday and Saturday this year.
- There will be parking attendants for the parking areas. The parking is being handled by the the American Legion Group from New Gloucester.
- Police coverage will be consistent with years past. The Cumberland Farmers Club has Has hired Mr. Jay Costa as their new head of security.
- The Certificate of Liability Insurance is attached.
- There will be 1 Fire Engine on site.
- Communication between parties will be by two way radio and cell phone.
- Food Vendors will be handled exclusively through the Farmers' Club. There are approximately 50 food vendors that will be signed up.
- A copy of the contract with Troiano Waste Services is on file with the Town Office.
- Contact person for this event is Mr. Mike Timmons. Contact number is 653-9783.

Approximate fees for this event are as follows:

Police	-	\$10,000.00
Fire & Rescue	-	\$7,500.00

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

TOWN OF CUMBERLAND

Publication Dates: _____
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: Cumberland Farmers Club

Address of Applicant: 140 Bruce Hill Road, Cumberland, me 04021

Name of Event: Cumberland Fair

Facility where the event will be held: 197 Blanchard Road, Cumberland, me

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): _____

Telephone number: 207-653-9783 cell - 207-829-4856

Date of Event: Sept 22-29th Time (start and finish times): 7^{AM} - 10pm.

Number of tickets available: 40,000±

Expected attendance: 40,000-60,000

Description of event: Cumberland County Fair

Will any food vendors be serving at the event: ☒ yes, _____ no, (if yes, how many, and
what types) 25± All types fast foods

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) beer -
In beer garden area only.

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. Cumberland Fair - 2012

2. Cumberland Fair - 2011

3. Cumberland Fair - 2010

Description of facility:

- A. Seating capacity: 5,000⁺ permanent; 6 Portable Bleachers temporary
- B. Other seating capacity: Pulling + Show arena festival; _____ standing room only (sq. ft.)
- C. Number of toilets available: 22⁺ permanent; 30⁺ portable
- D. Number of parking spaces available: 7000 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: see attached contract
- H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse) See attached
- I. When will refuse be picked up? 6 A.M. Daily

Public Safety:

- J. Describe first aid facilities: building on Grounds for Rescue Staff
- K. Describe emergency facilities: _____
- L. Describe communication facilities: Public address system - 30+ 2 way Radios
- M. Number of certified police officers: Police Chief Schedules - for week
- N. Other security personnel (include company name and qualification): Cumberland Police, Cumberland Fire & Rescue
- O. Describe fire personnel: as above

Traffic Plan

- P. Description of routes persons attending the event are likely to take, include number of traffic controllers and deployment descriptions.
We hire a full staff of Parking attend
- Q. Describe methods used to publicize alternate routes of reaching the scene of the event.
Emergency Evacuation Plan is available.
- R. Attach statement of availability of private towing firms to remove disabled vehicles.
Copp motors

Crowd Management

- S. Plan for discouraging those not holding tickets for the event from not coming to the event Site. → *Our Security Superintendent manages his staff + schedule*
- T. Plan for preventing trespassing on private property in the area.
Contact Police on site.
- U. Will all publicity stop as soon as it is apparent that the event is sold out? ____ Yes;
☒ No -
- V. Description of how the event will be publicized, include how a sell-out will be publicized.
Radio, T.V., Newspapers

Other:

- W. Name of liability insurance *see attached letter*
Amount of coverage *2,000,000*; amount of property insurance *\$44,000 dollars worth.*
- X. Preferred type of performance guarantee (i.e. escrow account, irrevocable letter of credit)
see attached.

Michael Timmons
Authorized Signature

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

Authorized Signature



THE TROIANO FAMILY OF BUSINESSES



Troiano Waste Services

P O Box 3541
Portland, Maine 04104-3541
Telephone: 207-767-2070
FAX 207-767-6156

Troiano Transfer Station

P O Box 8459
Portland, Maine 04104-8459
Telephone: 207-767-2070
FAX 207-775-2468

T & J Towing

P O Box 1258
Portland, Maine 04104-1258
Telephone: 207-773-2122
FAX 207-767-6156

Associated Septic Services

P O Box 10839
Portland, Maine 04104
Telephone: 207-799-1980
FAX 207-767-6156

March 18, 2013

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

Dear Mr. Prevost

We at Troiano Waste and Associated Septic would like to thank you once again for letting us provide you liquid and solid waste solutions for 2013 at the Cumberland fair grounds facility. As discussed we will have adequate cans and trucks as needed to meet all your needs during your regular season and all your events.

Sincerely,

TJ Troiano
Troiano Waste Services, Inc.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/20/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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

PRODUCER Cross Insurance-Portland 2331 Congress Street PO Box 567 Portland ME 04112		CONTACT NAME: Dolly Libby PHONE (A/C, No. Ext): (207) 780-1677 FAX (A/C, No): (207) 780-6377 E-MAIL ADDRESS: dalibby@crossagency.com	
INSURED Cumberland Farmers' Club Attn: Gerry Prevost 39 Samuel Road Portland ME 04103		INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia Ins Co INSURER B: Maine Employers Mutual Ins Co 11149 INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: CL128370161

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			PHPK742902	7/1/2012	7/1/2013	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ excluded
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						GENERAL AGGREGATE \$ 5,000,000
	AUTOMOBILE LIABILITY						PRODUCTS - COMP/OP AGG \$ 3,000,000
	<input type="checkbox"/> ANY AUTO						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per person) \$
	<input type="checkbox"/> HIRED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> NON-OWNED AUTOS						\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB			PHUB351667	7/1/2012	7/1/2013	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> EXCESS LIAB						AGGREGATE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE						\$
	DED <input checked="" type="checkbox"/> RETENTION \$ 10,000						
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			1810008422	5/24/2012	5/24/2013	WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 500,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Re: Cumberland County Fair Sep. 22nd - Sep. 28th

Refer to policy for exclusionary endorsements and special provisions.

CERTIFICATE HOLDER**CANCELLATION**

829-2214

Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Kasie Thornton/HJB

Kasie Thornton

ACORD 25 (2010/05)

INS025 (201005) 01

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ITEM 13-099

To hear a report from the Finance Committee Chair and to authorize the Town Manager to transfer inter-departmental operating funds for FY'13



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

To: Tom Gruber, Finance Committee Chairman

From: William R. Shane, Town Manager

Date: June 13, 2013

Re: Budget Transfers FY 13

Charter Section 7 & 8- Expenditures & Transfers pages 12 and 13

I am requesting a meeting of the Finance Committee to review and prepare a recommendation to the full Town Council at its June 17th meeting for the transfer of funds to close-out the FY 2013 Budget.

All transfers will result in no increase in taxes and represents monies not spent from operating accounts, excess revenues and overlay.

Town Charter Article VI. Section 7. Expenditures and departmental revenue

The budget for all departments shall include all proposed expenditures; and the Council shall make a gross appropriation for each department for the ensuing fiscal year. The gross appropriation for each department shall not be exceeded except by consent of the Council.

Town Charter Article VI. Section 8. Transfers of appropriations

At the request of the Town Manager and within the last three (3) months of the budget year, the Council may by resolution transfer any unencumbered appropriations, balance or portion thereof between general classification of expenditures within a department. Following the close of the fiscal year the Council may also continue unexpended balances in capital accounts and prepaid items.

It appears that only transfer from interdepartmental funds will be needed to cover overages in this year's budget closeout. I am asking that you authorize me to make the necessary transfers between Departments to close-out this year's budget cycle. The following pages show the actual line items for both Revenues and Expenses. I believe revenues will exceed budget by \$187,000 and expenses will come in over budget by \$100,000 .

Copy of 2013-05-31 EOY transfer estimates.xlsx
Expense Forecast

Department	Dept	FY13 Budget	YTD @ 5/31	June Est	FY13 Estimate	FY13 Estimate Under (Over) Budget	Percent of Budget Expended	
Administration	130	464,582	465,180	42,289	507,469	(42,887)	109.2%	Dept head training over \$4k; wages/bene over \$25k (incl \$5500 temp/training salary, unbudgeted separation fees \$13500; municipal fees over \$10k (MMA 2x)
Assessor	140	64,153	41,159	17,346	58,505	5,648	91.2%	
Town Clerk	150	222,370	178,612	16,237	194,849	27,521	87.6%	
Technology	160	164,536	166,548	3,746	170,294	(5,758)	103.5%	internet access \$4k not budgeted; software over \$2k
Elections	165	17,936	4,109	7,000	11,109	6,827	61.9%	
Planning	170	57,826	55,433	5,039	60,472	(2,646)	104.6%	
Legal	190	40,000	27,151	2,468	29,619	10,381	74.0%	
Municipal Building	840	175,462	143,372	23,034	166,406	9,056	94.8%	
General Government Total		1,206,865	1,081,564	117,160	1,198,724	8,141	99.3%	
Police	210	1,038,354	1,033,206	93,928	1,127,134	(88,780)	108.6%	wages over \$82k; contracted svcs over \$5k (dispatch \$34k/quarter actual, budgeted at \$32k/quarter)
Fire	220	743,075	682,932	62,085	745,017	(1,942)	100.3%	wages
Code Enforcement	240	80,663	75,450	6,859	82,309	(1,646)	102.0%	wages
Animal Control	260	34,280	36,161	3,287	39,448	(5,168)	115.1%	wages
Public Safety Total		1,896,372	1,827,749	166,159	1,993,908	(97,536)	105.1%	
Public Works	310	915,184	889,821	80,893	970,714	(55,530)	106.1%	wages over \$28k; health insurance over \$9k; diesel over \$10k; vehicle mnx/parts over \$10k
Waste Disposal	320	648,270	532,021	78,366	610,387	37,883	94.2%	
Public Works Total		1,563,454	1,421,842	159,258	1,581,100	(17,646)	101.1%	
Recreation	410	571,001	568,245	61,659	629,904	(58,903)	110.3%	ASP over \$11k; wages/bene over \$20k; programs over \$25k
Parks	430	191,771	130,530	33,866	164,396	27,375	85.7%	
West Cumberland Rec	440	8,914	5,962	2,042	8,004	910	89.8%	
Recreation & Parks Total		771,686	704,737	97,567	802,304	(30,618)	104.0%	
Library	450	372,366	347,314	31,574	378,888	(6,522)	101.8%	wages/bene over \$8k; \$4k of which is health ins
Library Total		372,366	347,314	31,574	378,888	(6,522)	101.8%	
General Assistance	580	30,000	29,338	500	29,838	162	99.5%	
Health Services	590	8,875	8,577	-	8,577	298	96.6%	
Health & Welfare Total		38,875	37,915	500	38,415	460	98.8%	
Debt Service	650	913,551	794,792	15,000	809,792	103,759	88.6%	self financing of \$67k paid off in FY12 EOY transfers; TAN interest under budget \$35k
Debt Service Total		913,551	794,792	15,000	809,792	103,759	88.6%	
MSAD51	860	13,193,552	12,078,556	1,114,996	13,193,552	-	100.0%	
MSAD51 Total		13,193,552	12,078,556	1,114,996	13,193,552	-	100.0%	
Cemetery	620	26,700	24,240	-	24,240	2,460	90.8%	
Conservation	630	6,000	596	2,000	2,596	3,404	43.3%	
Insurance & Benefits	750	271,584	309,287	28,117	337,404	(65,820)	124.2%	General liability over \$7k; wellness over \$2k; insurance incentive over \$2k; MePERS over \$35k

Copy of 2013-05-31 EOY transfer estimates.xlsx
Expense Forecast

Department	Dept	FY13 Budget	YTD @ 5/31	June Est	FY13 Estimate	FY13 Estimate Under (Over) Budget	Percent of Budget Expended
Fire Hydrants	800	57,000	47,478	4,316	51,794	5,206	90.9%
Street Lighting	810	36,726	38,873	3,534	42,407	(5,681)	115.5%
Contingency	830	46,000	45,882	-	45,882	118	99.7%
Abatements	850	20,000	19,400	-	19,400	600	97.0%
County Tax	890	623,416	623,416	-	623,416	-	100.0%
Other Total		1,087,426	1,109,172	37,967	1,147,139	(59,713)	105.5%
CIP-Town Buildings	910	70,000	70,000	-	70,000	-	100.0%
CIP-Environmental	910	32,000	32,000	-	32,000	-	100.0%
CIP-Equipment	910	343,500	343,500	-	343,500	-	100.0%
CIP-Roads	910	450,637	450,637	-	450,637	-	100.0%
Capital Improvements Total		896,137	896,137	-	896,137	-	100.0%
Expenditure Total		21,940,284	20,299,778	1,740,181	22,039,959	(99,675)	100.5%

Copy of 2013-05-31 EOY transfer estimates.xlsx

Revenue Forecast

Department	Dept	FY13 Budget	YTD @ 5/31	June Est	FY13 Estimate	FY13 Estimate (Under) Over Budget	Percent of Budget Received
Excise Tax		\$ 1,330,000	\$ 1,312,359	\$ 119,305	\$ 1,431,664	\$ 101,664	108%
Boat Excise Tax		\$ 10,000	\$ 11,163	\$ 2,000	\$ 13,163	\$ 3,163	132%
Supplemental Taxes		\$ -	\$ -	\$ -	\$ -	\$ -	
Taxes - Other Total		\$ 1,340,000	\$ 1,323,522	\$ 121,305	\$ 1,444,827	\$ 104,827	108%
Hunting & Fishing License		\$ 700	\$ 471	\$ 43	\$ 514	\$ (186)	73%
Marriage License		\$ 3,000	\$ 1,930	\$ 175	\$ 2,105	\$ (895)	70%
Birth Certificates		\$ 365	\$ 1,196	\$ 109	\$ 1,305	\$ 940	357%
Death Certificates		\$ 500	\$ 1,644	\$ 149	\$ 1,793	\$ 1,293	359%
Clerk Licenses		\$ 4,500	\$ 2,691	\$ 245	\$ 2,936	\$ (1,564)	65%
Shellfish Licenses		\$ 3,000	\$ 2,612	\$ -	\$ 2,612	\$ (388)	87%
Conservation Fees		\$ 500	\$ 693	\$ -	\$ 693	\$ 193	139%
Snowmobile Reg		\$ 300	\$ 445	\$ -	\$ 445	\$ 145	148%
Auto Reg. Fees		\$ 20,000	\$ 18,117	\$ 1,647	\$ 19,764	\$ (236)	99%
Boat Reg. Fees		\$ 500	\$ 515	\$ 200	\$ 715	\$ 215	143%
Building Permits		\$ 40,000	\$ 85,635	\$ 5,193	\$ 90,828	\$ 50,828	227%
Electrical Permits		\$ 15,000	\$ 19,741	\$ 1,197	\$ 20,938	\$ 5,938	140%
Plumbing Permits		\$ 10,000	\$ 18,918	\$ 1,147	\$ 20,065	\$ 10,065	201%
Other Permits		\$ 2,500	\$ 950	\$ 86	\$ 1,036	\$ (1,464)	41%
Application Fee		\$ 1,000	\$ 1,526	\$ -	\$ 1,526	\$ 526	153%
Dog Revenue		\$ 6,000	\$ 4,085	\$ 2,000	\$ 6,085	\$ 85	101%
Commercial Haulers License		\$ 500	\$ 200	\$ 100	\$ 300	\$ (200)	60%
License & Permit Revenues Total		\$ 108,365	\$ 161,369	\$ 12,291	\$ 173,660	\$ 65,295	160%
State Revenue Sharing		\$ 575,000	\$ 542,963	\$ -	\$ 542,963	\$ (32,037)	94%
Homestead Reimbursement		\$ -	\$ 171,007	\$ -	\$ 171,007	\$ 171,007	
Park Fee Sharing		\$ 7,080	\$ 7,212	\$ -	\$ 7,212	\$ 132	102%
DOT Block Grant		\$ 82,000	\$ 81,672	\$ -	\$ 81,672	\$ (328)	100%
Windham-Fire & Rescue		\$ 3,900	\$ -	\$ -	\$ -	\$ (3,900)	0%
Regional Assessing		\$ -	\$ (4,874)	\$ -	\$ (4,874)	\$ (4,874)	0%
NY Sidewalks		\$ 3,000	\$ 2,600	\$ -	\$ 2,600	\$ (400)	87%
Intergovernmental Revenues Total		\$ 670,980	\$ 800,580	\$ -	\$ 800,580	\$ 129,600	119%
Staff Review Fee		\$ 3,000	\$ 12,650	\$ -	\$ 12,650	\$ 9,650	422%
Charges for Services Total		\$ 3,000	\$ 12,650	\$ -	\$ 12,650	\$ 9,650	422%
Interest & Penalties		\$ 50,000	\$ 44,470	\$ 13,530	\$ 58,000	\$ 8,000	116%
Over/Short		\$ 100	\$ (74)	\$ -	\$ (74)	\$ (174)	-74%
Growth Permits		\$ 750	\$ 3,600	\$ 327	\$ 3,927	\$ 3,177	524%
Board of Appeals		\$ -	\$ 200	\$ -	\$ 200	\$ 200	
Interest on Investment		\$ -	\$ -	\$ -	\$ -	\$ -	
Interest On Savings		\$ 10,000	\$ 1,375	\$ 500	\$ 1,875	\$ (8,125)	19%
Building Rentals		\$ 825	\$ -	\$ -	\$ -	\$ (825)	0%
Sale of Assets		\$ 50,000	\$ 21,209	\$ -	\$ 21,209	\$ (28,791)	42%
Misc. Revenue		\$ 30,000	\$ 3,822	\$ 347	\$ 4,169	\$ (25,831)	14%
Cable TV Revenue		\$ 110,000	\$ 117,289	\$ -	\$ 117,289	\$ 7,289	107%
Mooring Fees		\$ 1,000	\$ 1,010	\$ 300	\$ 1,310	\$ 310	131%
Private Ways		\$ 400	\$ 200	\$ -	\$ 200	\$ (200)	50%
WC Dividend		\$ -	\$ 7,300	\$ -	\$ 7,300	\$ 7,300	
Impact Fees		\$ 40,000	\$ 65,085	\$ -	\$ 65,085	\$ 25,085	163%
Assessing Records		\$ 100	\$ -	\$ -	\$ -	\$ (100)	0%
Credit Card Handling Fee		\$ -	\$ -	\$ -	\$ -	\$ -	
Other Revenues Total		\$ 293,175	\$ 265,486	\$ 15,005	\$ 280,491	\$ (12,684)	96%
North Yarmouth Channel 2		\$ 2,000	\$ -	\$ -	\$ -	\$ (2,000)	0%
North Yarmouth ACO Charges		\$ 3,500	\$ 3,722	\$ 1,000	\$ 4,722	\$ 1,222	135%
Police Issued Permits		\$ 3,500	\$ 4,581	\$ 416	\$ 4,997	\$ 1,497	143%
Police Insurance Reports		\$ 500	\$ 444	\$ 40	\$ 484	\$ (16)	97%

Copy of 2013-05-31 EOY transfer estimates.xlsx

Revenue Forecast

Department	Dept	FY13 Budget	YTD @ 5/31	June Est	FY13 Estimate	FY13 Estimate (Under) Over Budget	Percent of Budget Received
PARKING TICKETS		\$ 100	\$ 407	\$ 37	\$ 444	\$ 344	444%
POLICE OUTSIDE DETAIL		\$ 22,000	\$ 24,267	\$ 2,206	\$ 26,473	\$ 4,473	120%
ANIMAL CONTROL OFF REVENUE		\$ 2,500	\$ 1,941	\$ 176	\$ 2,117	\$ (383)	85%
Court Reimbursement		\$ 3,500	\$ 1,792	\$ 163	\$ 1,955	\$ (1,545)	56%
Misc Police Revenue		\$ 500	\$ 23,673	\$ 100	\$ 23,773	\$ 23,273	4755%
Police Department Total		\$ 38,100	\$ 60,827	\$ 4,139	\$ 64,966	\$ 26,866	171%
Misc. Revenue		\$ 15,000	\$ 15,514	\$ -	\$ 15,514	\$ 514	103%
Fire Outside Details		\$ 15,000	\$ 15,866	\$ 1,442	\$ 17,308	\$ 2,308	115%
Rescue Billing		\$ 155,000	\$ 106,766	\$ 9,706	\$ 116,472	\$ (38,528)	75%
Non-Emergency Transports		\$ -	\$ 7,524	\$ 2,500	\$ 10,024	\$ 10,024	
Paramedic Intercepts		\$ 2,000	\$ 1,800	\$ -	\$ 1,800	\$ (200)	90%
Fire & Rescue Total		\$ 187,000	\$ 147,470	\$ 13,648	\$ 161,118	\$ (25,882)	86%
Misc Revenue		\$ -	\$ 998	\$ 91	\$ 1,089	\$ 1,089	
Bags/Universal Waste		\$ 290,000	\$ 192,304	\$ 17,482	\$ 209,786	\$ (80,214)	72%
Brush Passes		\$ 5,200	\$ 7,673	\$ 698	\$ 8,371	\$ 3,171	161%
Public Works Total		\$ 295,200	\$ 200,975	\$ 18,270	\$ 219,245	\$ (75,955)	74%
North Yarmouth Recreation Shar		\$ 50,353	\$ 50,353	\$ -	\$ 50,353	\$ -	100%
Recreation Programs		\$ 10,579	\$ 24,271	\$ 2,206	\$ 26,477	\$ 15,898	250%
Fall Recreation Revenue		\$ 48,552	\$ 43,998	\$ -	\$ 43,998	\$ (4,554)	91%
Winter Recreation Revenue		\$ 69,563	\$ 90,504	\$ -	\$ 90,504	\$ 20,941	130%
Spring Recreation Revenue		\$ 27,000	\$ 14,660	\$ 1,500	\$ 16,160	\$ (10,840)	60%
Summer Recreation Revenue		\$ 204,370	\$ 108,033	\$ 60,000	\$ 168,033	\$ (36,337)	82%
MSAD Rec Revenue		\$ 10,000	\$ -	\$ -	\$ -	\$ (10,000)	0%
After School Programs		\$ 122,236	\$ 101,537	\$ 5,641	\$ 107,178	\$ (15,058)	88%
Parks Revenues		\$ 15,000	\$ 15,713	\$ 3,000	\$ 18,713	\$ 3,713	125%
Recreation & Parks Total		\$ 557,653	\$ 449,069	\$ 72,347	\$ 521,416	\$ (36,237)	94%
North Yarmouth Library Share		\$ 131,276	\$ 131,276	\$ -	\$ 131,276	\$ -	100%
Library Fines		\$ 3,500	\$ 3,881	\$ 353	\$ 4,234	\$ 734	121%
Library Interest Income		\$ -	\$ 336	\$ -	\$ 336	\$ 336	0%
Misc. Library Revenue		\$ 1,000	\$ 1,517	\$ 138	\$ 1,655	\$ 655	165%
Library Total		\$ 135,776	\$ 137,010	\$ 491	\$ 137,501	\$ 1,725	101%
Grand Total		\$ 3,629,249	\$ 3,558,958	\$ 257,497	\$ 3,816,456	\$ 187,207	105%

I would also recommend transferring from end of year fund balance the following dollar amounts to:


End of Year Transfers

Year End Transfers

Fund	13-Jun	Transfer	End of Year
Road Improvements	\$ (27,268)	\$ 27,268	\$ -
Equipment Reserve	\$ (19,288)	\$ 119,288	\$ 100,000
Circuit Breaker	\$ 7,142	\$ 80,000	\$ 87,142
Fuel Assistance	\$ 3,520	\$ 15,000	\$ 18,520
Val Halla Project	\$ (34,728)	\$ 34,728	\$ -
Val Halla Operations	\$ (58,000)	\$ 68,000	\$ 10,000
Totals	\$ (128,622)	\$ 344,284	\$ 215,662

Overlay Net	\$ 420,000	Possible Balance to Val Halla
Excess Revenues	\$ 100,000	
Tranfers	\$ (344,284)	
	\$ 175,716	

Drowne Road School	\$ 279,022	\$ 279,022	\$ -
			
Land Acquisition	\$ 1,139	\$ 279,022	\$ 280,161

Fund Balance Transfers			
	June 30, 2012	Transfer	End 2013
Town Fund Balance	\$ 2,231,218	\$ 230,218	\$ 2,001,000
			
	June 30, 2013		
Val Halla	\$ (1,687,510)	\$ 230,218	\$ (1,457,292)

Best Case VH Balance	End FY 2013	\$ 175,716	\$ (1,281,576)
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Conclusion:

Two recommendations / motions:

1. **I move the authorize the Town Manager** to make interdepartmental fund transfer between Departments to close-out the FY 2013 budget per the recommendations of the Finance Committee.
2. **I move to authorize the Town Manager** to transfer end of year fund balance to the following accounts:

Senior Circuit Breaker Fund	\$ 80,000
Fuel Assistance	\$ 15,000
Road Improvement Fund	\$ 27,268
Equipment Reserve Fund	\$ 119,288
Val Halla Project	\$ 34,728
Val Halla Operations	\$ 68,000

And I further Authorize the Transfer of:

\$ 279, 022 from the Drowne Road School Bond Fund to the Land Acquisition Fund

\$ 230,218 from the General Fund Balance and **any additional end of year revenues** to the Val Halla Fund.

ITEM 13-100

To hold a Public Hearing to award the Tax Anticipation Notes
for FY2014



TOWN OF CUMBERLAND

290 Tuttle Road, Cumberland, Maine 04021

TO: Bill Shane, Town Manager
FROM: Heather L'Hommedieu Perreault, Finance Director
DATE: June 12, 2013
RE: FY2014 Tax Anticipation Note
CC: Town Council

Based on the latest cash flow forecast, I recommend a Tax Anticipation Note in the amount of \$3,000,000 for the upcoming Fiscal Year 2013-2014. Large capital purchases and infrastructure projects scheduled for the summer of 2013, as well as regular operating obligations prior to the first tax payment date in September, make this necessary. A change in the timing of these projects, or an unexpected delay in reimbursements, could affect the amount needed.

As in prior years, we have requested that the funds be made available on an "as needed" basis in order to minimize the cost of borrowing. While we have requested a maximum amount of \$3,000,000, if cash flows permit, the actual amount borrowed may be less.

TAN bids were due at 1pm today. Based on the bids received, I recommend that we award the contract to Bath Savings Institution, at the offered rate of 0.71%.



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

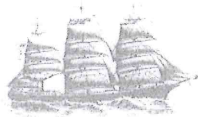
Cumberland Center, Maine 04021-9321

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

TAN BIDS – 1pm, June 12, 2013

Up to \$3,000,000 on an as needed basis

LENDER	RATE
Peoples United Bank	0.95%
Bath Savings Institute	0.71%
Androscoggin Savings Bank	0.84%
Gorham Savings Bank	No response
TD Bank	Declined to bid



Benj. F. Packard

Bath Savings Institution

Since 1852

June 10, 2013

Heather L'Hommedieu Perreault
Finance Director
Town of Cumberland
290 Tuttle Rd
Cumberland Center, ME 04021

RE: Tax Anticipation Note

Dear Director Perreault:

Bath Savings Institution is pleased to submit the following bid on the Town of Cumberland Tax Anticipation Note. The amount of the note will be \$3,000,000 to be drawn on an "as needed" basis. There will be no penalty or premium associated with prepayment of this note.

The interest rate that Bath Savings is offering is:

0.71%

This offer is not contingent upon or subject to a depository relationship between the Town and Bath Savings Institution. The bid form is attached to this letter as required by your invitation to bid. This interest rate is based on 365 day year.

Bath Savings Institution will seek a legal opinion from the Town of Cumberland's legal counsel indicating that this line of credit is a tax-exempt offering for Bath Savings Institution. All terms and conditions outlined in your invitation to bid are satisfactory to Bath Savings Institution.

Thank you for the opportunity to bid on the Town of Cumberland's Tax Anticipation Note which matures on June 30, 2014. Please feel free to call me if you have any questions regarding the contents of this proposal.

Sincerely,

Geoff G. Gattis
Executive Vice President

:sjk

105 FRONT STREET, PO BOX 548, BATH, MAINE 04530

TEL 207-442-7711 FAX 207-442-9137

1-800-447-4559

MEMBER FDIC

**Tax Anticipation Note Proposal Form
for
Town of Cumberland, Maine**

Name of Bank/Institution:

BATH SAVINGS INSTITUTION

Interest rate for principle amount of \$3,000,000 (as needed basis) .71 %

☐ We are not interested in bidding on the TAN at this time.

The Town will provide the successful bidder with a legal opinion from the recognized bond counsel. The Town confirms that the anticipated total borrowing for fiscal year 2013 will not exceed \$10,000,000 and that the Town will comply with all aspects of the Tax Reform Act of 1986, as amended, including all provisions relating to arbitrage and rebate.

No requirements for a depository relationship or any terms or conditions other than the above shall be placed upon the Town by the Proposer.

6/10/13
Date

Geoffrey Gutter EVP
Authorizing Officer

All proposals must be received by the Finance Department, Town of Cumberland at 290 Tuttle Road, Cumberland, ME no later than 1:00 p.m. Wednesday, June 12, 2013.

**TOWN OF CUMBERLAND
VOTE OF TOWN COUNCIL
AUTHORIZING TAX ANTICIPATION BORROWING**

Order # 13-100

Ordered, that, pursuant to Section 5771 of Title 30-A of the Maine Revised Statutes, as amended, the Town Treasurer is hereby authorized and empowered to borrow money from time to time during the fiscal year ending **June 30, 2014** in the principal amount or amounts not exceeding **\$3,000,000** at any one time outstanding, in anticipation of the collections or receipts from taxes, by the issuance of tax anticipation notes of the Town, each of which notes shall be designated **“Town of Cumberland 2014 Tax Anticipation Notes.”** All of such tax anticipation notes, and any extensions, renewals or replacements thereof, shall be signed by the Town Treasurer and countersigned by the Chair of the Town Council, shall be payable on or before **June 30, 2014**, out of money raised by taxation during the fiscal year ending **June 30, 2014**, shall bear interest payable at maturity at a rate determined in the manner as approved by the Treasurer, and shall contain such other terms and provisions, not inconsistent herewith, and be in such form, as shall be approved by the officers signing the same, whose approval shall be conclusively evidenced by their execution thereof, and

Be It Further Ordered that the Treasurer is hereby authorized to negotiate the interest rate, maturity and other terms and conditions of the notes with whatever financial institutions the Treasurer deems appropriate and to award the notes to such financial institution or institutions, and

Be It Further Ordered that the notes authorized by the foregoing are hereby designated as qualified tax exempt obligations for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended, and

Be It Further Ordered that the Treasurer of the Town be authorized to covenant with the purchasers of the notes on behalf of the Town and for the benefit of the holders of the notes, that the Town will take whatever steps, and refrain from taking any action, as may be necessary or appropriate to ensure that interest on the notes will remain free from federal income taxes, including without limitation, the filing of information returns and reports with the Internal Revenue Service and the payment of any rebate due to the United States of America.

ITEM 13-101

To hold a Public Hearing to consider and act on draft zoning amendments to Chapter 315, Zoning Ordinance, § 48 (Erosion and Sedimentation Control) of the Cumberland Code as recommended by the Planning Board



TOWN OF CUMBERLAND

OFFICE OF
ECONOMIC DEVELOPMENT
& HUMAN RESOURCES

To: William Shane, Town Manager
From: Alyssa Tibbetts, Assistant Town Manager
Date: June 13, 2013
Re: Amendment to Zoning Ordinance, §315-48 Erosion & Sed. Control
CC: Town Council

This amendment was initiated by staff in order to implement additional permitting and review measures for the purpose of erosion and sedimentation control. Staff reviewed erosion control ordinances from other local communities and proposed a significant amendment to the existing erosion and sedimentation control section of the Zoning Ordinance, Section 315-48.

The proposed language requires a permit and an erosion and sedimentation control plan for all activities that involve filling, grading and excavation that may result in disturbed soil conditions. The section further specifies the maximum amounts of soil area that may be disturbed based on the slope of the area to be disturbed and includes several exemptions for activities governed by other ordinances or permitting processes.

The highlighted text in the attached document represents changes proposed or discussed by the Ordinance Committee and Planning Board to staff's original proposed language shown in red. Staff is recommending additional edits based upon these discussions, which are included within the highlighted text.

Chapter 315. ZONING

Article VI. GENERAL REGULATIONS

§315-48 Erosion and sedimentation control

The purpose of this section is to eliminate or minimize the off-site impact from any proposed development. To this end, all construction shall be accomplished in conformance with the erosion prevention provisions of the Maine Erosion and Sediment Control Best Management Practices published by the Department of Environmental Protection and the permitting process as outlined herein.

Filling, grading, lagooning, dredging, earthmoving activities, and other land use activities shall be conducted in such manner to prevent, to the maximum extent possible, erosion and sedimentation of surface waters. In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site, control stormwater run-off through the construction phase and strategic placement of structures, roads and driveways. The natural features and drainage patterns of the lot shall be preserved using careful site design prior to any clearing or construction. The natural flow of water shall be identified and undisturbed buffers protected to minimize off site transport by stormwater. Areas of steep slopes where high cuts and fills may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.

All activities that involve filling, grading, excavation or other similar activities which may result in unstabilized-disturbed soil conditions on 25% or more of any lot affecting an adjacent lot or an area designated as unstable on the State GIS Map identifying unstable soils shall require a permit and a written soil erosion and sedimentation control plan. The maximum amount of soil area to be disturbed shall be based on the slope of the disturbed area, as outlined in Table I below.

TABLE 1	
% Ground Slope Range	Amount of Soil Disturbance (sf)
≥ 20%	500 sf
≥ 10 < 20%	1000 sf
≥ 5 < 10%	2000 sf
≥ 2 < 5%	4000 sf
< 2%	5000 sf

The plan shall be submitted to the Code Enforcement Officer for approval and shall include, where applicable, provisions for mulching and re-vegetation of disturbed soil, temporary runoff control features such as hay bales, silt fencing or diversion ditches, and permanent stabilization structures such as retaining walls or riprap.

Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time the work was started, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases, permanent stabilization shall occur within nine (9) months of the initial date of exposure. Where mulch is used, it shall be applied at a rate of a least one (1) bale per five hundred (500) square feet and shall be maintained until a catch of vegetation is established. Anchoring the mulch with netting, peg and twine or other suitable methods may be required to maintain the mulch cover (wood chips are acceptable). Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.

Permits granted under this section may be made subject to additional conditions or restrictions to ensure conformity with the purposes and provisions of this section. Each application to the Code Enforcement Officer for a permit to erect a new building or structure or to enlarge or to move an existing one shall be accompanied by a description of the intended use of the land and/or buildings and a site plan showing the measurements of the lot and of all buildings, driveways, yards and parking spaces, drainage ways, storm drains, and streams existing and proposed. Additional measures may be required in order to comply with this section, such as drainage ways and easements, soil erosion control measures, and all features to be installed for compliance with this section.

The following activities are exempt from the permitting and written plan requirements of this section:

1. Activities in the Shoreland Zone which are governed by the Shoreland Zoning Ordinance.
2. Permit applications in subdivisions and site plans, which have a Planning Board approved soil erosion and sedimentation control plan.
3. Activities wherein none of the area of soil disturbance has a slope steeper than two percent. It shall be the applicant's responsibility to furnish a topographic survey upon request demonstrating such gradual slope.
4. Agriculture within all zones as defined in the Shoreland Zoning Ordinance.
5. Five Hundred (500) square feet or less of net impervious area (foot print)
6. Septic systems with a permitted HHE-200 subsurface wastewater disposal system application.

**NOTE: a \$25 permit fee associated with this section will be added to the Fee Ordinance*

Notice of Decision

Date: May 22, 2013

To: William Shane, Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Public Hearing: To recommend to the Town Council draft zoning amendments to Chapter 315, Zoning Ordinance, § 48 (Erosion and Sedimentation Control) of the Cumberland Code.

This is to advise you that on May 21, 2013 the Planning Board voted to recommend to the Town Council draft zoning amendments to Chapter 315, §48 (Erosion and Sedimentation Control) of the Cumberland Code; with the following changes:

All activities that involve filling, grading, excavation or other similar activities which may result in unstablized soil conditions ~~on 25% or more of any lot~~ affecting an adjacent lot or an area designated as unstable on the State GIS Map identifying unstable soils shall require a permit and a written soil erosion and sedimentation control plan.

The following activities are exempt from the requirements of this section:

1. Permit applications in subdivisions and site plans, which have a Planning Board approved soil erosion and sediment control plan.

Findings of Fact: None
Waivers granted: None
Waivers Denied: None

Standard Conditions of Approval

This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents, except de minimus changes as so determined by the Town Planner which do not affect approval standards, is subject to review and approval of the Planning Board prior to implementation.

Cumberland Planning Board



Christopher S. Neagle, Board Chair

Chapter 315. ZONING

Article VI. GENERAL REGULATIONS

§315-48 Erosion and sedimentation control

The purpose of this section is to eliminate or minimize the off-site impact from any proposed development. To this end, all construction shall be accomplished in conformance with the erosion prevention provisions of the Maine Erosion and Sediment Control Best Management Practices published by the Department of Environmental Protection and the permitting process as outlined herein.

Filling, grading, lagooning, dredging, earthmoving activities, and other land use activities shall be conducted in such manner to prevent, to the maximum extent possible, erosion and sedimentation of surface waters. In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site, control stormwater run-off through the construction phase and strategic placement of structures, roads and driveways. The natural features and drainage patterns of the lot shall be preserved using careful site design prior to any clearing or construction. The natural flow of water shall be identified and undisturbed buffers protected to minimize off site transport by stormwater. Areas of steep slopes where high cuts and fills may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.

All activities that involve filling, grading, excavation or other similar activities which may result in unstabilized soil conditions on 25% or more of any lot affecting an adjacent lot or an area designated as unstable on the State GIS Map identifying unstable soils shall require a permit and a written soil erosion and sedimentation control plan. The plan shall be submitted to the Code Enforcement Officer for approval and shall include, where applicable, provisions for mulching and re-vegetation of disturbed soil, temporary runoff control features such as hay bales, silt fencing or diversion ditches, and permanent stabilization structures such as retaining walls or riprap.

The maximum amount of soil area to be disturbed shall be based on the slope of the disturbed area, as outlined in Table I below.

TABLE 1	
% Ground Slope Range	Amount of Soil Disturbance (sf)
≥ 20%	500 sf
≥ 10 < 20%	1000 sf
≥ 5 < 10%	2000 sf
≥ 2 < 5%	4000 sf
< 2%	5000 sf

Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time the work was started, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases, permanent stabilization shall occur within nine (9) months of the initial date of exposure. Where mulch is used, it shall be applied at a rate of a least one (1) bale per five hundred

(500) square feet and shall be maintained until a catch of vegetation is established. Anchoring the mulch with netting, peg and twine or other suitable methods may be required to maintain the mulch cover (wood chips are acceptable). Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.

Permits granted under this section may be made subject to additional conditions or restrictions to ensure conformity with the purposes and provisions of this section. Each application to the Code Enforcement Officer for a permit to erect a new building or structure or to enlarge or to move an existing one shall be accompanied by a description of the intended use of the land and/or buildings and a site plan showing the measurements of the lot and of all buildings, driveways, yards and parking spaces, drainage ways, storm drains, and streams existing and proposed. Additional measures may be required in order to comply with this section, such as drainage ways and easements, soil erosion control measures, and all features to be installed for compliance with this section.

The following activities are exempt from the requirements of this section:

1. Activities in the Shoreland Zone which are governed by the Shoreland Zone Ordinance.
2. Permit applications in subdivisions, and site plans, which have a Planning Board approved soil erosion and sediment control plan.
3. Activities wherein none of the area of soil disturbance has a slope steeper than two percent, but it shall be the applicant's responsibility to furnish a topographic survey demonstrating such gradual slope.
4. Normal Agriculture as defined in the Shoreland Zoning Ordinance.
5. Five Hundred (500) square feet or less of net impervious area (foot print)

**NOTE: a \$25 permit fee associated with this section will be added to the Fee Ordinance*





ITEM 13-102

To hold a Public Hearing to consider and act on draft zoning amendments to Chapter 229, Site Plan Ordinance, § 11 (Expiration of Approval) of the Cumberland Code as recommended by the Planning Board



TOWN OF CUMBERLAND
OFFICE OF
ECONOMIC DEVELOPMENT
& HUMAN RESOURCES

To: William Shane, Town Manager
From: Alyssa Tibbetts, Assistant Town Manager
Date: June 13, 2013
Re: Amendment to Site Plan Ordinance, §229-11 Expiration of Approval
CC: Town Council

This amendment was initiated by staff in order to clarify existing site plan ordinance language regarding the expiration of site plan approvals. The amendment clearly states that construction must be substantially commenced within 12 months of approval and substantially completed within 24 months of approval. The section also grants the Planning Board authority to specify an alternative time period for completion and grant extensions for commencement and/or completion of construction. The Council Ordinance Committee reviewed staff's recommendation and the Council forwarded the proposed changes to the Planning Board. The Planning Board recommended that the Council adopt the amendments as proposed.

§ 229-11. Expiration of approval.

Construction of the improvements covered by any site plan approval must be substantially commenced within 12 months of the date upon which the approval was granted. If construction has not been substantially commenced within 12 months of the date upon which approval was granted, the approval shall be null and void. and If construction has not been substantially completed within 24 months of the date upon which approval was granted or within a time period as specified by the Planning Board ~~the specified period,~~ the approval shall be null and void. The applicant may request an extension of the ~~approval~~ deadline to commence or complete construction prior to expiration of the period. Such request must be in writing and must be made to the Planning Board. The Planning Board may grant up to two one-year extensions to the period if the approved plan conforms to the ordinances in effect at the time the extension is granted and any and all federal and state approvals and permits are current.

Notice of Decision

Date: May 22, 2013

To: William Shane, Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Public Hearing: To recommend to the Town Council draft zoning amendments to Chapter 229, Site Plan Ordinance, § 11 (Expiration of Approval) of the Cumberland Code.

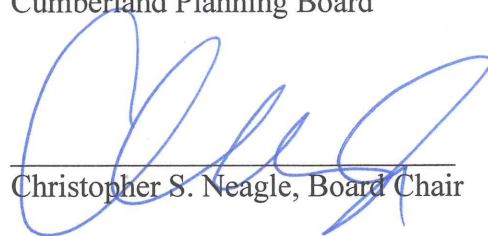
This is to advise you that on May 21, 2013 the Planning Board voted to recommend to the Town Council draft zoning amendments to Chapter 229, Site Plan Ordinance, §11 (Expiration of Approval) of the Cumberland Code.

Findings of Fact: None
Waivers granted: None
Waivers Denied: None

Standard Conditions of Approval

This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents, except de minimus changes as so determined by the Town Planner which do not affect approval standards, is subject to review and approval of the Planning Board prior to implementation.

Cumberland Planning Board



Christopher S. Neagle, Board Chair

Chapter 229 Site Plan Review

§ 229-11. Expiration of approval.

Construction of the improvements covered by any site plan approval must be substantially commenced within 12 months of the date upon which the approval was granted. If construction has not been substantially commenced within 12 months of the date upon which approval was granted, the approval shall be null and void. ~~and If construction has not been~~ substantially completed within 24 months of the date upon which approval was granted or within a time period as specified by the Planning Board ~~the specified period~~, the approval shall be null and void. The applicant may request an extension of the approval deadline to commence or complete construction prior to expiration of the period. Such request must be in writing and must be made to the Planning Board. The Planning Board may grant up to two one-year extensions to the period if the approved plan conforms to the ordinances in effect at the time the extension is granted and any and all federal and state approvals and permits are current.

ITEM 13-103

To hold a Public Hearing to consider and act on an amendment to the Official Shoreland Zoning Map to remove the Wetlands / Limited Residential designation to the following properties as shown on the Official Cumberland Zoning Map below: Map R05, Lots 33B, 33C, 35, 35A, 35B, 35C, 35D, 35E, 35F, 35G, 37, 37B, 37C, 37D, 37E, 37F and Map U15, Lots 10, 10A, 10B, and 7B



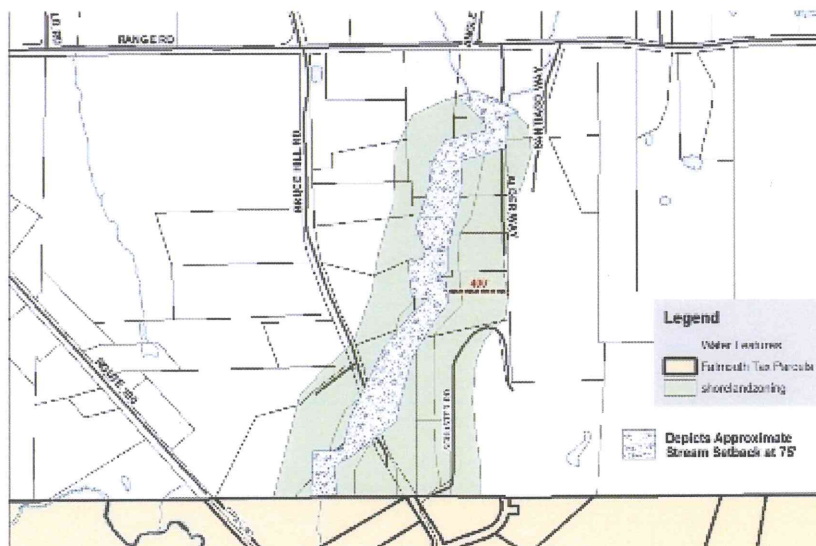
TOWN OF CUMBERLAND

OFFICE OF
ECONOMIC DEVELOPMENT
& HUMAN RESOURCES

To: William Shane, Town Manager
From: Alyssa Tibbetts, Assistant Town Manager
Date: June 13, 2013
Re: Zone Change Request – Wetlands/LR to RR1/RR2
CC: Town Council

In mid-March, staff received a zone change request from the owner of property located at 15 Bruce Hill Road, Map R-05 Lot 37F, to remove the shoreland zoning designation from the property. Staff reviewed the request and determined that the Town's Shoreland Zoning Map was more restrictive than the State's shoreland zoning requirements and forwarded a positive recommendation to the Council Ordinance Committee to remove the wetlands/limited residential designation from this property and rezone it to the underlying zone, RR2.

Additionally, staff recommended that the wetlands/limited residential designation be removed from all other properties included within this particular shoreland zone and that those properties be rezoned to their existing underlying zone. This shoreland zone included 20 lots on Bruce Hill Road, Alder Way and Schuster Road; sixteen of the lots are located within the RR2 zone and the remaining four lots are located within the RR1 zone. The Ordinance Committee advanced staff's recommendation and the Planning Board voted to recommend that the wetlands/limited residential designation be removed and the following properties be zoned as RR2: Map R05, Lots 33B, 33C, 35, 35A, 35B, 35C, 35D, 35E, 35F, 35G, 37, 37B, 37C, 37D, 37E, and 37F; and that the wetlands/limited residential designation be removed and the following properties be zoned as RR1: Map U15, Lots 10, 10A, 10B, and 7B.



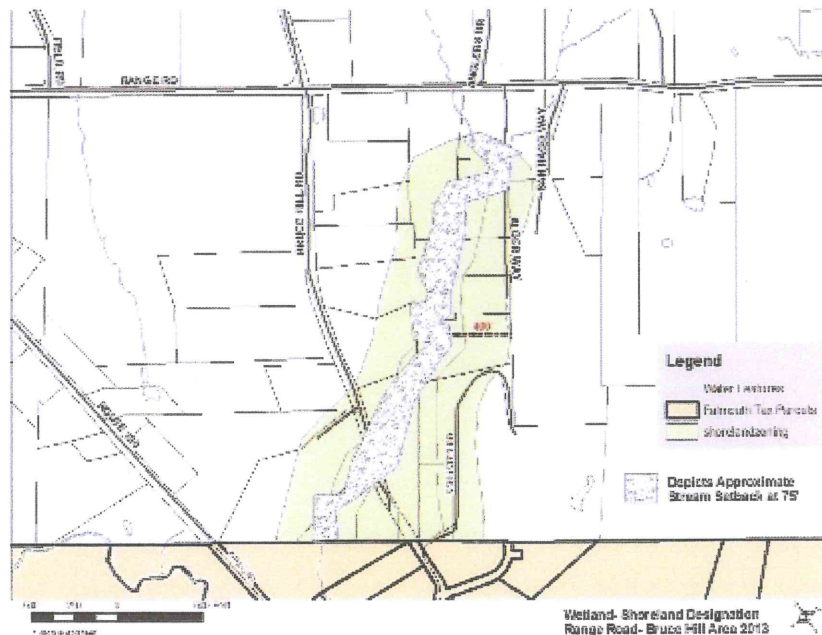
Notice of Decision

Date: May 22, 2013

To: William Shane, Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Re: Public Hearing: To recommend to the Town Council an amendment to the Official Shoreland Zoning Map to remove the Wetlands / Limited Residential designation to the properties shown on the map below; these properties will be changed to the underlying zones of RR1 and RR2 as shown on the Official Cumberland Zoning Map. The zoning map amendment will include the following lots shown on the map below: Map R05, Lots 33B, 33C, 35, 35A, 35B, 35C, 35D, 35E, 35F, 35G, 37, 37A, 37B, 37C, 37D, 37E, 37F and Map U15, Lots 10, 10A, 10B, and 7B.

This is to advise you that on May 21, 2013 the Planning Board voted to recommend to the Town Council draft zoning map amendments to the Official Shoreland Zoning Map to remove the Wetlands / Limited Residential designation to the properties shown on the map below: these properties will be changed to the underlying zones of RR1 and RR2 as shown on the Official Cumberland Zoning Map. The zoning map amendment will affect the following lots as shown on the map: **Map R05, Lots 33B, 33C, 35, 35A, 35B, 35C, 35D, 35E, 35F, 35G, 37, 37A, 37B, 37C, 37D, 37E, 37F and Map U15, Lots 10, 10A, 10B, and 7B.**



Findings of Fact: None
Waivers granted: None
Waivers Denied: None

Standard Conditions of Approval

This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents, except de minimus changes as so determined by the Town Planner which do not affect approval standards, is subject to review and approval of the Planning Board prior to implementation.

Cumberland Planning Board



Christopher S. Neagle, Board Chair

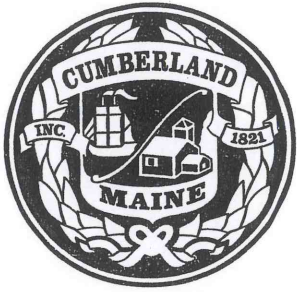
CC: Maureen Anderson

ITEM 13-104

To consider and act on Commercial Hauler's license renewals for FY'14

FY'14 COMMERCIAL HAULERS LIST

Business Name	Address	City	State	Zip
Reynolds & Sons Disposal Service	P.O. Box 1092	Portland	ME	04104
Waste Management of Maine, Inc.	2000 Forest Avenue	Portland	ME	04103
BBI Waste Industries	P.O. Box 510	Old Orchard Beach	ME	04064
Troiano Waste Services	P.O. Box 3541	Portland	ME	04104
Pine Tree Waste	87 Pleasant Hill Road	Scarborough	ME	04074
New - Garbage to Garden	P.O. Box 11414	Portland	ME	04104



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

May 29, 2013

Reynolds & Sons Disposal Service
P.O. Box 1092
Portland, ME 04104

Dear Commercial Hauler:

The purpose of this letter is to remind you that Cumberland's Solid Waste Ordinance provides that any commercial hauler operating in the Town of Cumberland must be licensed.

Enclosed is the application for a 2013/2014 Town of Cumberland Commercial Hauler License and the Solid Waste Ordinance. It is requested that if you are doing business in Cumberland, that you complete the application and return it to the Town Office by June 13, 2013, along with a valid certificate of insurance.

The current fee for such a license is \$100.00 and should be presented with the written application and a collection route schedule, as required by the Ordinance.

If you do not operate within the Town of Cumberland, please send written notification to this office.

Thank you for your cooperation in this matter.

Sincerely,

William R. Shane
Town Manager

WRS/blm
Enclosures



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

May 29, 2013

Waste Management of Maine, Inc.
2000 Forest Avenue
Portland, ME 04103

Dear Commercial Hauler:

The purpose of this letter is to remind you that Cumberland's Solid Waste Ordinance provides that any commercial hauler operating in the Town of Cumberland must be licensed.

Enclosed is the application for a 2013/2014 Town of Cumberland Commercial Hauler License and the Solid Waste Ordinance. It is requested that if you are doing business in Cumberland, that you complete the application and return it to the Town Office by June 13, 2013, along with a valid certificate of insurance.

The current fee for such a license is \$100.00 and should be presented with the written application and a collection route schedule, as required by the Ordinance.

If you do not operate within the Town of Cumberland, please send written notification to this office.

Thank you for your cooperation in this matter.

Sincerely,

William R. Shane
Town Manager

WRS/blm
Enclosures



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

May 29, 2013

BBI Waste Industries
P.O. Box 510
Old Orchard Beach, ME 04064

Dear Commercial Hauler:

The purpose of this letter is to remind you that Cumberland's Solid Waste Ordinance provides that any commercial hauler operating in the Town of Cumberland must be licensed.

Enclosed is the application for a 2013/2014 Town of Cumberland Commercial Hauler License and the Solid Waste Ordinance. It is requested that if you are doing business in Cumberland, that you complete the application and return it to the Town Office by June 13, 2013, along with a valid certificate of insurance.

The current fee for such a license is \$100.00 and should be presented with the written application and a collection route schedule, as required by the Ordinance.

If you do not operate within the Town of Cumberland, please send written notification to this office.

Thank you for your cooperation in this matter.

Sincerely,

William R. Shane
Town Manager

WRS/blm
Enclosures



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

May 29, 2013

Troiano Waste Services
P.O. Box 3541
Portland, ME 04104

Dear Commercial Hauler:

The purpose of this letter is to remind you that Cumberland's Solid Waste Ordinance provides that any commercial hauler operating in the Town of Cumberland must be licensed.

Enclosed is the application for a 2013/2014 Town of Cumberland Commercial Hauler License and the Solid Waste Ordinance. It is requested that if you are doing business in Cumberland, that you complete the application and return it to the Town Office by June 13, 2013, along with a valid certificate of insurance.

The current fee for such a license is \$100.00 and should be presented with the written application and a collection route schedule, as required by the Ordinance.

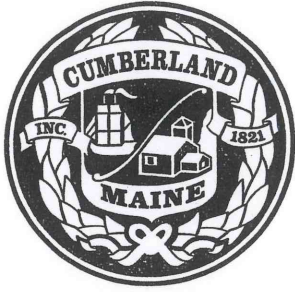
If you do not operate within the Town of Cumberland, please send written notification to this office.

Thank you for your cooperation in this matter.

Sincerely,

William R. Shane
Town Manager

WRS/blm
Enclosures



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

May 29, 2013

Pine Tree Waste
87 Pleasant Hill Road
Scarborough, ME 04074

Dear Commercial Hauler:

The purpose of this letter is to remind you that Cumberland's Solid Waste Ordinance provides that any commercial hauler operating in the Town of Cumberland must be licensed.

Enclosed is the application for a 2013/2014 Town of Cumberland Commercial Hauler License and the Solid Waste Ordinance. It is requested that if you are doing business in Cumberland, that you complete the application and return it to the Town Office by June 13, 2013, along with a valid certificate of insurance.

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Enclosures



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

May 29, 2013

Dear Garbage to Garden:

The purpose of this letter is to remind you that Cumberland's Solid Waste Ordinance provides that any commercial hauler operating in the Town of Cumberland must be licensed.

Enclosed is the application for a 2013/2014 Town of Cumberland Commercial Hauler License and the Solid Waste Ordinance. It is requested that if you are doing business in Cumberland, that you complete the application and return it to the Town Office by June 13, 2013, along with a valid certificate of insurance.

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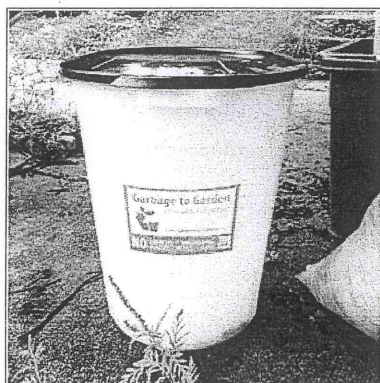
Sincerely,

William R. Shane
Town Manager

WRS/blm
Enclosures

[Fats to Fuel](#)[Christmas Tree Recycling](#)[How it Works](#)[Cities](#)[Contact](#)[Home](#)[Join](#)[Volunteer](#)[Partners](#)

Garbage to Garden



FINALLY, WEEKLY CURBSIDE COMPOST PICKUP.

Stop contributing to landfills and start composting, with Garbage to Garden, where your kitchen scraps are recycled -- your participation helps us to support schools, gardens, and the environment.

SIGNUP ONLINE NOW!

GARBAGE TO GARDEN HELPS YOU TO:

- Recycle your food scraps on garbage day
- Compost all food waste, including meat, dairy, and bones
- Receive a clean bucket each week
- Request deliveries of matured compost at no extra charge
- \$11 monthly, and FREE if you can volunteer!

DID YOU KNOW THAT FOOD WASTE IS THE #1 COMPONENT OF MUNICIPAL GARBAGE?

When you compost with Garbage to Garden, you are helping to keep organic waste -- the primary component of trash -- out of landfills and incinerators. You are also reducing atmospheric pollution and greenhouse gas emissions.

The waste you recycle with Garbage to Garden is used to renew our soils, and to generate green electricity through anaerobic digestion technology, with no harmful byproducts.

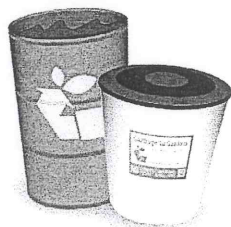
JOIN THE MOVEMENT!

Step 1 ~ Sign Up!

As soon as you join, you will be automatically added to our route, and will receive a welcome email. You will also be informed of



available volunteer opportunities, which you can take advantage of in lieu of your monthly contribution starting with your second month.



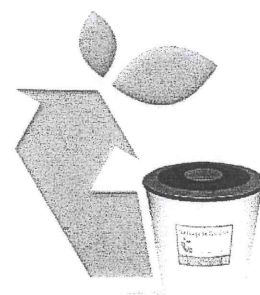
~ Pick Up a Bucket

Get one of our clean, compact, 6-gallon buckets with snap-tight lid. You can pick one up from any of our partners; a full list of locations will be in your welcome email, including:

- All Rosemont Market locations (Portland, South Portland, Yarmouth)

Step 3 ~ Compost Curbside

Put all of your food waste directly in the bucket -- no plastic bags. We'll swap it out for a fresh clean one on garbage day, so just make sure it's out by 7am, and don't write on it!



That's it! Contact us if you have questions or would like a free compost delivery!

Join Online!

Enter Pickup/Shipping Info Below

COMPANY

FIRST NAME

LAST NAME

STREET

STREET 2

CITY

STATE

ZIP

PICKUP ADDRESS SAME AS BILLING? ☐

You can enter a separate billing address on the next page if necessary.

MONTHLY CONTRIBUTION \$

Minimum Monthly Contribution to cover costs is \$11 although many choose to contribute more!

PHONE

EMAIL

HOW DID YOU HEAR ABOUT US?

Redeeming a registration or gift code? Enter it below.

REGISTRATION CODE

Welcome to Garbage to Garden's Curbside Composting Service!

A Garbage to Garden subscription provides you with weekly organic waste removal, as well as access to all of our courtesy services. These include complimentary compost (up to 1 bucket full delivered on service day per week) and waste cooking oil recycling through Maine Standard Biofuels.

I AGREE TO THE TERMS AND CONDITIONS ABOVE. ☐

[Continue to Payment Form](#)

IT'S IMPORTANT THAT WE ALL PARTICIPATE.

Participating in Garbage to Garden is voluntary! We hope it's as important to you as it is to us! Maine has a stated goal of reaching a 50% recycling rate statewide -- we can achieve that through curbside composting if you tell your friends and neighbors to participate!

Invite Your Friends!

More people in your community in our program means more rich compost for your plants!

Tell 5 of your good friends about Garbage to Garden and be eligible for a *free shirt*!

YOUR NAME

YOUR EMAIL

YOUR CITY

CUSTOM TITLE

CUSTOM MESSAGE

EMAIL 1

EMAIL 2

EMAIL 3

EMAIL 4

EMAIL 5

INVITE YOUR FRIENDS

Bring it to Your City!

WANT TO BRING CURBSIDE COMPOST PICKUP TO YOUR CITY? LET US KNOW!

We would love to offer weekly compost pickup and delivery to every city, but unfortunately we don't right now. If enough people in your town let us know of their interest, we can bring Garbage to Garden to your city!

YOUR NAME

YOUR EMAIL

YOUR PHONE

YOUR CITY

OTHER COMMENTS

I WANT CURBSIDE COMPOST!



Need Compost?

Let us know and we'll drop it off next pickup!



LOST BUCKET?

Click Here to Fill out our Replacement Form

Share this Page:



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[Volunteer](#) • [Invite Friends](#) • [Bring it to your City!](#)

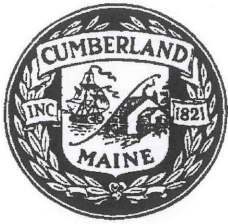
[Request Compost](#) • [Request Bucket](#) • [Signup](#)

[Search](#) • [Sitemap](#)



ITEM 13-105

FY'14 Town Council Committee Assignments



Memorandum

Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021
Ph: 829-5559 • Fax 829-2224

To: Town Council
From: Brenda Moore
Date: June 17, 2013
Re: 2013-2014 Council Assignment

The following is the list of assignments for 2013/14:

AD HOC COMMITTEES:

Board of Appeals	<u>Councilor Turner</u>
Coastal Waters Commission	<u>Councilors Gruber</u>
Cool Cities Committee	<u>Councilor Copp</u>
Housing Authority	<u>Councilor Stiles</u>
Lands & Conservation Commission	<u>Councilors Gruber and Bingham</u>
Planning Board	<u>Councilor Gruber and Bingham</u>
Prince Memorial Library Advisory Board	<u>Councilor Stiles</u>
Recreation/Community Education Advisory Board	<u>Councilor Storey-King</u>
Rines Forest Committee	<u>Councilor Stiles</u>
Shellfish Conservation Commission	<u>Councilors Gruber</u>
Twin Brook Advisory Committee	<u>Councilors Gruber, Edes and Storey-King</u>
Val Halla Board of Trustees	<u>Councilors Stiles and Turner</u>
Veteran's Monument Committee	<u>Councilor Edes & Gruber</u>

COUNCIL COMMITTEES:

Board/Committee Nominating Committee	<u>Councilor Copp, Bingham, and Turner</u>
Circuit Breaker Committee	<u>Councilors Stiles, Copp and Storey-King</u>
Cumberland/No. Yarmouth Joint Standing Comm.	<u>Councilors Edes, Stiles and Turner</u>
Growth Ordinance & Impact Fee Committee	<u>Councilors Copp, Gruber & Storey-King</u>
Falmouth/Cumberland Chamber of Commerce	<u>Alyssa Tibbetts/Councilor Turner</u>
Finance Committee	<u>Councilors Stiles, Bingham and Gruber</u>
Greater Portland Council of Government	<u>Councilor Turner</u>
Ordinance Committee	<u>Councilors Edes, Storey-King, and Turner</u>
TIF Committee	<u>Councilors Gruber, Turner and Stiles</u>
ECOMAINE (RWS)	<u>Susan McGinty</u>
ECOMAINE – Alternate	<u>Manager Shane</u>

Brenda Moore

From: Edes, Michael T <Michael.T.Edes@maine.gov>
Sent: Friday, June 07, 2013 4:23 PM
To: Bingham, Peter; Brenda Moore; George Turner; Ron Copp; Shirley Storey-King; Thomas Gruber; William Stiles
Cc: William Shane
Subject: RE: Town Council committee assignments

Good afternoon All,

Ad Hoc:

I'm fine with the ✓ Veteran's Monument Committee

✓ Lands & Conservation Committee - *Bingham*

If nobody wants the ✓ Twin Brooks Committee, I can take that over for Peter.

Council Committee:

I can take over for Peter on the Joint Standing Committee ✓

I am fine with the Ordinance Committee, unless someone else would like it.

From: Bingham, Peter [<mailto:Peter.Bingham@iberdrolausa.com>]

Sent: Thursday, June 06, 2013 3:13 PM

To: 'Brenda Moore'; George Turner; Ron Copp; Shirley Storey-King; Thomas Gruber; William Stiles; Edes, Michael T

Cc: Bill Shane

Subject: RE: Town Council committee assignments

Ad Hoc:

I would like to drop Twin Brook (Conflict with son's position) and join Tom with the ✓ Planning Board. I'm fine with ✓ Lands and ✓ Veteran's Monument. - *Edes*

Council Committees

I'm fine with ✓ Ordinance and ✓ Finance. I would drop the Joint Committee and like to take Mike's Place on Nominating. If Mike is interested in Finance or something else I'm open.

Peter

From: Brenda Moore [<mailto:bmoore@cumberlandmaine.com>]

Sent: Thursday, June 06, 2013 2:19 PM

To: George Turner; Ron Copp; Shirley Storey-King; Thomas Gruber; William Stiles; Bingham, Peter; Edes, Michael T

Cc: Bill Shane

Subject: Town Council committee assignments

Town Council committee assignments will be on the June 17th Town Council Agenda. I have attached the current list with Jon and Mike's committees highlighted. Please let me know as soon as possible if you want to keep your current committees, drop any, or add any.

Peter and Mike, please let me know which committees you are interested in.

Thank you!

Brenda Moore

Brenda Moore

From: Tom Gruber <tgruber@maine.rr.com>
Sent: Friday, June 07, 2013 8:32 AM
To: Brenda Moore
Cc: William Shane
Subject: Re: Town Council committee assignments

Brenda,

Please keep me on the committees I currently represent along with adding me to the Veterans Memorial and Ordinance Committees.

Thanks,

Tom

On Jun 6, 2013, at 2:19 PM, Brenda Moore wrote:

Town Council committee assignments will be on the June 17th Town Council Agenda. I have attached the current list with Jon and Mike's committees highlighted. Please let me know as soon as possible if you want to keep your current committees, drop any, or add any.

Peter and Mike, please let me know which committees you are interested in.

Thank you!

*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.

<Committee Assignments to be amended June 2013.pdf>

Tom Gruber
tgruber@maine.rr.com
781-4613 (h)
233-3595 (c)

Brenda Moore

From: rcopp@maine.rr.com
Sent: Thursday, June 06, 2013 10:15 PM
To: Brenda Moore
Subject: Re: Town Council committee assignments

Brenda,

Mine are all fine...

Thanks,

Ron

---- Brenda Moore <bmoore@cumberlandmaine.com> wrote:

> Town Council committee assignments will be on the June 17th Town

> Council Agenda. I have attached the current list with Jon and Mike's

> committees highlighted. Please let me know as soon as possible if you

> want to keep your current committees, drop any, or add any.

>

>

>

> Peter and Mike, please let me know which committees you are interested

> in.

>

>

>

> Thank you!

>

>

>

> Brenda Moore

>

> Administration Executive Assistant

>

> Town of Cumberland

>

> 290 Tuttle Road

>

> Cumberland, ME 04021

>

> (207)829-2205

>

>

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>

ITEM

13-106

To set a Public Hearing date (July 8th) to consider and act on a
Mass Gathering Permit for the Cumberland Soccer Club Labor Day
“Just for Fun Tournament” to be held
August 31st – September 1st, 2013 at Twin Brook

TOWN OF CUMBERLAND

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

Mass Gathering Application-Minor Large Outdoor Event (500-4,999 persons)

This application must be filed with the Town Clerk not less than 60 days before the date of the event.
Application must be accompanied by a non-refundable fee of \$250.00.

Name of Applicant: Cumberland Soccer Club
Address of Applicant: PO Box 352, Cumberland ME
Name of Event: Labor Day "Just for Fun" Tournament
Facility where the event will be held: Twin Brook Recreation

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): _____

Telephone number: 846-0051

Date of Event: 8/31/13, 9/1/13 Time (start and finish times): 7:00 - 7:00

Number of tickets available: [3,000]

Expected attendance: 3,000 ←

Description of event: Youth soccer tournament consisting of 30-minute games with approximately 175 teams

Will any food vendors be serving at the event: ☒ yes, _____ no, (if yes, how many, and
what types) one vendor - CSC - at a rented tent Tom M.

and at the Red Shelter. Pizzas, sandwiches, hot dog

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) _____ bottled

water, sa
juice and fruit

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. Labor Day 2012 - TB - 3000 - CSC
2. Labor Day 2011 - TB - 3000 - CSC
3. Labor Day 2010 - TB - 3000 - CSC

Description of facility:

- A. Seating capacity: _____ permanent; ☒ temporary
- B. Other seating capacity: 1/2 festival; _____ standing room only (sq. ft.)
- C. Number of toilets available: 2 permanent; 7 portable (supplied by Ro
fives)
- D. Number of parking spaces available: TB Parking Lot on-site; greely Rd 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: CSC - bottled water, running water @ shelter
- G. Refuse containers available, number and size: Trash cans + recycling bins suppl
by CSC will be placed throughout the facility.
- H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse)
greely High School soccer teams will dispose of all waste
- I. When will refuse be picked up? Monday, September 2nd and put in
 dumpster -
 Pine Tree
 waste

Public Safety:

- J. Describe first aid facilities: Cumberland Rescue
- K. Describe emergency facilities: Police, fire + Rescue
- L. Describe communication facilities: Cell Phones + walkie talkies
- M. Number of certified police officers: 2
- N. Other security personnel (include company name and qualification): Parking attendants
- O. Describe fire personnel: One truck - at least one firefighter available

Other:

- P. Name of liability insurance Market Insurance Co.
Amount of coverage \$1,000,000; amount of property insurance 2,000,000
- Q. Preferred type of performance guarantee (i.e. escrow account, irrevocable letter of credit)
occurrence
N/A

Matthew Leggett
Authorized Signature

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

Authorized Signature

Parking Plan for Labor Day Tournament – Twin Brooks

- 6-8 attendants working in 2-hour shifts
- 2 attendants at each “section” of the TB parking lot
- Each group of attendants will be wearing reflector vests and have access to 2-way radios, batons and maps of the parking lot and facility
- Volunteer organizations willing to park cars will receive a \$500 donation/day

Garbage collection

- \$100 to volunteer organization willing to collect recyclables at the end of the day – Cardboard needs to be picked up twice a day at each location and deposited at the Drowne Road Dump. Bottle collectors need to contact Yarmouth Redemption Center well in advance for material.
- \$1000 to Boys/Girls varsity soccer boosters for facility clean-up duty at both TB and Greely High School.

Tammy O'donnell

From: Martha Leggat <mleggat@maine.rr.com>
Sent: Thursday, June 06, 2013 8:47 AM
To: Tammy O'donnell
Cc: Michael Kennedy
Subject: Insurance Certificate

Dear Tammy,

I hope you're well. We are working with SoccerMaine to get the insurance certificate we talked about last week, and are hopeful that they will be able to provide us a current copy by next week. Thanks for your patience and let me know if you have any questions. Enjoy the day and we'll be in touch soon!

Martha

ITEM 13-107

To authorize the Town Manager to accept an anonymous donation of \$10,000 for the Food Pantry and execute a gift letter

ITEM 13-108

To hear a report from the Town Manager re:
2014 – 2018 Capital Improvement Plan (CIP)

Notice of Decision

Date: May 22, 2013

To: Town of Cumberland
Bill Shane, Town Manager
290 Tuttle Road
Cumberland, ME 04021

Re: Public Hearing- Recommendation to the Town Council on the proposed Capital Improvement Plan for Town of Cumberland.

- The Board voted to send a favorable recommendation to the Town Council for the proposed 2014-2019 Capital Improvement Plan.

Findings of Fact: None

Waivers granted: None

Waivers Denied: None

Standard Conditions of Approval

This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents, except de minimus changes as so determined by the Town Planner, which do not affect approval standards, is subject to review and approval of the Planning Board prior to implementation.

Cumberland Planning Board



Christopher S. Neagle, Board Chair

Capital Improvements

FY 2014- FY 2019

Capital Stewardship Program

The Town Charter requires a 5-year Capital Program be submitted to the Town Council with a recommendation from the Planning Board annually. While the attached narrative below focuses on the upcoming year, the entire project listing can be found on pages 10-14 inclusive.

The Planning Board's role in the past has been an endorsement that Staff presented the plan, the Planning Board held a public hearing and then forwarded the CIP to the Town Council with a recommendation for changes or an acceptance of the plan as presented. The Charter gives great flexibility to the Board as there is minimal description of task. While the role may be loosely defined, many projects have been completed over the past 10 years began in the Capital Program listing.

TOWN CHARTER

ARTICLE VI

Budget

Section 3. Capital Program

- (a) **Submission to the Council.** The Manager with the assistance of the Planning Board shall prepare and submit to the Council a five-year Capital Program at least three months prior to the final date for submission of the budget.
- (b) **Contents.** The Capital Program shall include:
1. A clear general summary of its contents;
 2. A list of all capital improvements which are proposed to be undertaken during the five (5) fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements;
 3. Cost estimates, method of financing and recommended time schedules for each improvement; and
 4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

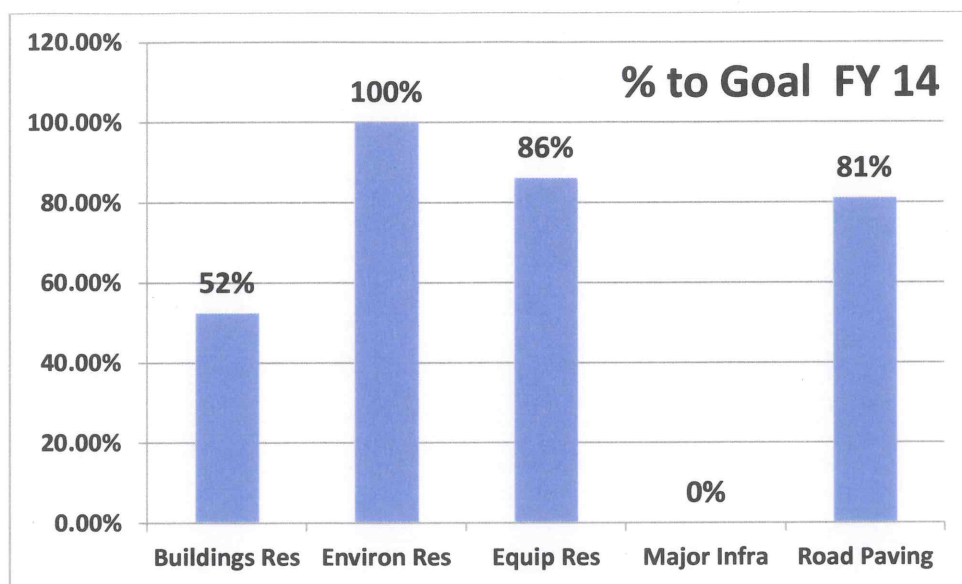
The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Capital Stewardship- FY 2014

The difficult transition from secession, recession, and depression II, since 2007, had a serious impact on the Town's entire operations, but in particular has left a crater like void in funding for Capital Improvements. Cape Elizabeth recently changed their Capital Improvement Program to a Capital Stewardship Plan. Stewardship certainly is a better description of our responsibility to insure that our infrastructure, parks, buildings, and equipment are left in a good condition for our residents and the Town Councils of the future. The choices in our pasts were few, due to a 15% (\$220,000,000) loss of property values overnight with the secession of Chebeague and 14 other islands. Our present property tax base has now stabilized. I project we will realize a \$20M to \$30M for the next several years. We now must consider a serious funding increase or we will be faced with a multitude of necessary and unpopular future catch-up bonds for road, equipment, and building replacement. We will have reached the unenviable place where choices will be limited or non-existent.

CAPITAL IMPROVEMENTS			FY 2012	FY 2013	FY 2014	Difference	Difference	Goal	% Goal
910			ACTUAL	BUDGET	PROPOSED	FY 14 to FY 13	%		
0910	3445	Town Buildings Reserves	\$ 42,500	\$ 70,000	\$ 65,480	\$ (4,520)	-6.46%	\$ 125,000	52.38%
0910	3460	Environmental Reserves	\$ 30,000	\$ 32,000	\$ 32,000	\$ -	0.00%	\$ 32,000	100.00%
0910	3470	Equipment Reserves	\$ 182,000	\$ 333,500	\$ 387,500	\$ 54,000	16.19%	\$ 450,000	86.11%
		Major Infrastructure		\$ 50,000	\$ -	\$ (50,000)	-100.00%	\$ 100,000	0.00%
0910	4635	Road Paving	\$ 78,985	\$ 460,637	\$ 648,713	\$ 188,076	40.83%	\$ 800,000	81.09%
		Total Capital Improvements	\$ 333,485	\$ 946,137	\$ 1,133,693	\$ 187,556	19.82%	\$1,507,000	75.23%
			22.13%	62.78%					

The large increase from 19% to 52% in proposed Capital funding will begin to bridge the projected future funding shortfalls and allow us to fund Fire Trucks in the Capital budget beginning in FY 2014.



FY 2014 Capital Funding Requests:

Building Reserves – 52% of Goal

	2012	2013	2014
Town Building Reserves	\$50,000	\$70,000	\$65,480

Unfortunately, this is a best guess dollar figure until we can develop a more comprehensive plan for building issues. Our plan would be broken into heating plants, roofs, exterior surfaces, parking lots, and other projects , which would exceed the \$10,000 threshold. Carpets, painting and electrical work will typically be budgeted annually in the Building Maintenance Account.

Our focus this past year has been the West Cumberland Hall. We have finished an energy audit and are beginning to focus on insulation and window replacements. The FY 2014 focus will be somewhat technology driven with the replacement of a server and a shift toward going paperless at the Town Council level. We will also continue work at West Cumberland Hall and add playground equipment to the West Cumberland Athletic Facilities off Blackstrap Road in the fall.

Account Explanation	# of Units	Unit Price	Total
			\$ -
Server - Town Hall		\$ 32,000	\$ 32,000
Building Repairs		\$ 30,000	\$ 25,000
Playground Funding (W.Cumberland)		\$ 25,000	Impact
Heating Plant -Fire			Deferred
Heating Plant -Library			Deferred
8 iPads for Council		\$ 8,480.00	\$ 8,480
			\$ -
	TOTAL COST		\$ 65,480

Environmental Reserves – 100% of Goal

When the population density around the town center grew to more than 1,000 people per square mile, we became a MS2 Town, or an urban classified watershed. The abbreviated explanation for this classification is that we must be more vigilant with our run-off and storm water. Monitoring, education and a lot of what we always have done are required to be documented and submitted to the MDEP annually. Twenty communities partnered in developing educational programming to assist all of us in this federal (EPA) mandate.

Equipment Reserves – 86% of Funding Goal

Account Explanation		# of Units	Unit Price	Total
Police Cruiser and SUV	Police	1	\$ 26,000	\$ 26,000
Plow Truck	Highway	1	\$ 160,000	\$ 160,000
1 Ton Pick-up Replacement	Highway	1	\$ 40,000	\$ 40,000
Fire/ EMS	Fire	1	\$ 46,500	\$ 46,500
Police Equipment	Police	1	\$ 15,000	\$ 15,000
FY 2014 Ambulance Replacement	Fire	1	\$ 100,000	\$ 100,000
				\$ -
		TOTAL COST		\$ 387,500

Replacement of one Police Cruiser - \$26,000



VEHICLE 1 2005 FORD EXPLORER SUV	95,807	
VEHICLE 2 2013 FORD EXPLORER SUV	15,011	
VEHICLE 3 2010 FORD CROWN VICTORIA	99,503	To be Replaced with Explorer SUV
VEHICLE 4 2005 FORD EXPLORER SUV (CHIEFS VEHICLE)	70,073	
VEHICLE 5 2013 FORD EXPLORER SUV	18,744	
VEHICLE 6 2010 FORD CROWN VICTORIA	67,575	
VEHICLE 7 2005 FORD F150 PICKUP TRUCK (ACO)	118,700	

Replacement of one Plow Truck -\$160,000



\$50,000 Band-Aid in FY 2013 for plow replacement parts, steel and welding of 3 plow trucks needing replacement within 5 years :

Truck #2 1996 – At replacement = 19 years

Truck # 9 1995 - At replacement = 19 years

Truck #15 1999 - At replacement = 17 years

The Town will be contracting two Plow Routes this Winter to begin to transition from a Construction model to a Maintenance Model for Public Works.

Ambulance Replacement -\$200,000

1999 Ambulance 106



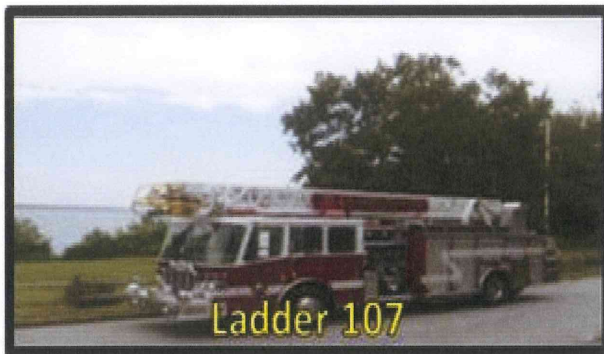
- 2006 Ambulance 108



Replace with **ONE**
Ambulance in FY 2014
with new Ambulance
similar to Amb. 106.

1999 unit was kept due
to continued
mechanical problems
with 2006 Ambulance.

2000 Ladder 107



Replacement scheduled
in **FY 2020**

(7 fiscal years away)

Estimated replacement
cost: \$750,000 to
\$1,000,000

Major Infrastructure – 0% of Funding Goal

This category will allow for the Highway crew to replace culverts, improve shoulders, and clean ditches in preparation of the upcoming road-paving schedule. This will ultimately reduce our road repair costs. This fund could also be used for the larger and deeper culvert replacements, which will need to be contracted. A great example is the Val Halla Road culverts were both 25 beneath the roadway and replaced in 2012 by a private contractor for \$72,000.



Blanchard Road Culvert Lining 2001 by Highway Department

Next Candidate for Major Reconstruction

Middle Road – Tuttle Road to Falmouth Line -8,500'

	Length	Cost Per Mile	Water Per Foot			
Middle Road	8,500	\$1,200,000	\$125			
	Miles	Road	Water	Total	Engineering	Project
	1.61	\$1,931,818	\$1,062,500	\$2,994,318	\$239,545	\$3,233,864

	FY 15	FY 16	FY 17
Time Table - Add to Capital Plan	\$ 75,000	\$ 75,000	\$ 75,000
		\$ 81,000	\$ 81,000
			\$ 100,000
	\$ 75,000	\$ 156,000	\$ 256,000

Road Paving – 81% of Funding Goal

ACCOUNT NUMBER	DESCRIPTION	FY 2012 ACTUAL	FY 2013 BUDGET	FY 2014 PROPOSED	DIFFERENCE DOLLAR	DIFFERENCE %
0910-4635	Roads	\$ 78,985	\$ 460,637	\$ 648,713	\$ 188,076	40.83%

Account Explanation		# of Units	Unit Price	Total
Blanchard Road Ext. Reclaim	0.39	1	115,355	115,355
Kerri Farms Drive	0.13	1	19,919	19,919
Orchard Road	1.77	1	271,208	271,208
Stone Wall Drive	0.32	1	49,032	49,032
Whitney Road - reclaim	0.36	1	143,199	143,199
Misc. Road Repairs	0.00	1	50,000	50,000
Total Treatment Miles	2.97			\$ 648,713

Paving and road construction are the two most pressing Capital Stewardship issues we face annually. In December 2011 Town Council meeting, Chris Bolduc, our Operations Manager, presented a comprehensive program. The plan will require a funding commitment of over \$400,000 in FY 13; \$648,713 in FY 14; and \$800,000 in FY 15 and thereafter.

The full paving plan is attached as an appendix to this report.

As concerning as past funding levels may be, we are on a good path now. Difficult future funding choices will always need to be made, but capital funding must remain at a priority level or the future costs will be financially oppressive.



Reclamation of asphalt pavement by grinding the pavement into small pieces in place and mixing with the existing gravel will form a stronger future base. This eliminates removal of excessively cracked pavement and adds a supplemental gravel/pavement base layer prior to new pavement. We will be using a cement stabilizer as well for additional strength. (\$ 45,000 per mile @ \$3/square yard)



This is the first layer of pavement also known as the binder or base pavement. This layer is typically 2.5" thick and comprises 63% of the total pavement thickness (4"). (\$196,000 per mile)

We typically have waited 1 year to overlay the binder with surface pavement layer of 1.5" to allow for any defects in the road to appear during or just after the frost/ defrost cycle of the base. This allows us to repair any defects prior to the final paving. (\$ 117,660 per mile @ \$85/ton)

**2014 – 2018
PROJECT SUMMARY SHEET**

DEPARTMENT	PROJECT	FUNDING YEAR	COST
ASSESSING	Town-wide revaluation	2017	\$400,000
	In-house Statistical Update	2016	\$75,000
Clerk	Record Restoration of Town Council & Vital Records	On-going project	5,000* (*On-going project hence under \$10,000 cut-off for CIP projects)
FIRE	Pavement (West Station)	2015	\$20,000
	New Furnace (West Station)	2014	10,000
	Central Station Replacement	2017	3.9 Million
	Ambulance Replacement	2014	\$200,000
	Overhead Doors Central Station		\$16,000
INFORMATION TECHNOLOGY	Replacement of 2 Servers	2014	\$31,000
	New Town Office Phone System	2016	\$50,000
	<i>Munis Server Replacement</i>	<i>2014</i>	<i>\$15,000</i>
LIBRARY	Expansion Project	TBD	\$1.2 to \$1.6 Million
	Collections Project	2013	\$30,000
	Basement Renovations	2014	\$12,000
	Boiler Replacement	2014-15	\$40,000
PUBLIC SERVICES			
Equipment			
	Equipment Maintenance Reserve	Annual	\$378,000
Drainage			
	Cumberland Estates Drainage Repair	2017	\$189,638
	Large, Deep Drainage Pipes (Lower Methodist Rd.)	2014	\$20,000
Pollution Control			
	NPDES	Annual	\$30,000
Landfill	Wood Waste Landfill Closure	TBD	\$475,000
Paving			
	Pavement Management	11 Annual	\$800,000

Road Improvements			
	Route 1 South Turn Lane	2015	\$600,000
	Route 1 North (Thomas Drive) Turn Lane	2014	\$150,000
	Blanchard Rd. (Bruce Hill to Skillin) Reconstruction	2014	1.1 Million
Sidewalks/Shoulders			
	Tuttle Road Sidewalk	2017	\$440,000
	Drowne Road "Loop" Sidewalk	2017	\$212,000
	Rt. 88 Shoulder / Widening / Drainage	2017	\$550,000 (w/out state Funding) \$109,000 (w/funding)
UTILITIES EXTENSIONS	Range Road Water Line & Pump Station (Phase 3 & 4)	2019	\$1,150,000
	Middle Road (at Tuttle) to Falmouth Town Line) Water Main		\$812,000 (if Stand-alone project) \$617,500 (if done in conjunction with reconstruction of Middle Road
	Rt. 9 Water & Sewer to Corey Rd.	2016	\$830,000
	Natural Gas Distribution System		\$8-\$10 million (initial trunk lines) \$350,000 per mile for fill in areas & \$4K per house.
PARKS & REC			
	Twin Brook Cement Culvert Replacement	2013	\$20,000
	Twin Brook Trail Upgrade	2013-2015	\$75,000
	Twin Brook Field Renovations (fields)	2017	\$150,000
	Twin Brook Playground	TBD	\$40,000
	West Cumberland Hall	2013	\$48,000
	West Cumberland Playground	2013	\$30,000
VAL HALLA			
	Val Halla Equipment Wash Pad	2013	\$25,000
	Golf Event Area	2014	2 options: \$33,200 or \$48,000
	Val Halla Maint. Bldg. Heating System	2017	\$20,000
	Maintenance Building Addition	TBD	\$125,000
SENIOR HOUSING			
	Roof Replacement Cumberland Meadows	2014	\$226,500

Summer 2013

Street	Beg desc	End desc	Length Miles	Last Pave Date	2011 PCR	2016 PCR	Planned Improve Date	Planned Improve Type	Total Expense 2013
Autumn Ridge							NA	NA	\$ -
Blanchard Rd Ext A	Orchard Hill	- Drain \$50/ft X	0.29	1993	4.80	3.69	2013	Overlay	\$ 115,354.70
Blanchard Rd Ext B	Orchard Hill	- Drain \$50/ft X	0.10	1993	1.67	1.17	2013	Overlay	\$ 15,322.50
Blanchard Rd Ext Total	Orchard Hill		0.3920455	1993			2013	Overlay	\$ 130,677.20
Kerri Farms Drive	Orchard Rd		0.13	1996	3.49	2.77	2013	Overlay	\$ 19,919.20
Orchard Road	Blanchard Rd		0.59	1994	2.37	1.82	2013	Overlay	\$ 90,402.70
Orchard Road A			0.26	1999	2.35	1.79	2013	Overlay	\$ 39,838.50
Orchard Road B	Orchard Hill Road		0.92	1999	3.88	3.01	2013	Overlay	\$ 140,967.00
Orchard Road Total			1.76	1999			2013	Overlay	\$ 271,208.20
ROSE DRIVE			0.31	2010	4.39	3.38	NA	NA	\$ -
Stonewall Drive	Blanchard Rd. Ext	drive	0.32	2000	3.21	2.55	2013	Overlay	\$ 49,032.00
West Branch Road			0.34	2005	4.39	3.39	NA	NA	\$ -
Whitney Road	Orchard Road		0.36	1994	2.22	1.69	2013	Reclaim	\$ 143,199.00
			3.61						\$ 614,035.60

Miles	3.61
Cost	\$614,035.60

Summer 2014

Street	Beg desc	End desc	Length Miles	Last Pave	2011 PCR	2016 PCR	Planned Improve	Planned Improve	Total Expense 2014
Acorn Lane	Oak Ridge Rd		0.30	1994	3.59	2.82	2014	Overlay	\$45,967.50
Cottage Farms Road	Main St		0.17	1995	3.34	2.67	2014	Overlay	\$26,048.20
Friar Lane A	Tuttle	- Drain \$50/ft X	0.18	1995	1.72	1.22	2012	NA	\$0.00
Friar Lane B	Tuttle	- Drain \$50/ft X	0.44	1995	2.78	2.25	2012	NA	\$0.00
Friar Lane Total	Tuttle		0.62	1995			2012	NA	\$0.00
Lawn Avenue	Main Street		0.27	1995	2.76	2.17	2014	Overlay	\$41,370.70
Lockwood Lane	water gate	pavement	0.07	1995	3.23	2.56	2014	Overlay	\$10,725.70
Maple Street	Lawn Ave-west	Lawn Ave-east	0.27	1995	2.25	1.97	2014	Reclaim	\$107,399.20
Newel Ridge	Road Greely Rd Ext		0.43	1995	3.83	2.98	2014	Overlay	\$65,886.70
Oak Ridge Road	Greely Rd Ext		0.49	1994	2.92	2.30	2014	Overlay	\$75,080.20
Range Way			0.09	2006	5.00	3.85	2014	Overlay	\$13,790.20
Spar Hawk Lane	Cottage Farms	Dead End	0.14	1995	2.91	2.31	2014	Overlay	\$21,451.50
Wood Circle	Acorn Ln		0.16	1994	2.94	2.34	2014	Overlay	\$24,516.00
Blanchard Road A	Main Street	Road	1.67	2002	3.21	2.53	2014	Shim	\$67,134.00
Blanchard Road B	Bruce Hill Road	Skillin Road	1.13	2005	4.13	3.20	2014	Shim	\$45,426.00
Cross Road 1	Main Street	U Pole Lt.	0.08	1995	1.99	1.49	2014	Reclaim	\$31,822.00
Cross Road 2	Winn Rd.	U Pole Rt.	0.31	1995	1.99	1.49	2014	Reclaim	\$123,310.20
Cross Road Total	Main Street	U Pole Rt.	0.39	1995			2014	Reclaim	\$155,132.20
			6.20						\$699,928.10

Miles	6.20
Cost	\$699,928.10

Summer 2015

Street	Beg desc	End desc	Length Miles	Last Pave Date	2011 PCR	2016 PCR	Planned Improve Date	Planned Improve Type	Total Expense 2015
Balsam Drive	Farwell- west	Hemlock	0.28	1990	3.35	2.68	2015	Overlay	\$42,903.00
Blewick Lane	Country Charm	- Drain \$50/ft X	0.12	1995	2.55	2.01	2015	Overlay	\$18,387.00
Carol Street	Woodside	- Drain \$50/ft X	0.07	1995	3.09	2.47	2015	Overlay	\$10,725.70
Country Charm Road	Val Halla	- Drain \$50/ft X	0.28	1995	3.20	2.53	2015	Overlay	\$42,903.00
Crestwood Road	East Pinewood	W. Pinewood	0.30	2003	3.54	2.79	2015	Overlay	\$46,967.50
Farwell Ave A	Main Street	- Drain \$50/ft X	0.19	1995	3.33	2.63	2015	Overlay	\$29,112.70
Farwell Ave B	Main Street	- Drain \$50/ft X	0.08	1995	2.95	2.33	2015	Overlay	\$11,607.95
Farwell Ave Total	Main Street		0.2623106	1995			2015	Overlay	\$40,192.54
Hedgerow Dr	Main Street	- Drain \$50/ft X	0.38	1995	2.29	1.75	2015	Overlay	\$58,225.50
Hemlock Dr	Prince		0.44	1990	3.63	2.85	2015	Overlay	\$67,419.00
Hillcrest Drive A	Woodside	- Drain \$50/ft X	0.17	1995	2.42	1.90	2015	Overlay	\$25,537.50
Hillcrest Drive B	Woodside	- Drain \$50/ft X	0.27	1995	3.47	2.73	2015	Overlay	\$41,933.74
Hillcrest Drive Total	Woodside		0.4403409	1995			2015	Overlay	\$67,471.24
Linda Street	Hillcrest	- Drain \$50/ft X	0.07	1995	2.56	2.02	2015	Overlay	\$11,027.56
Longview Street	Woodside	- Drain \$50/ft X	0.07	1995	2.02	1.52	2015	Overlay	\$11,317.76
Pinewood Drive	Hemlock	- Drain \$50/ft X	0.46	1995	3.78	2.95	2015	Overlay	\$70,483.50
Prince Street	Farwell- west		0.16	1995	2.35	1.78	2015	Reclaim	\$63,644.00
Val Halla Road	Greely Rd	Parking Area	0.51	2004	4.07	3.16	2015	Overlay	\$78,144.75
Woodside Drive A		X- Drain \$50/ft X	0.19	1995	2.54	1.70	2015	Overlay	\$29,600.28
Woodside Drive B	Main Street	- Drain \$50/ft X	0.27	1995	2.40	1.84	2015	Overlay	\$40,918.04
Woodside Drive Total	Main Street		0.4602273	1995			2015	Overlay	\$70,518.32
			4.31						\$700,330.36

Miles	3.88
Cost	\$700,330.36

Summer 2016

Street	Beg desc	End desc	Length Miles	Last Pave Date	2011 PCR	2016 PCR	Planned Improve Date	Planned Improve Type	Total Expense 2016
Forest Lake Rd	Blackstrap	Gray TL	0.72	1995	2.58	2.03	2016	Overlay	\$110,322.00
Forest Lane	Forest Lake Rd		0.44	1995	2.98	2.36	2016	Overlay	\$68,051.63
George Road	Blackstrap		0.26	1993	3.40	2.68	2016	Overlay	\$39,838.50
Goose Pond Rd	Blackstrap		0.41	1999	3.03	2.40	2016	Overlay	\$62,822.25
Highland Ave	Old Gray Rd	Gray Rd	0.19	1993	3.69	2.89	2016	Overlay	\$29,310.09
Hill Top Road	Pond Shore		0.14	1984	2.87	2.22	2016	Overlay	\$21,184.52
Kathy Lane	Skillin Road		0.19	1993	2.91	2.29	2016	Overlay	\$28,439.49
Liberty Lane			0.08	2010	4.22	3.25	2016	Overlay	\$12,258.00
Old Gray Road	North End		0.23	1993	3.38	2.68	2016	Overlay	\$35,241.75
OLD COLONY			0.34	2010	4.80	3.69	2016	Overlay	\$52,096.50
Pond Shore Drive	Skillin Rd		0.32	1984	2.29	1.77	2016	Overlay	\$49,333.81
Skillin Road			0.91	2005	4.6	3.5	2016	Overlay	\$139,434.75
Union Road	Highland Ave	George Rd	0.10	1993	2.91	2.29	2016	Overlay	\$15,322.50
Upper Methodist	Blackstrap	Dead End	0.40	1993	3.30	2.61	2016	Overlay	\$60,796.66
			4.73						\$724,452.44

Miles	4.73
Cost	\$724,452.44

Summer 2017

Street	Beg desc	End desc	Length Miles	Last Pave Date	2011 PCR	2016 PCR	Planned Improve Date	Planned Improve Type	Total Expense 2017
Castlerock			0.18				2017	Overlay	\$27,580.50
Cross Road 1	Main Street	U Pole Lt.	0.08	1995	1.99	1.49	2014	NA	
Cross Road 2	Winn Rd.	U Pole Rt.	0.31	1995	1.99	1.49	2014	NA	
Cross Road Total	Main Street	U Pole Rt.	0.39	1995			2014	NA	
Harris Road A	Tuttle Road		0.80	2002	4.04	3.13	2017	Overlay	\$122,463.92
Harris Road B	Tuttle Road		0.81	2001	3.32	2.63	2017	Overlay	\$124,495.31
Harris Road Total	Tuttle Road		1.61	2002			2017	Overlay	\$246,959.23
Lower Methodist	Gray Rd	End of pavement	0.50	1995	1.98	1.48	2017	Overlay	\$76,612.50
Mill Ridge Road A			0.08	2000	3.07	2.44	2017	Overlay	\$12,333.45
Mill Ridge Road B	Mill Rd		0.31	1995	2.85	2.26	2017	Overlay	\$48,173.01
Mill Ridge Road Total	Mill Rd		0.3948864	2000			2017	Overlay	\$60,506.46
Mill Road A			0.65	2005	4.03	3.13	2017	Overlay	\$99,248.01
Mill Road B	Blanchard	Gray Rd	0.54	2005	2.89	2.29	2017	Overlay	\$82,561.58
Mill Road Total	Blanchard		1.186553	2005			2017	Overlay	\$181,809.59
Rock Ridge Run	Harris Rd		0.47	2002	4.03	3.12	2017	Overlay	\$72,015.75
Turkey Lane	Main Street		0.30	1995	2.37	1.85	2017	Overlay	\$45,967.50
Whitetail Road	Harris Rd		0.19	1995	3.76	2.93	2017	Overlay	\$29,019.89
			5.22						\$740,471.42

Miles	5.22
Cost	\$740,471.42

Summer 2018

Street	Beg desc	End desc	Length Miles	Last Pave Date	2011 PCR	2016 PCR	Planned Improve Date	Planned Improve Type	Total Expense 2018
Aspen Crest	Mere Wind Dr.		0.13	2000	3.77	2.93	2018	Overlay	\$20,313.92
Brookside Dr	Greely		0.17	1995	3.27	2.56	2018	Overlay	\$25,972.80
Edes Rd	Greely		0.33	1988	3.34	2.62	2018	Overlay	\$50,204.40
Greely Rd A	Middle Road	Main St	1.17	2004	2.85	2.26	2018	Overlay	\$178,762.50
Greely Rd B	Middle Road	Main St	1.50	2004	2.60	2.06	2018	Overlay	\$229,112.00
Greely Rd C	Middle Road	Main St	0.31	2004	3.10	2.45	2018	Overlay	\$48,027.91
Greely Rd D	Middle Road	Main St	0.20	2004	2.94	2.05	2018	Overlay	\$30,906.18
Greely Rd Total	Middle Road	Main St	3.1770833	2004			2018	Overlay	\$486,808.59
Hillside Ave	Greely Rd	TL	0.50		3.59	2.83	2018	Overlay	\$76,902.70
Mere Wind Drive	Greely		0.37	2000	3.41	2.71	2018	Overlay	\$56,693.25
Shady Run Lane	Greely Rd		0.42	1993	3.67	2.87	2018	Overlay	\$64,354.50
			5.10						\$781,250.16

Miles	5.10
Cost	\$781,250.16

NEW BUSINESS

Brenda Moore

From: William Shane
Sent: Monday, June 10, 2013 4:31 PM
To: Andy Walsh (awalsh@gwi.net)
Cc: William Stiles; Tom Gruber; Brenda Moore (bmoore@cumberlandmaine.com)
Subject: Bike -Ped

Hi Andy,

Congratulations on the Bike/Pedestrian grant from PACTS. We do not have a committee, but I will ask Bill Stiles our Chairman and Tom Gruber our vice chairman to see if they can announce at the next Council meeting we are looking for members to work with a regional task force. Can you send me anything you have that we could give to someone related to what the next year may look like for this group?

Thank you!

Bill

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

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



Attorneys at Law

SAVE THE DATE

THURSDAY, OCTOBER 3, 2013

6:00-8:30 PM

JENSEN BAIRD GARDNER & HENRY'S MUNICIPAL CLIENT SEMINAR

It will soon be time for Jensen Baird Gardner & Henry's biennial Municipal Client Seminar. Our purpose will be to review current legal issues, the new laws enacted by the 126th Maine Legislature (non-emergency laws effective approximately September 17, 2013) and the implications of these new laws for Maine municipalities. This seminar is presented free of charge and will be held on **Thursday, October 3, 2013** from 6:00 p.m. to 8:30 p.m. at the DoubleTree Hotel (with the twin towers) in South Portland (right across the street from the Maine Mall shopping center). A buffet supper will be served. More details and registration information will follow in late August.

Please feel free to copy this sheet and pass it along to your colleagues. Hope to see you there.

Jensen Baird Gardner & Henry
Ten Free Street
P.O. Box 4510
Portland, ME 04112
Phone: 775-7271
Fax: 775-7935

Jensen Baird Gardner & Henry
11 Main Street, Suite 4
Kennebunk, ME 04043
Phone: 985-4676
Fax: 985-4932

Toll Free: 1-800-756-1166
www.jbgh.com

THANK YOU

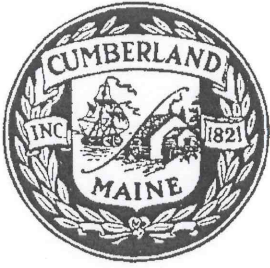
Dear Town Councilors,

6/6/13

Thank you for the kind words
and warm send off!

My memories of serving on
the council will be fond due
in no small part to all of
you.

Sincerely,
Michael



MEMORANDUM

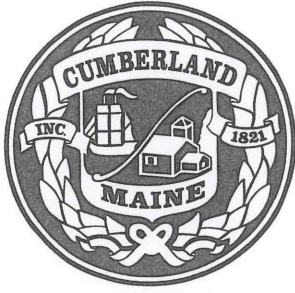
Town of Cumberland Recreation Department
290 Tuttle Road
Cumberland, ME 04021
Telephone (207) 829-2208

To: Bill Shane, Town Council
From: Peter Bingham, Recreation Superintendent
Date: June 5th, 2013
Re: Veterans Monument Donation

The Cumberland Recreation Department and Greely PTO recently made a joint contribution of \$669.00 to the Veterans Monument Fund from a portion of the proceeds received from the 3rd Annual Memorial Day 5k road race.

We recently held the 3rd edition of this annual race and each year it continues to grow. The total number of 5k participants has nearly doubled since our inaugural race. It is the goal of both organizations to continue this race each year in conjunction with Memorial Day parade festivities and continue contributions to the monument fund annually.

Jen Piesik of the PTO and I were extremely pleased with the turnout for the race and are excited to build on the continued excitement of this fun community event. The 4th annual race will be held on Memorial Day, May 26th 2014.



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

June 4, 2013

Mr. Roger Domingo
President, Homeowners Association
4 Kerri Drive
Cumberland, ME 04021

Re: Assessment & Homeowners Association State Documents

Dear Roger:

Thank you for your updates on the progress of the Homeowners Association. With everyone's busy schedules time passes by very quickly, so I wanted to capture some of the key elements of the Town Council's February 25th decision and direction to me:

Council Item # 13-024: To consider and act on authorizing the Town Manager to negotiate with Kerri Farms Subdivision owners for payment of delinquent property taxes and issue a quitclaim deed for open space property identified as Tax Map R08/Lot 411.

The Town Council authorized waiving the interest and fees, and authorized the issuance of a quit claim deed upon payment of \$6,729.00, and renewing or starting a Homeowners Association, per Planning Board subdivision approval.

What we have done internally:

- 1) The Town Assessor has divided the open space into equal, taxable shares, assessed to each lot beginning with your September 2013 tax payment.
- 2) Blocked time to develop and implement a plan to fill in fire pond once delinquent taxes are paid in full.

What I need from you at this time is a copy of a confirmation that your Homeowners Association is now registered and in force. Please contact me by June 13, 2013 with your registered association information and your payment plan request.

Thank you for your assistance with this matter. I am looking forward to talking to you soon.

Sincerely,

William R. Shane, P.E.
Town Manager

cc: Town Council

Encl: Certified Town Council Meeting Minutes

WORKSHOP



Attorneys at Law

**TOWN OF CUMBERLAND
COUNCIL WORKSHOP**

Presented by:

Kenneth M. Cole III, Esq.

June 17, 2013

Jensen Baird Gardner & Henry
Ten Free Street
P.O. Box 4510
Portland, ME 04112
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TOWN OF CUMBERLAND COUNCIL WORKSHOP

June 17, 2013

JENSEN BAIRD GARDNER & HENRY

Right-to-Know Law (officially called the “Freedom of Access Act,” 1 M.R.S.A. §§ 401-412)

I. Public Records (1 M.R.S.A. § 402)

- A. Defined – Any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained that is in possession or custody of a public official (1 M.R.S.A. § 402(3))
 - includes meeting minutes, notes, e-mails, tapes
- B. Exceptions – Records designated confidential by statute (e.g., ambulance and rescue records, general assistance, personnel records, poverty abatement applications), documents subject to a legal privilege such as the attorney-client privilege, collective bargaining negotiation materials, medical records, juvenile records, security plans or risk assessments, or personal contact information of public employees contained with records (1 M.R.S.A. § 402(3)) and certain information contained in communications between constituents and elected officials such as social security numbers, personal history, medical information, disciplinary action proceeding information
- C. Meeting Minutes – Not required, but must be open to public inspection if kept, and must keep a “record” of meeting if more than advisory body
- D. Requests for Public Records – Inspection and/or Copying (1 M.R.S.A. § 408)
 - (1) Records must be made available within a reasonable period of time for public inspection and copying
 - (2) No special form for request; request need not be in writing; government may ask for clarification
 - (3) New Agency or official must acknowledge receipt of request “within a reasonable period of time”
 - (4) Agency or official can schedule time for inspection/copying during regular business hours and so that it will not delay or inconvenience regular business activities
 - (5) Government may charge a reasonable fee to cover copying, searching, or translation costs
 - (6) Denial of a request must be made in writing within 5 business days of request (1 M.R.S.A. § 409(1))
 - (7) No need to create or summarize records; no need to explain or answer questions about records; no need to honor “standing request” for information
 - (8) Must acknowledge receipt of Right-to-Know law request (“mirror” response)
- E. Required Record Keeping
 - (1) Conditional approval or denial of an application or license (1 M.R.S.A. § 407(1))
 - Note:* many other statutes and ordinances require written decisions
 - (2) Local Government Record Retention Laws – 5 M.R.S.A. § 95-B

- (3) Date, time and place of meeting; what members were in attendance and all motions and votes taken, including specifics of any roll call vote for all decision-making bodies
- (4) Audio or video recording deemed acceptable

II. Public Proceedings

- A. Definition – transaction of any functions of any board, commission, committee, subcommittee, agency or authority of any county, municipality, school district or any regional or other political or administrative subdivision (1 M.R.S.A. § 402(2)(C))
 - includes site visits
 - applies to all administrative boards and committees, subcommittees
 - but makes clear in opening paragraph of law that “does not prohibit communications outside of public proceedings between members of a public body” unless used to defeat purposes of the law
- B. Open to public – Unless specifically exempted, all public proceedings must be open to public; okay to be tape recorded or filmed so long as it does not disrupt the proceedings (1 M.R.S.A. § 403)
- C. Public Meeting v. Public Hearing
- D. Can’t conduct meetings by e-mail
- E. Notice of meetings (1 M.R.S.A. § 406) – public notice required if the proceedings are a meeting of a body/agency consisting of three or more members involving conduct of public business
 - (1) No specific means required; must be “disseminated in a manner reasonably calculated to notify the general public in the jurisdiction served”
 - (2) No specific time required; “ample time to allow public attendance” – one day has been held to be sufficient if appropriately communicated
 - (3) Emergency meetings are okay; provide notice to local media whenever practicable by same (or faster) means used to notify members of public body/agency
 - (4) *Note:* Charter, ordinance or statute may dictate more specific notice requirement
- F. Executive sessions (1 M.R.S.A. § 405)
 - (1) Permitted topics – Personnel issues
 - (a) if public discussion could be “reasonably expected” to either damage the person’s reputation or right to privacy
 - (b) person at issue has a right to attend
 - (c) person at issue may request that hearing be held in open session; administrative board must honor such a request
 - (d) any person who has brought charges or made allegations of misconduct against the person also has the right to be present
 - (2) Permitted topics – Issues related to the sale or acquisition of real property, but only if premature disclosure would hurt the governmental entity’s competitive or bargaining position
 - (3) Permitted topics – Labor contracts and labor negotiations

- (4) Permitted topics – Meetings with legal counsel concerning pending or anticipated litigation, settlements or other legal rights and responsibilities
- (5) Permitted topics – Discussion of information in documents made, maintained or received by the administrative board where those documents are designated by statute as confidential
- (6) Permitted topics – Meetings with an entity conducting examinations for a municipality for licensing, permitting or employment purposes: may discuss contents of examination or review the examination with the person examined
- (7) Permitted topics – Consultation with CEO regarding any land use enforcement action pending in District Court if the CEO is prosecuting the matter for the municipality
- (8) Prohibited topic - budget

G. Procedures for Executive Session

- (1) Motion must state “precise nature of the business of the executive session”
- (2) Motion must include a statutory citation to the precise section that authorizes the executive session topic
- (3) An executive session on a labor contract must include in the motion the name of the parties (recommended for pending litigation too)
- (4) Motion requires a 3/5 vote of the members present and voting
- (5) Discussion limited to items identified in motion
- (6) No vote or other formal action is permitted in executive session
- (7) Public records do not include documents prepared for use during or notes made in proper executive session

H. Appeals/Violations

- (1) Private suit/appeal to Superior Court – possible attorney’s fees award
- (2) Claim of illegal executive session – governmental entity has the burden to show that session was for a proper purpose allowed under the statute
- (3) Illegal executive session – if any action was taken during the session, it is void
- (4) Willful violation – subject to \$500 penalty; suit must be brought by Attorney General or District Attorney
- (5) Attorney’s fees and expenses – Effective January 1, 2010, attorney’s fees and expenses are available to prevailing Plaintiffs if the denial of public records or conduct of an illegal executive session was taken in bad faith

I. Public Official Training

(see www.maine.gov/foaa/Training/index.shtml)

All officials elected after July 1, 2008 must complete the training within 120 days after the official takes the oath of office

III. Recent Developments

A. Legislation: P.L. ch. 662 (LD 1465), effective **August 30, 2012**

- (1) Public Access Officer Required – training required; acknowledgement of request required even if request not delivered to officer; unavailability of officer cannot delay a response
- (2) Inspection and Copying Requests –
 - (a) Cost to compile = \$15/hour after the first hour (increase from \$10/hour)
 - (b) Estimate required if >\$30 (increase from \$20)
 - (c) Time period to respond remains unchanged – the law does not require that the records be provided for inspection and/or copying within five (5) business days; the law only requires that if a request for records is to be denied, the denial must be stated in writing within five (5) business days of the request
- (3) Information Technology Considerations
- (4) Funding of Public Access Ombudsman in AG's Office (Brenda Kielty)

b. 2013 proposed legislation:

- (1) LD 104: E-mail address privacy and cost of compliance increase
- (2) LD 258: Public proceeding via remote access technology
- (3) LD 1216: Five day response regarding good faith, non-binding cost estimate

CERTIFICATION OF COMPLETION OF
FREEDOM OF ACCESS TRAINING REQUIRED BY 1 M.R.S.A. § 412

I, _____, hereby certify that I have met the training
(Name of elected official)

requirements set forth in 1 M.R.S.A. § 412 on _____ by
(date of training)
completing the following training:

- ☐ A thorough review of all of the information made available on the
Frequently Asked Questions portion of the State Freedom of Access
website, www.maine.gov/foaa/faq.
- ☐ Another training course that includes this information, identified as follows:

(Title of Course)

(Name of Course Provider)

Dated this _____ day of _____, 200 _____.

Signature

Printed Name

Elected Office

Note: Training must be completed within 120 days after an elected official takes the oath of
office or, for elected officials serving in office on July 1, 2008, by November 1, 2008.



Financials, Revenue & Citizen Services and Human Capital Management



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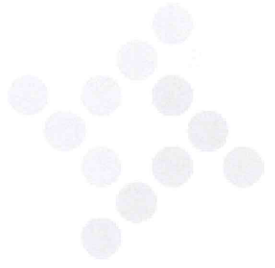
TOWN OF CUMBERLAND
YEAR-TO-DATE BUDGET REPORT

PG 1
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FOR 2013 13

	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	480,901.53	-16,319.53	103.5%
140 Assessor	64,153	0	64,153	47,179.89	16,973.11	73.5%
150 Town Clerk-HR-Tax Collector	222,370	0	222,370	189,131.91	33,238.09	85.1%
160 Technology	164,536	0	164,536	158,014.05	6,521.95	96.0%
165 Elections	17,936	0	17,936	4,108.87	13,827.13	22.9%
170 Planning	57,826	0	57,826	56,609.09	1,216.91	97.9%
190 Legal	40,000	0	40,000	27,150.78	12,849.22	67.9%
210 Police	1,038,354	0	1,038,354	1,008,824.14	29,529.86	97.2%
220 Fire	743,075	0	743,075	710,597.01	32,477.99	95.6%
240 Code Enforcement	80,663	0	80,663	81,026.42	-363.42	100.5%
260 Canine Control	34,280	0	34,280	38,093.89	-3,813.89	111.1%
310 Public Works	915,184	0	915,184	910,154.61	5,029.39	99.5%
320 Waste Disposal	648,270	0	648,270	541,637.04	106,632.96	83.6%
410 Recreation	571,001	0	571,001	564,426.50	6,574.50	98.8%
430 Parks	191,771	0	191,771	136,151.51	63,919.49	71.0%
440 West Cumberland Rec	8,914	0	8,914	5,962.35	2,951.65	66.9%
450 Library	372,366	0	372,366	359,800.83	12,565.17	96.6%
580 General Assistance	30,000	0	30,000	27,570.50	2,429.50	91.9%
590 Health Services	8,875	0	8,875	8,726.25	148.75	98.3%
620 Cemetery Association	26,700	0	26,700	24,240.00	2,460.00	90.8%
630 Conservation Commission	6,000	0	6,000	596.25	5,403.75	9.9%
650 Debt Service	913,551	0	913,551	795,392.19	118,158.81	87.1%
750 Insurance	271,584	0	271,584	308,050.96	-36,466.96	113.4%
800 Fire Hydrants	57,000	0	57,000	52,229.41	4,770.59	91.6%
810 Street Lighting	36,726	0	36,726	40,157.49	-3,431.49	109.3%
830 Contingent	46,000	0	46,000	45,882.49	117.51	99.7%
840 Municipal Building	175,462	0	175,462	148,100.27	27,361.73	84.4%
850 Abateaments	20,000	0	20,000	19,399.95	600.05	97.0%
860 MSAD #51	13,193,552	0	13,193,552	12,078,556.05	1,114,996.20	91.5%
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	20,388,225.23	1,560,359.02	92.9%
GRAND TOTAL	21,940,284	0	21,940,284	20,388,225.23	1,560,359.02	92.9%

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



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YEAR-TO-DATE BUDGET REPORTPG 1
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FOR 2013 13

	ORIGINAL ESTIM REV	ESTIM REV ADJUSTMTS	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	-1,375,372.44	45,372.44	103.4%
0011 0304 Boat Exc T	-10,000	0	-10,000	-12,727.70	2,727.70	127.3%
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	-40,464.64	464.64	101.2%
0012 0311 H&F Lic	-700	0	-700	-496.83	-203.17	71.0%
0012 0312 ML+VR	-3,000	0	-3,000	-2,037.60	-962.40	67.9%
0012 0313 Birth Cert	-365	0	-365	-1,222.00	857.00	334.8%
0012 0314 Death Cert	-500	0	-500	-1,733.00	1,233.00	346.6%
0012 0315 Clerk Lic	-4,500	0	-4,500	-2,721.00	-1,779.00	60.5%
0012 0316 Shell Lic	-3,000	0	-3,000	-2,612.08	-387.92	87.1%
0012 0317 Cons Fees	-500	0	-500	-692.92	192.92	138.6%
0012 0334 SnoMob Reg	-300	0	-300	-444.54	144.54	148.2%
0012 0361 Auto Reg	-20,000	0	-20,000	-19,030.00	-970.00	95.2%
0012 0362 Boat Reg	-500	0	-500	-583.00	83.00	116.6%
0012 0366 Build Perm	-40,000	0	-40,000	-88,541.63	48,541.63	221.4%
0012 0367 Elect Perm	-15,000	0	-15,000	-20,101.93	5,101.93	134.0%
0012 0368 Plumb Perm	-10,000	0	-10,000	-19,628.24	9,628.24	196.3%
0012 0369 Oth Perm	-2,500	0	-2,500	-950.00	-1,550.00	38.0%
0012 0383 Agent Fees	0	0	0	-25.92	25.92	100.0%
0012 0398 App Fee	-1,000	0	-1,000	-1,500.00	500.00	150.0%
0012 0401 Dog Rev	-6,000	0	-6,000	-4,296.00	-1,704.00	71.6%
0012 0404 C Haul Lic	-500	0	-500	-300.00	-200.00	60.0%
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	-542,963.43	-32,036.57	94.4%
0013 0332 Prk Fee Sh	-7,080	0	-7,080	-7,212.00	132.00	101.9%
0013 0335 DOT Grant	-82,000	0	-82,000	-81,672.00	-328.00	99.6%
0013 0397 Wind F&R	-3,900	0	-3,900	0.00	-3,900.00	0.0%
0013 0509 Reg Assess	0	0	0	4,874.00	-4,874.00	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	-12,650.00	9,650.00	421.7%
0015 0305 Int & Pen	-50,000	0	-50,000	-57,179.07	7,179.07	114.4%
0015 0306 Ov/Short	-100	0	-100	-48.19	-51.81	48.2%
0015 0364 Growth Per	-750	0	-750	-3,700.00	2,950.00	493.3%
0015 0365 Brd of App	0	0	0	-200.00	200.00	100.0%
0015 0379 Int on Inv	0	0	0	-1,376.09	1,376.09	100.0%
0015 0380 Int on Sav	-10,000	0	-10,000	0.00	-10,000.00	0.0%
0015 0381 Build Rent	-825	0	-825	0.00	-825.00	0.0%

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TOWN OF CUMBERLAND
YEAR-TO-DATE BUDGET REPORT

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FOR 2013 13

	ORIGINAL ESTIM REV	ESTIM REV ADJUSTMTS	REVISED EST REV	ACTUAL YTD REVENUE	REMAINING REVENUE	PCT COLL
210 Police						
0015 0382 Sale of As	-50,000	0	-50,000	-21,209.00	-28,791.00	42.4%*
0015 0390 Misc Rev	-30,000	0	-30,000	-3,893.90	-26,106.10	13.0%*
0015 0402 Cable Rev	-110,000	0	-110,000	-117,289.20	7,289.20	106.6%*
0015 0403 Mooring Fe	-1,000	0	-1,000	-1,130.00	130.00	113.0%*
0015 0410 Priv Ways	-400	0	-400	-200.00	-200.00	50.0%*
0015 0432 WC Divdend	0	0	0	-7,300.34	7,300.34	100.0%*
0015 0508 Impact Fee	-40,000	0	-40,000	-65,084.80	25,084.80	162.7%*
0015 0513 Ass Record	-100	0	-100	-50.00	-50.00	50.0%*
220 Fire						
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	-4,697.22	1,197.22	134.2%*
0021 0351 Pol Permit	-3,500	0	-3,500	-4,671.00	1,171.00	133.5%*
0021 0353 Pol Ins Re	-500	0	-500	-452.00	-48.00	90.4%*
0021 0427 PARK TICK	-100	0	-100	-407.20	307.20	407.2%*
0021 0428 OUTSIDE DE	-22,000	0	-22,000	-25,050.80	3,050.80	113.9%*
0021 0536 ACO REVENU	-2,500	0	-2,500	-1,960.60	-539.40	78.4%*
0021 0546 Court Reim	-3,500	0	-3,500	-1,891.91	-1,608.09	54.1%*
0021 0547 MiscPolice	-500	0	-500	-23,682.14	23,182.14	4736.4%*
230 Rescue						
0022 0390 Misc Rev	-15,000	0	-15,000	-15,514.25	514.25	103.4%*
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	-117,810.55	-37,189.45	76.0%*
0022 0505 NETrans	0	0	0	-9,284.70	9,284.70	100.0%*
310 Public Works						
0023 0504 Resc Bill	0	0	0	86.07	-86.07	100.0%*
0023 0507 Para Inter	-2,000	0	-2,000	-1,800.00	-200.00	90.0%*
410 Recreation						
0031 0390 Misc Rev	0	0	0	-1,037.00	1,037.00	100.0%*
0031 0517 Bag/Uni Ws	-290,000	0	-290,000	-192,845.50	-97,154.50	66.5%*
0031 4680 Brush Pass	-5,200	0	-5,200	-7,894.00	2,694.00	151.8%*
0041 0341 NY Rec Sha	-50,353	0	-50,353	-50,353.00	.00	100.0%*

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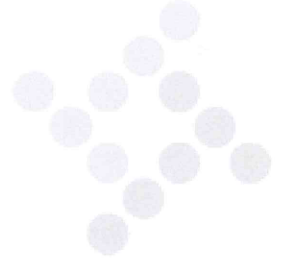
TOWN OF CUMBERLAND
YEAR-TO-DATE BUDGET REPORT

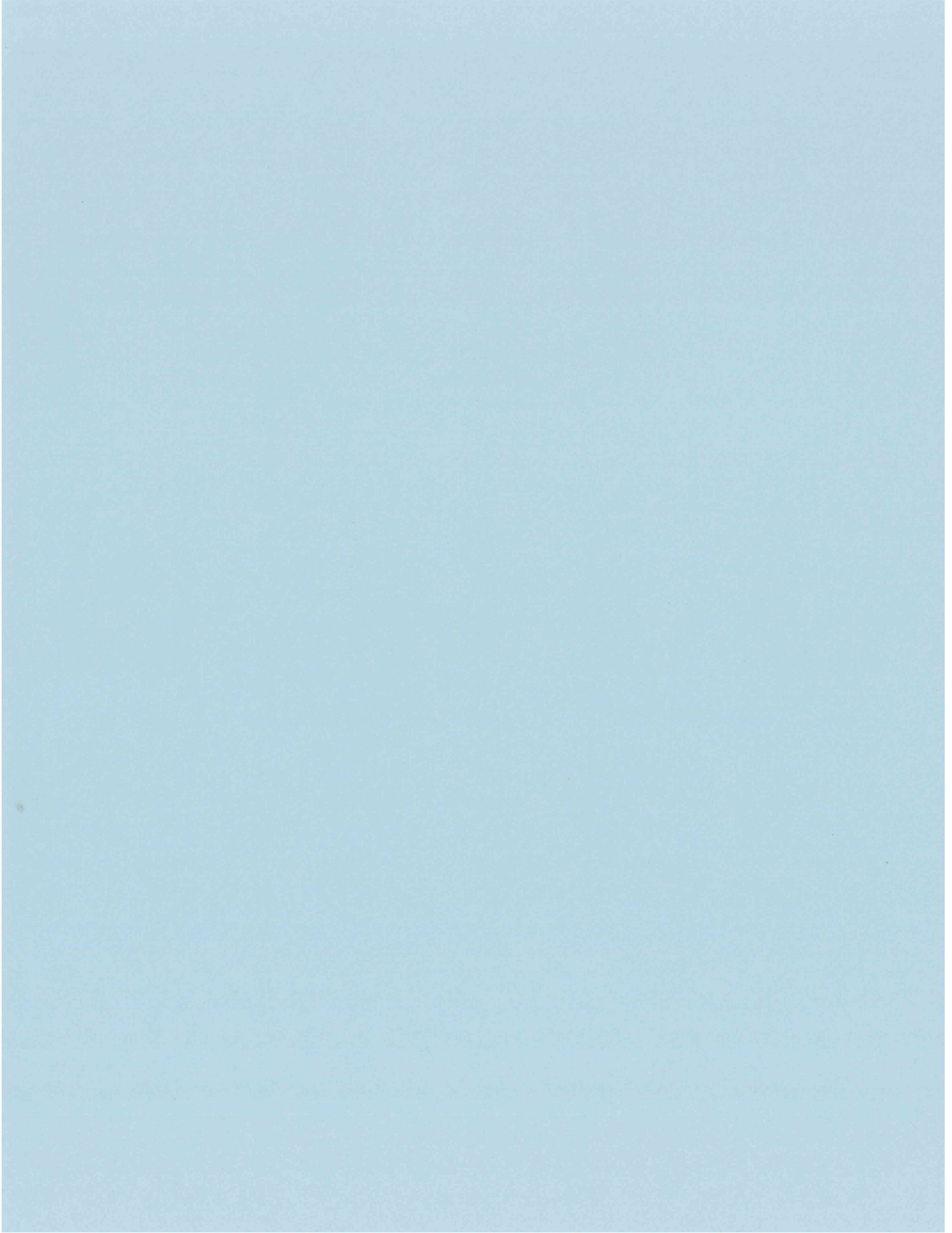
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FOR 2013 13

	ORIGINAL ESTIM REV	ESTIM REV ADJUSTMTS	REVISED EST REV	ACTUAL YTD REVENUE	REMAINING REVENUE	PCT COLL
0041 0370 Rec Progs	-10,579	0	-10,579	-31,916.80	21,337.80	301.7%
0041 0371 Fall Rec R	-48,552	0	-48,552	-43,997.02	-4,554.98	90.6%*
0041 0372 Win Rec Re	-69,563	0	-69,563	-90,504.09	20,941.09	130.1%
0041 0373 Spr Rec Re	-27,000	0	-27,000	-15,625.09	-11,374.91	57.9%*
0041 0374 Sum Rec Re	-204,370	0	-204,370	-138,103.52	-66,266.48	67.6%*
0041 0375 MSAD Rec R	-10,000	0	-10,000	.00	-10,000.00	.0%*
0041 0385 After Scho	-122,236	0	-122,236	-102,061.07	-20,174.93	83.5%*
0041 0570 Soccer Rev	0	0	0	-6,227.14	6,227.14	100.0%
430 Parks						
0043 0390 Misc Rev	-15,000	0	-15,000	-12,460.77	-2,539.23	83.1%*
450 Library						
0045 0342 NY Lib Sha	-131,276	0	-131,276	-131,276.00	.00	100.0%
0045 0392 Lib Fines	-3,500	0	-3,500	-4,405.34	905.34	125.9%
0045 0393 Lib Int In	0	0	0	-335.84	335.84	100.0%
0045 0394 Misc Lib I	-1,000	0	-1,000	-1,651.60	651.60	165.2%
TOTAL General Fund	-22,368,294	0	-22,368,294	-22,418,710.00	50,416.00	100.2%
TOTAL REVENUES	-22,368,294	0	-22,368,294	-22,418,710.00	50,416.00	
GRAND TOTAL	-22,368,294	0	-22,368,294	-22,418,710.00	50,416.00	100.2%

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Press Herald 6/5 +
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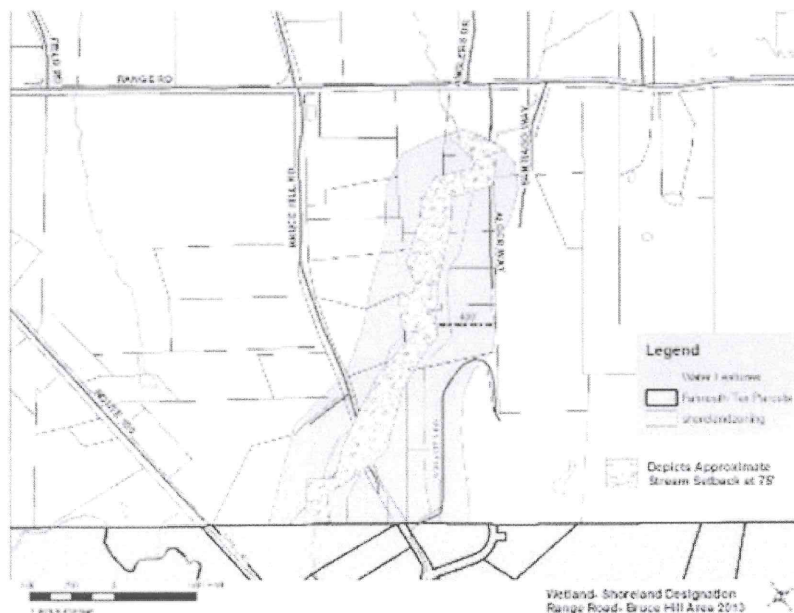
**TOWN OF CUMBERLAND
NOTICE OF PUBLIC HEARING
7:00 PM, June 17, 2013**

LEGAL ADVERTISEMENT

Notice is hereby given that the Town of Cumberland will hold a public hearing on June 17, 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 the following zoning amendments:

- To hold a public hearing to consider and act on draft zoning amendments to Chapter 315, Zoning Ordinance, § 48 (Erosion and Sedimentation Control) of the Cumberland Code as recommended by the Planning Board.
- To hold a public hearing to consider and act on draft zoning amendments to Chapter 229, Site Plan Ordinance, § 11 (Expiration of Approval) of the Cumberland Code as recommended by the Planning Board.
- To hold a public hearing to consider and act on an amendment to the Official Shoreland Zoning Map to remove the Wetlands / Limited Residential designation to the following properties as shown on the Official Cumberland Zoning Map below: Map R05, Lots 33B, 33C, 35, 35A, 35B, 35C, 35D, 35E, 35F, 35G, 37, 37B, 37C, 37D, 37E, 37F and Map U15, Lots 10, 10A, 10B, and 7B.

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at the hearing.

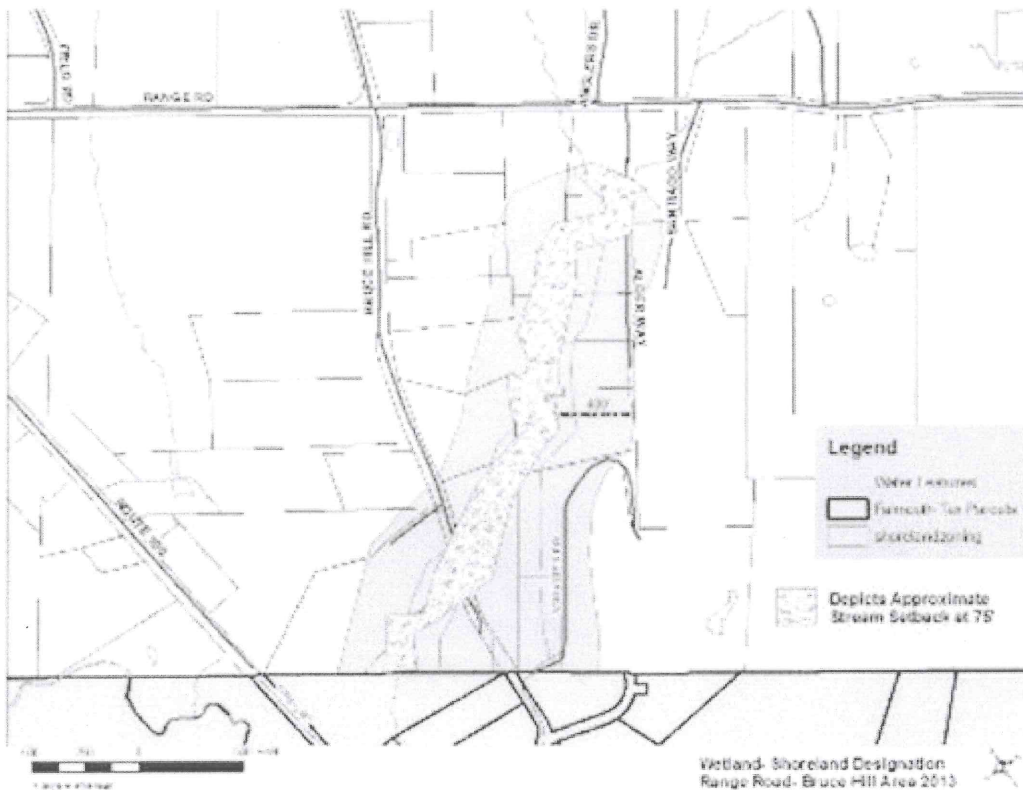


Brenda Moore

From: Alyssa Tibbetts
Sent: Thursday, May 30, 2013 2:11 PM
To: Brenda Moore (bmoore@cumberlandmaine.com)
Subject: Legal Notices for 6/17 Council Meeting

Notices to be published on 6/5 and 6/10:

1. To hold a public hearing to consider and act on draft zoning amendments to Chapter 315, Zoning Ordinance, § 48 (Erosion and Sedimentation Control) of the Cumberland Code as recommended by the Planning Board.
2. To hold a public hearing to consider and act on draft zoning amendments to Chapter 229, Site Plan Ordinance, § 11 (Expiration of Approval) of the Cumberland Code as recommended by the Planning Board.
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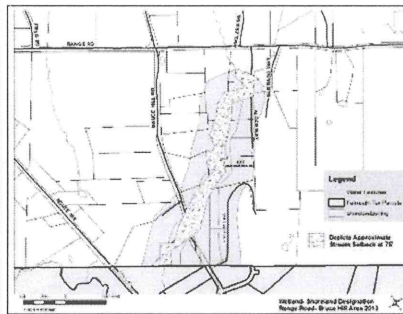
Alyssa C. Tibbetts, Esq.
Assistant Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

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All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at the hearing.



Cumberland Town Council Meeting
Monday, June 17, 2013
6:00 Workshop
7:00 p.m. Call to Order

The Cumberland Town Council will hold a Workshop at 6:00 p.m. re: FOAA Training with Town Attorney, and its regular meeting on Monday, June 17, 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 swear in newly elected Town Councilors.
- Election of Council Chair and Vice-Chair.
- To hear a report from the Finance Committee Chair and to authorize the Town Manager to transfer inter-departmental operating funds for FY'13.
- To hold a Public Hearing to award the Tax Anticipation Notes for FY2014.
- To hold a Public Hearing to consider and act on a Mass Gathering Permit for the 142nd Cumberland Fair to be held from September 22nd – 29th, 2013 at the Cumberland Fairgrounds.
- To hold a Public Hearing to consider and act on draft zoning amendments to Chapter 315, Zoning Ordinance, § 48 (Erosion and Sedimentation Control) of the Cumberland Code as recommended by the Planning Board.
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- To consider and act on Commercial Hauler's license renewals for FY'14.
- FY'14 Town Council Committee Assignments.
- To set a Public Hearing date (July 8th) to consider and act on a Mass Gathering Permit for the Cumberland Soccer Club Labor Day "Just for Fun Tournament" to be held August 31st – September 1st, 2013 at Twin Brook.
- To authorize the Town Manager to accept an anonymous donation of \$10,000 for the food pantry and execute a gift letter.
- To hear a report from the Town Manager re: 2014 – 2018 Capital Improvement Plan (CIP).

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