

AGENDA

Cumberland Town Council Meeting
Town Council Chambers
MONDAY, March 10, 2014
7:00 Call to Order

I. CALL TO ORDER

II. APPROVAL OF MINUTES

February 24, 2014

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

- 14 – 031 To hear a report from the Town Clerk re: election update.
- 14 – 032 To set a Public Hearing date (March 24th) to consider and act on the disposition of foreclosed properties.
- 14 – 033 To hold a Public Hearing to consider and act on authorizing a Payment In Lieu of Taxes (PILOT) for the Friend's School. – *Tabled by Applicant*
- 14 – 034 To hold a Public Hearing to consider and act on a Conduit Financing request from the Friend's School. – *Tabled by Applicant*
- 14 – 035 To hold a Public Hearing to consider and act on a Class I Liquor License application for the Golf Learning Center.
- 14 - 036 To rescind **Council Order 14-017** to authorize the Prince Memorial Library to make arrangements for a permanent loan of a historical sword to the Maine State Museum in light of new information.
- 14 – 037 To hear an overview of the FY 2015 Budget from the Town Manager

VI. NEW BUSINESS

VII. ADJOURNMENT

Immediately Following Town Council Adjournment

BUDGET WORKSHOP FY 2015 Budget

- 2% Wage Adjustment proposal
- Review of Entire Capital Budget and Program
- Any specific area of the Operations Budget any Councilor would like clarified
- Format and Overview for Saturday, Dec 15th Budget Meeting

AGENDA

MONDAY, March 10, 2014

II. APPROVAL OF MINUTES

February 24, 2014

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, February 24, 2014

6:00 p.m. Workshop re: Finance Committee Budget Workshop with North Yarmouth Joint Standing Committee members to review Recreation & Library budgets and FY'15 assessment

7:00 p.m. Call to Order

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

Excused: Chairman Stiles

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Storey-King, to accept the February 10, 2014 minutes as presented.

VOTE: 6-0 UNANIMOUS

Vice-Chairman Gruber said that before moving on to Manager's Report, we need to hold a vote to add an item to the agenda this evening. It is to vote on a Mutual Aid Agreement with the Town of Gray for Emergency Services. This will be item number 14-030

Motion by Councilor Bingham, seconded by Councilor Turner, to add item 14-030 to the agenda (to authorize the Town Manager to sign a Memorandum of Understanding with the Town of Gray for Mutual Aid Emergency Services).

VOTE: 6-0 UNANIMOUS

II. MANAGER'S REPORT

None

III. PUBLIC DISCUSSION

State Representative, Steve Moriarty gave a legislative update on two issues that are of importance to our community. The first is regarding State revenue sharing. There was a bill introduced to keep revenue sharing where it currently is. This bill has passed in the Senate by a vote of 33 to 2, and in the House by a vote of 120 to 17. The Governor now has approximately 10 days to sign the bill, veto it, or allow it to become law without his signature. Word was that the Governor will likely allow it to become law without his signature, but no one knows for sure what will happen.

The second issue is regarding the local Circuit Breaker program. Last year, when the Legislature adopted the budget, there was one sentence buried in that budget that took away the local authority to operate a municipality's own Circuit Breaker program. This was never intended or discussed, but somehow the language got in there and was discovered after the fact, much to everybody's embarrassment. There was a hearing about a month ago regarding this, which Town Manager Shane and Chairman Stiles attended. Last week, a bill was passed in the House by a vote of 140 to 0 to allow a municipality to have their own Circuit Breaker program.

IV. LEGISLATION AND POLICY

14 – 022 To hold a Public Hearing to consider and act on a Class I Liquor License, Special Amusement Permit, and Auxiliary Mobile Golf Cart License, for Rachel’s on the Green at Val Halla, for the period of April 2014 – April 2015.

Town Manager Shane said that he and the Police Chief have met with the applicants and have reviewed the licensing requirements as defined by State statute. They have also reviewed the training certifications of all the staff, as well as insurance certificates. Manager Shane said that the Council has a letter from the Town Attorney outlining the 7 requirements under State statute that the Council can use to approve or deny a license. Staff is satisfied that the applicant has met the requirements under Title 28A, Section 653, and is recommending approval of the license.

Vice-Chairman Gruber opened the Public Hearing.
Public discussion: None
Vice-Chairman Gruber closed the Public Hearing.

Motion by Councilor Edes, seconded by Councilor Copp, to approve the Class I Liquor License Special Amusement Permit, and Auxiliary Mobile Golf Cart License, for Rachel’s on the Green at Val Halla, for the period of April 2014 – April 2015.

VOTE: 6-0 UNANIMOUS

14 – 023 To hear a report from Public Services Director, Chris Bolduc re: Twin Brook storage building plan.

Mr. Bolduc said that this is a follow-up report from last July when he presented a proposal to move the existing food pantry and combine it with a Public Works/Parks storage facility, since they lost the storage building on Drowne Road because of the Bateman project and revitalization of the Drowne Road School. After that presentation, the Council indicated that they were not sure of the proposed location (at Town Hall) and asked for other options.

Former Parks and Recreation Storage Building
Drowne Road



Cumberland Food Pantry
and

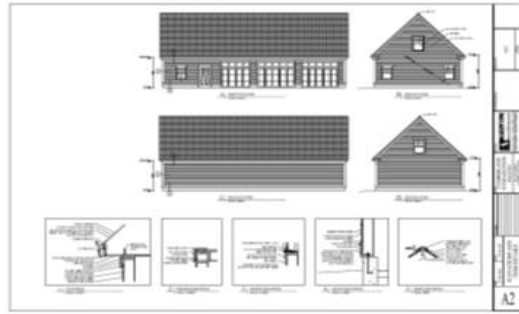
Parks Storage Building Site Proposal



Existing "Temporary" Location of the Community Food Pantry



Proposed Food Pantry/Storage Building



Original Proposed Location



Issues with the building location at Town Hall

- Size of the building would require taking more of the Town Forest.
- Cost of getting water and sewer to the building for the pantry.
- The overall appearance of the building in relation to Town Hall.

Option 2

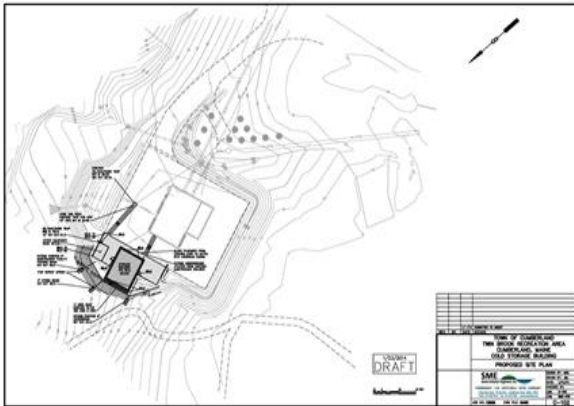
The Food Pantry remains in its existing location, with building improvements, and the storage building is constructed at Twin Brooks



Food Pantry Installation of an Interior door



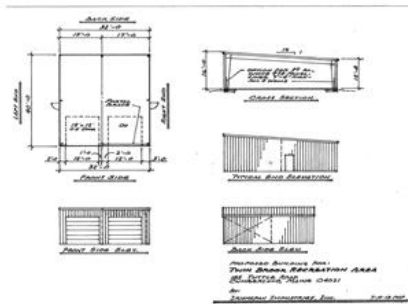
Proposed New Location of the Storage Facility



Site Location for the new building



Proposed design of the new Storage Building



Conclusion

- Approximately a \$60,000 project, 50% of the cost would be covered by Bateman Partners.
- New Site Law Exemption allows us to construct the building with out amending our existing DEP site License.
- Project is currently being reviewed by planning staff.
- Twin Brook Committee Presentation in March

Councilor Gruber said that when a new food pantry was discussed 7-months ago, he was very excited at the prospect. He now realizes that is not necessary, especially since a new door has been installed which allows patrons access to a waiting area and more storage space.

Councilor Bingham agreed that this proposal is a good plan and aesthetically, the building will not intrude where it will be located at Twin Brook.

Councilor Edes asked what the additional cost would be to this building if food pantry space was added.

Mr. Bolduc added that the price would likely double (to \$120,000) once you added in sewer, water, sheetrock, etc.

Councilor Storey-King asked what will be stored in the building.

Mr. Bolduc said that it is mostly Twin Brook winter trail grooming equipment that should be housed inside. There is also generators and soccer equipment. Since the food pantry took over a police bay, some of their equipment will also be housed there (speed trailer, target practice equipment, etc.).

Councilor Copp suggested the addition of a lean-to with a shed roof on it on the side or back of the building. This will give more storage space for things that will be undercover with little additional cost.

Councilor Gruber asked how much Bateman Partners has agreed to contribute toward this project.

Town Manager Shane said they will contribute \$28,000.

Vice-Chairman Gruber asked if it is the intent of the Council that the food pantry stay in its current location and that they approve the construction of a storage building at Twin Brook as presented.

The Council all agreed.

14 – 024 To set the week of May 12th – 16th as Spring Bulky Item Pick-up Week.

Town Manager Shane said that with the reduction of tipping fees from \$160 per ton to \$70 per ton (on July 1st), and a more aggressive approach with our haulers, we believe the current system works. EcoMaine has agreed to charge us \$49 per ton for bulky waste pick up. If we go to a sticker system, there will likely be a lot of public backlash.

Councilor Bingham said he would like to see what the numbers come in at for this pick up week and maybe consider going to one pick up event per year going forward.

Motion by Councilor Storey-King, seconded by Councilor Copp, to set the week of May 12th – 16th as Spring Bulky Item Pick-up Week.

VOTE: 6-0 UNANIMOUS

14 – 025 To send to the Planning Board for a Public Hearing and recommendation a Contract Zone Agreement for Justin Fletcher of 3 Longwoods Road.

Town Manager Shane said that Mr. Fletcher recently purchased the property at 3 Longwoods Road and proposed that in exchange for permission to split his lot into two lots, he would deed to the Town approximately one acre of land, which would allow the Town to make a connector road from Route 9 to Harris Road. This would have to go to the Planning Board for a Public Hearing in April and the neighbors will be notified. We have no immediately plans to make the connector road, but in order to be consistent with the Comprehensive Plan we will make connector roads whenever possible.

Motion by Councilor Turner, seconded by Councilor Bingham, to send to the Planning Board for a Public Hearing and recommendation a Contract Zone Agreement for Justin Fletcher of 3 Longwoods Road.

VOTE: 6-0 UNANIMOUS

14 – 026 To set a Public Hearing date (March 24th) to consider and act on a Credit Enhancement Agreement for Dr. Sean McCloy of Integrative Health Center of Maine to be located on Skyview Drive.

Town Manager Shane said that he met with the Town Council TIF subcommittee and reviewed the plans for the doctor's facility on Skyview Drive. The building is a little over 4,000 square feet, it has community space, 6-8 doctors' offices and they hope to open in the fall. The TIF Committee agreed to a Credit Enhancement that would allow for the return of approximately 50% of their taxes, capped at \$500,000. The tax rebate would be approximately \$8,000 per year.

Motion by Councilor Bingham, seconded by Councilor Turner, to set a Public Hearing date of March 24th to consider and act on a Credit Enhancement Agreement for Dr. Sean McCloy of Integrative Health Center of Maine to be located on Skyview Drive.

VOTE: 6-0 UNANIMOUS

14 – 027 To set a Public Hearing date (March 24th) to hear a recommendation from the Comprehensive Plan Update Committee.

Councilor Storey-King said that the Ordinance Committee met and decided that there is not enough information or political will to trying to push through the suggested amendments to the Comprehensive Plan in regard to the lot size in the RR1 and RR2 Zones. The Comprehensive Plan Update Committee will meet one more time and move forward the minor amendments that they suggested (updating demographics to the 2010 Census, looking at the housing chapter as it applies to housing overlay district, updating the Public Facilities chapter in include the natural gas project and town paving program, and updating maps). The Ordinance Committee would also like to see the change of the current RR 1 to RR 2 northwest of the power lines at Wilson Road to the Turnpike.

A new, larger committee will be formed and charged with looking at the Land Use Chapter and study the RR1 and 2 Zones and recommend changes, if any.

Motion by Councilor Storey-King, seconded by Councilor Turner, to set a Public Hearing date of March 24th to hear a recommendation from the Comprehensive Plan Update Committee **and,**

I move to direct the Council’s appointed Comprehensive Plan Update Committee to meet at least one more time and present to the Planning Board at their March 2014 meeting the following information related to the Comprehensive Plan Updates:

1. **Withhold any updates to the Land Use Chapter** as it specifically relates to the RR1 and RR2 except for changing the current **RR 1 to RR 2 northwest of the power lines at Wilson Road** to the Turnpike.

2. Direct Staff to advertise for a new, larger Committee to be appointed and charged with the task of reviewing the Land Use Chapter and study the RR 1 and RR2 zones and recommend changes (if any) to the Town Council. The recommendation is requested to be received by November 10, 2014. The Committee would be made up of a broad background of residents and would include a community survey related to the potential changes for the RR 1 and RR 2 zones.

3. Move forward the updates related to:

- A. Demographics information to match 2010 census
- B. Housing Chapter – with West Cumberland Housing Overlay Zone
- C. Public Facilities Chapter related to the Sewer, Water, Natural Gas and paving initiatives
- D. Developing two new uses for the Route One OCN & OCS districts for Retail Establishments and Restaurants
- E. Update relevant maps in the 2009 Comprehensive Plan

VOTE: 6-0 UNANIMOUS

14 – 028 To appoint members to vacant boards/committees.

Motion by Councilor Copp, seconded by Councilor Bingham, to appoint:

David Witherill and David Carlson to the Coastal Waters Commission

David Ginsberg to the Lands and Conservation Commission

Ted Chadbourne to the Energy Advisory Committee

14 – 029 To consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon payment of \$11,988.51 for property identified as Tax Map U02/Lot 31.

Town Manager Shane said that this payment will bring the 2011 and 2012 taxes to current status. Staff is confident that in a short period of time, the property taxes will be entirely current and is recommending acceptance of these taxes.

Motion by Councilor Bingham, seconded by Councilor Copp, to authorize the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon payment of \$11,988.51 for property identified as Tax Map U02/Lot 31.

VOTE: 6-0 UNANIMOUS

14 – 030 To consider and act on authorizing the Town Manager to sign a Memorandum of Understanding with the Town of Gray for Mutual Aid Emergency Services.

Town Manager Shane said that this is consistent with operations between the Town of Cumberland and the Town of Gray's Fire/EMS departments. Fire Chief Small is recommending authorization.

Motion by Councilor Turner, seconded by Councilor Edes, to authorize the Town Manager to sign a Memorandum of Understanding with the Town of Gray for Mutual Aid Emergency Services.

VOTE: 6-0 UNANIMOUS

V. NEW BUSINESS

Councilor Turner – a resident mentioned his concern about the pedestrians and cyclists on the bike paths without any reflective equipment. He felt that these people should be reminded that this is a very unsafe situation.

Councilor Bingham – just because a sports team is highly rated does not mean that anything is guaranteed. It is always good in the good times, but we have probably learned a lot more from life from the adversaries in life and the un-pleasantries that come from that, than from good times. We are very fortunate to have 3 Greely alumni who are doing a wonderful job guiding our youth and setting a good example.

Councilor Storey-King – Strive Rocks Day will be taking place at the Maine Mall this weekend. Strive is an organization that provides services for citizens with developmental disabilities. We have several residents who go to Strive for programs on independent living skills, day services, college education, and Friday night social events. A lot of Strive's funding comes from donations.

Councilor Gruber – because of the resident testimony recently, he found himself reducing his speed on Route One in the vicinity of Thomas Drive. He reminded citizens to slow down in that area too.

We received a letter from a citizen thanking us for the Senior Circuit Breaker refund. We are very grateful to have the program back for our seniors.

Councilor Edes – he has had an opportunity to go door to door recently (because he is running for County Sheriff). Until you sit down and talk to people, you don't realize how important the Senior Circuit Breaker program is to them. He talked to a couple who has lived here for 40+ years and if it wasn't for that program, they would have had to leave town. It is a very important program for our senior citizens. It was a good opportunity to see how much residents value what the Council does.

Councilor Copp – last week was an incredibly difficult week for the Public Works department with all the snow storms. A lot of people complain that their mailbox's get damaged. These guys have been plowing for 18 hours, go home and sleep for 2 hours, and come back at 5:00 a.m. to start plowing again. When you do this 4 times a week, it takes its toll. Cut them some slack, they are doing a phenomenal job and any damage is not intentional.

Town Manager Shane – we were notified by Standard and Poor that the Town's credit rating has gone from AA to AA+. There is only one rating higher. This is great news and the Manager is very appreciative of the Council's action over the past few years to get us to a very stable place. This will be good for the Town and the MSAD for future bonding. We are in a class of less than 5% in the entire State of Maine.

VI. ADJOURNMENT

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

VOTE: 6-0 UNANIMOUS

TIME: 8:23 p.m.

VII. BUDGET FY'15 WORKSHOP

Respectfully submitted by,

Brenda L. Moore
Council Secretary

AGENDA

MONDAY, March 10, 2014

14 – 031

**To hear a report from
the Town Clerk re: election update.**

No Materials

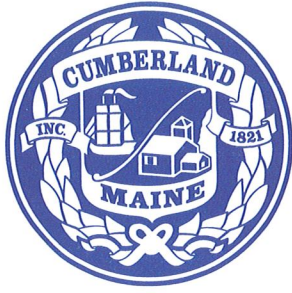
**Update on
Elections and New Voting Booths**

AGENDA

MONDAY, March 10, 2014

14 – 032

**To set a Public Hearing date (March 24th)
to consider and act on the disposition
of foreclosed properties.**



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

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

January 14, 2014

RE: Tax Foreclosure-December 18, 2013

Dear Cumberland Property Owner,

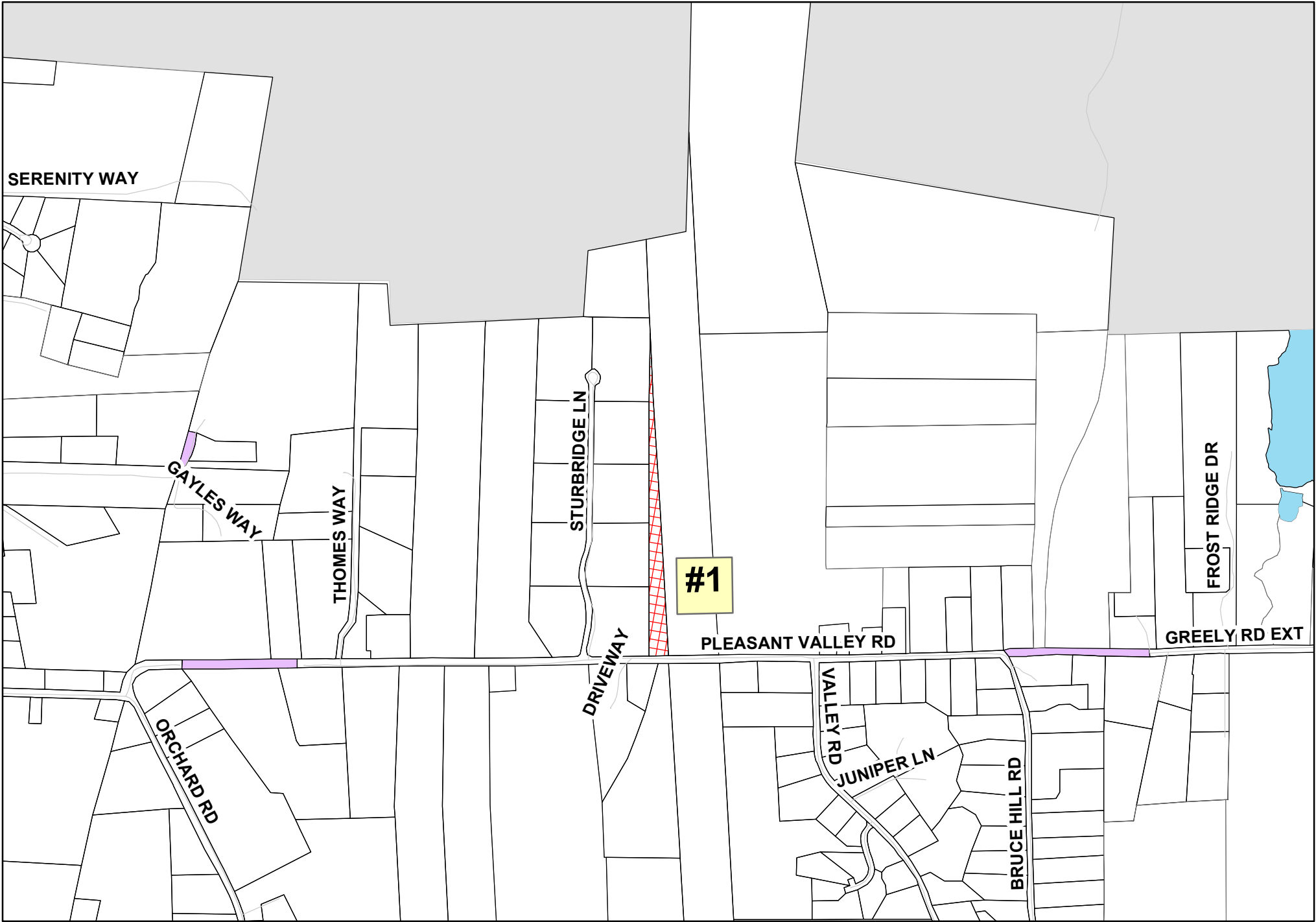
This letter is to notify you that pursuant to 36 M.R.S.A. §943, your property, located in the Town of Cumberland is in tax foreclosure with the Town. At its meeting of January 13, 2014, the Town Council heard a first report from the Town Manager regarding tax foreclosed properties in town. The Town Council has directed the Town Manager to present a final report on foreclosed property at the March 24, 2014 meeting.

The Cumberland Town Council has a policy, which allows property owners an additional 90 days from the date of tax foreclosure (December 18, 2013) to pay the past due taxes, or work with town staff to develop a payment arrangement.

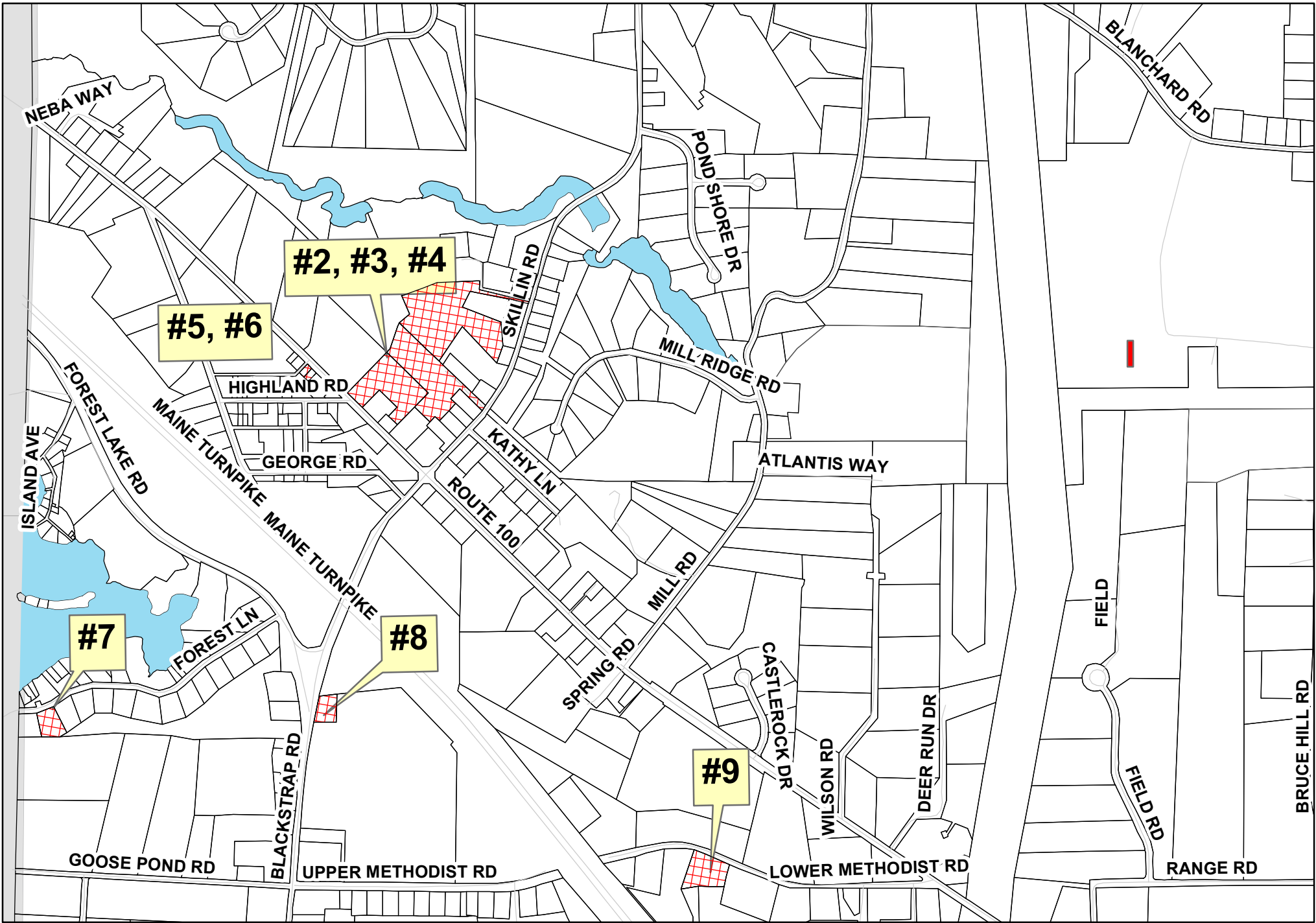
I am available Monday through Thursday if you would like to discuss this matter. I would be happy to meet with you as well. If you have any questions, please contact me at 829-5559.

Best Regards,

Tammy O'Donnell
Town Clerk/Deputy Tax Collector



Foreclosed Properties Tax Year FY 2012



Foreclosed Properties Tax Year FY 2012



#11 - R03-09-002-00B
1 of 4 individual Tax bills

AGENDA

MONDAY, March 10, 2014

Tabled by Applicant

14 – 033

**To hold a Public Hearing to consider and act
on authorizing a Payment In Lieu of
Taxes (PILOT) for the Friend's School.**

AGENDA

MONDAY, March 10, 2014

Tabled by Applicant

14 – 034

**To hold a Public Hearing to consider
and act on a Conduit Financing request
from the Friend's School.**

AGENDA

MONDAY, March 10, 2014

14 – 035

**To hold a Public Hearing to consider and act
on a Class I Liquor License application
for the Golf Learning Center.**

**Department of Public Safety
Division**



Liquor Licensing & Inspection

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

BUREAU USE ONLY	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES N/A

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- RESTAURANT (Class I,II,III,IV)
- HOTEL-OPTIONAL FOOD (Class I-A)
- CLASS A LOUNGE (Class X)
- CLUB (Class V)
- TAVERN (Class IV)

- RESTAURANT/LOUNGE (Class XI)
- HOTEL (Class I,II,III,IV)
- CLUB-ON PREMISE CATERING (Class I)
- GOLF CLUB (Class I,II,III,IV)
- OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>ESPY MANAGEMENT LLC</u> DOB: _____	2. Business Name (D/B/A) <u>GOLF LEARNING CENTER</u>
CEO = <u>PATRICK BADCOCK</u> DOB: <u>3/17/71</u>	
OTHER = <u>SUSAN BADCOCK</u> DOB: <u>3/3/70</u>	Location (Street Address) <u>147 BRUCE HILL ROAD</u>
Address <u>P.O. BOX 541</u>	City/Town <u>CUMBERLAND</u> State <u>ME</u> Zip Code <u>04021</u>
	Mailing Address <u>P.O. BOX 541</u>
City/Town <u>CUMBERLAND</u> State <u>ME</u> Zip Code <u>04021</u>	City/Town <u>CUMBERLAND</u> State <u>ME</u> Zip Code <u>04021</u>
Telephone Number <u>207-321-9894</u> Fax Number _____	Business Telephone Number <u>207-829-9116</u> Fax Number <u>SAME</u>
Federal I.D. # <u>26-1691838</u>	Seller Certificate # <u>1150450</u>

- 3. If premises are a hotel, indicate number of rooms available for transient guests: N/A
- 4. State amount of gross income from period of last license: ROOMS \$ N/A FOOD \$ N/A LIQUOR \$ N/A
- 5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,If YES

- 6. Do you permit dancing or entertainment on the licensed premises? YES NO
- 7. If manager is to be employed, give name: N/A
- 8. If business is NEW or under new ownership, indicate starting date: N/A
Requested inspection date: _____ Business hours: _____
- 9. Business records are located at: 147 BRUCE HILL ROAD, CUMBERLAND, ME 04021
- 10. Is/are applicants(s) citizens of the United States? YES NO

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

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

Name in Full (Print Clearly)	DOB	Place of Birth
PATRICK BADCOCK	3/17/71	NEWTON ABBOT, ENGLAND
SUSAN BADCOCK (MACDONALD)	3/3/70	SANFORD, ME

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

PATRICK BADCOCK & SUSAN BADCOCK SAME ADDRESSES BELOW
CURRENT: 24 ISLAND AVE, CUMBERLAND, ME PREVIOUS: DURHAM, ME

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

Name: PATRICK BADCOCK Date of Conviction: 11/17/11

Offense: OUI Location: CUMBERLAND

Disposition: 11/17/11 CUMBERLAND COUNTY COURT HOUSE

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes No If Yes, give name: _____

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

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: DR. JOHN & ELAINE GODSCE, 228 GREELY ROAD, CUMBERLAND, ME 04021

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) 900 sq. ft. building (downstairs) at Golf Driving Range facility (15 acres). Building includes Pro Shop & Ice cream shop. 12 seater restaurant area with outside seating area and covered porch.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES NO Applied for: _____ See attached

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 2.0 miles Which of the above is nearest? CHURCH

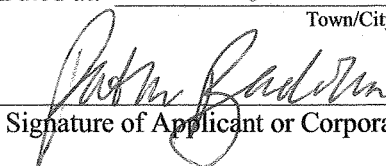
20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____


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

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

Dated at: CUMBERLAND, MAINE on FEBRUARY 13th, 2014
Town/City, State Date


Signature of Applicant or Corporate Officer(s)

Please sign in blue ink


Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

NOTICE – SPECIAL ATTENTION

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

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	
FILING FEE		\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer. = \$450

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

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

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

1. Exact Corporate Name: ESPY MANAGEMENT LLC
 Business D/B/A Name: GOLF LEARNING CENTER
2. Date of Incorporation: 8/27/2007
3. State in which you are incorporated: MAINE
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:

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

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
	BOTH SAME			
PATRICK BADCOCK	PRESENT: 24 ISLAND AVE	3/17/71	N/A	CEO
SUSAN BADCOCK	CUMBERLAND, ME 04021	3/3/70	N/A	OFFICER
	PREVIOUS: 93 CEDAR POND ROAD, DURHAM, ME			

6. What is the amount of authorized stock? N/A Outstanding Stock? N/A
7. Is any principal officer of the corporation a law enforcement official? () YES () NO
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES () NO.
9. If yes, please complete the following: Name: PATRICK BADCOCK

Date of Conviction: 11/17/11 Offense: OUI 6/18/11

Location: CUMBERLAND Disposition: 11/17/11 CUMBERLAND COUNTY COURT

Dated at: PORTLAND On: 11/17/11
City/Town Date

Patrick Badcock Date: 2/13/14
 Signature of Duly Authorized Officer

PATRICK BADCOCK
 Print Name of Duly Authorized Officer

STATE OF MAINE

Dated at: _____, Maine _____ SS
City/Town (County)

On: _____
Date

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

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

THIS APPROVAL EXPIRES IN 60 DAYS

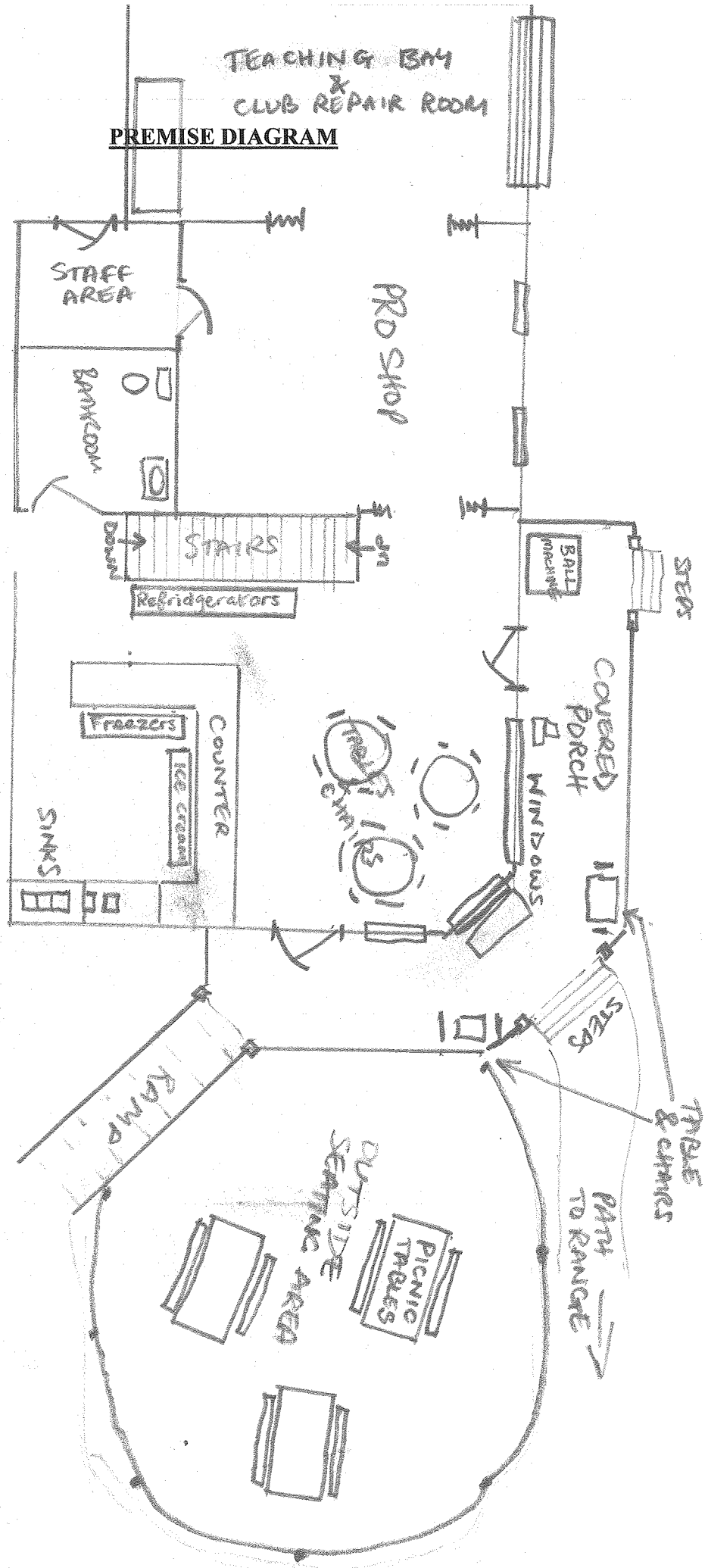
NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

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

TEACHING BAY
CLUB REPAIR ROOM

PREMISE DIAGRAM



AGENDA

MONDAY, March 10, 2014

14 - 036

To rescind Council Order 14-017 to authorize the Prince Memorial Library to make arrangements for a permanent loan of a historical sword to the Maine State Museum in light of new information.

14 – 017 To consider and act on authorizing the Prince Memorial Library to give the gift of a historical sword to the Maine State Museum.

Library Director, Thomas Bennett said that around 1923, Robert Scott Thomes gave to the Prince Memorial Library Association an American early 19th century officers sword with gilt and ivory grip. Thomes claimed that the sword was a present from President Andrew Jackson to Maine Gov. John Fairfield, who before becoming governor served in the U.S. House of Representatives, during which time he became friendly with Jackson. Fairfield gave the sword to his grandson, Frank H. Emery of Gorham, who in turn gave it to Thomes.

Thomes' deed of gift stated that Jackson gave Fairfield the sword while visiting the Fairfield home in Biddeford. Both Steve Moriarty and Library Director Thomas Bennett have researched the sword and story separately, and both concluded that Jackson never visited Maine, and therefore could not have presented the sword to Fairfield while visiting his home.

Mr. Bennett said that he and Steve Moriarty have researched the story have both determined that President Jackson did not make it to Saco; therefore, he could not have presented the sword to Fairfield. Fairfield did know Jackson when he was a Representative in Washington, so it is possible that it is a Jackson sword, but that has not been able to be verified.



Mr. Bennett said that since it is a military weapon, it is not in the collection scope of the Library. He and members of the Library Board feel that it belongs at the Maine State Museum.

Councilor Gruber asked what would happen if we gave it to the museum and decided we wanted it back.

Mr. Bennett said that we could give it to them on permanent loan. That would allow for it to be seen by more Maine citizens and it would be cared for properly, but still be the property of the Town of Cumberland.

Motion by Councilor Bingham, seconded by Councilor Turner, to authorize the Prince Memorial Library to make appropriate arrangements for permanent loan of a historical sword to the Maine State Museum.

VOTE: 7-0 UNANIMOUS



AGENDA

MONDAY, March 10, 2014

14 – 037

**To hear an overview of the
FY 2015 Budget
from the Town Manager**

Town of Cumberland Municipal Budget Proposal FY 2015

William R. Shane, Town Manager
February 24, 2014





Budget Proposal FY 2015



Town Charter Requirements – Article V Budget

- Town Manager shall submit a budget prior to May 26th
- “The budget authority of the Council shall be limited to the final determination of the total appropriation to be made to each of the several offices, departments and agencies of the town.”

Budget Shall Include :

- a. Statement of Financial Condition of the Town
- b. Detail of Expenditures, past, current and proposed
- c. Proposed Capital Budget
- d. Itemized Revenues
- e. Debt Service Budget- Interest & Principal detailed
- f. Other information as required by Town Council



Budget Proposal FY 2015



Proposed Budget - Overview

RKO, the Town Council 's Audit firm, will be meeting with the Finance Committee in March to review the following:

- We ended FY 13 with a Fund Balance of \$2.5 Million
- Nearly \$1 million was undesignated Fund Balance
- A property Tax Collection or Rate of near 99%
- Only one remaining Deficit Fund – Val Halla
- First time in 11 years did not need use our Tax Anticipation Note.
- Bond Rating upgraded by Standards & Poors to AA+



Budget Proposal FY 2015



Proposed Budget - Overview

- Growth of Valuation \$23 Million = \$ 404, 800
- Non Property Tax Revenues dropped = \$33,021

Capital Improvements		\$200, 175	2.21%
Debt Service- Garage		\$110,000	1.21%
Operations		\$ 40,528	0.45%
County		<u>\$ 30,398</u>	<u>0.34%</u>
Totals		\$381,101	4.21%



Budget Proposal FY 2015



Capital Improvements Overview

CAPITAL IMPROVEMENTS	FY 2014	FY 2015	Dollar	%
910	BUDGET	PROPOSED	Change	Change
Town Buildings Reserves	\$ 65,480	\$ 50,000	\$ (15,480)	-23.64%
Environmental Reserves	\$ 32,000	\$ 32,000	\$ -	0.00%
Equipment Reserves	\$ 387,500	\$ 364,500	\$ (23,000)	-5.94%
Road Paving	<u>\$ 648,713</u>	<u>\$ 887,368</u>	<u>\$ 238,655</u>	<u>36.79%</u>
Total Capital Improvements	\$ 1,133,693	\$ 1,333,868	\$ 200,175	17.66%



Budget Proposal FY 2015



Capital Improvements- Road Paving

Account Explanation			Total
Gas Work will dictate Paving Summer 2014 - most likely will occur May 2015			
Paving FY 2014- Spring FY 2015 per Plan			\$ 587,368
CIP- Middle Road Engineering			\$ 75,000
Blackstrap Road - Engineering & Construction- Partial of \$500,000			\$ 175,000
Schooner Ridge Drainage- Part 1			<u>\$ 50,000</u>
TOWN OF CUMBERLAND FY 2015			\$ 887,368



Budget Proposal FY 2015



Debt Service – Town Garage

DEBT SERVICE	FY 2014	FY 2015	Difference	Difference
650	BUDGET	PROPOSED	Dollar	%
Bond Interest Expenses	\$ 235,868	\$ 332,047	\$ 96,179	40.78%
Bond Principal	\$ 514,117	\$ 527,380	\$ 13,263	2.58%
Lease Payments	\$ 34,840	\$ 34,840	\$ -	0.00%
TAN Interest	<u>\$ 40,000</u>	<u>\$ 25,000</u>	<u>\$(15,000)</u>	<u>-37.50%</u>
Total Debt Service	\$ 824,825	\$ 919,267	\$ 94,442	11.45%



Budget Proposal FY 2015



Debt Service – Town Garage

Bond Payment Schedule

Bond	Year	Orig. Amount	Principal As of 06/30/14	Principal Payments	Interest Payments	Total Payments
Town Office	1998	\$ 1,000,000	\$ 349,058	\$ 62,731	\$ 17,086	\$ 79,817
Fire Truck	1999	\$ 478,560	\$ 199,720	\$ 28,723	\$ 10,951	\$ 39,674
Fire Trucks+CTC	2002	\$ 1,000,000	\$ 505,000	\$ 55,000	\$ 24,620	\$ 79,620
Rines Property	2003	\$ 1,241,000	\$ 413,667	\$ 82,733	\$ 18,615	\$ 101,348
Stone Wharf	2003	\$ 600,000	\$ 350,000	\$ 30,000	\$ 15,885	\$ 45,885
Engines 1 and 4	2006	\$ 750,000	\$ 510,000	\$ 40,000	\$ 12,616	\$ 52,616
Computer System	2006	\$ 220,000	\$ 35,000	\$ 20,000	\$ 6,308	\$ 26,308
Valhalla Irrigation	2007	\$ 600,000	\$ 420,000	\$ 30,000	\$ 17,360	\$ 47,360
Route 88	2011	\$ 4,100,000	\$ 3,444,798	\$ 178,193	\$ 98,606	\$ 276,799
PW FACILITY					\$ 110,000	\$ 110,000
Total		\$ 9,989,560	\$ 6,227,243	\$ 527,380	\$ 332,047	\$ 859,427

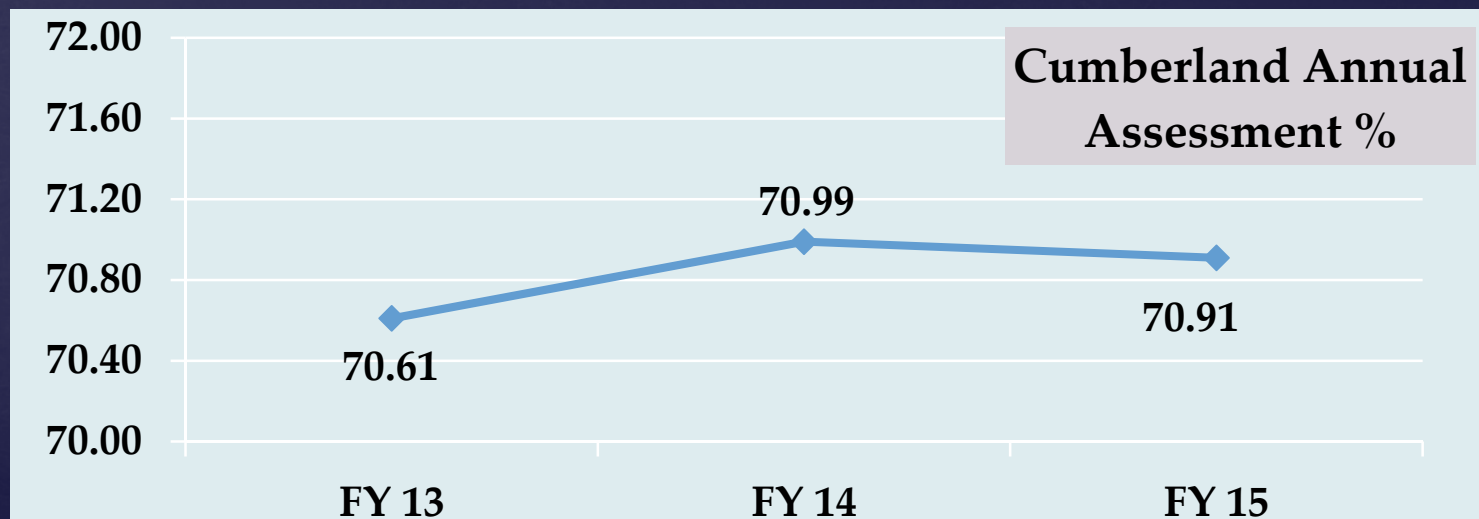


Budget Proposal FY 2015



County Assessment- Based on State Valuation

County Tax	FY 2014	FY 2015		
890	BUDGET	PROPOSED	Difference	%
	\$665,675	\$ 696,073	\$ 30,398	4.57%





Budget Proposal FY 2015



County Assessment- Based on State Valuation

FY 2015 Budget	FY 2014 State Values		
Cumberland	\$1,056,700,000	70.91%	-1.09%
North Yarmouth	\$433,400,000	29.09%	-0.74%
	\$1,490,100,000		



Budget Proposal FY 2015



Town Operations - 0.45 Increase over FY 14

- Assistant Town Manager - Not Replaced – Funded from TIF
- Transferred Portion of Manager- Finance Director- Public Services Director Salary and Benefits to TIF
 - Town Manager 20%
 - Public Service Director 20%
 - Finance Director 5%
- 2% Salary Adjustments included in Budget Proposal
- Reduction in ECOMAINE Assessment \$110,000 Savings
- **Reduction in Insurance Budget \$87,533 transferred directly to Departments – Comparisons YTY (Year to Year) added to Summary Budgets of each Department where appropriate**



Budget Proposal FY 2015



Town Operations - 0.45 Increase over FY 14

- Added 1 EMT Fire Fighter to help with limited Day Time Coverage of Volunteers
- Chief Charron built a new ACO program with Falmouth, Yarmouth and North Yarmouth all sharing equally – savings of \$11,868
- Filled positions in Recreation
- Reduced Library Staff from a shared FTE to PT no benefits
- Filled vacancies in Highway and Parks with shared employees – netting one reduction in total FTE
- Added **Contracted Snow** Plow Route to replace FTE at Highway



Budget Proposal FY 2015

Next Steps



- Budget Workshop 2/24/14 – after Council Meeting
- **Budget Workshop 3/10/14 – after Council Meeting**
 - a. Wage Adjustments – MMA Wage Comparisons
 - b. Capital Budget
 - c. Operations
- Budget All Day Work Shop Saturday, March 15, 2014
- March 24, 2014 Public Hearing or Budget Workshop after Council Meeting
- April 14, 2014 – Budget Public Hearing