

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, NOVEMBER 22, 2010

7:00 p.m. - Meeting opened by Chairman Storey-King.

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

Excused: Councilor Perfetti

I. APPROVAL OF MINUTES

November 8, 2010

Motion by Councilor Moriarty, seconded by Councilor Copp, to accept the minutes as presented.

VOTE: 5-0-1 (Stiles abstained)

II. MANAGER'S REPORT

Project updates:

Route 88 – shoulders are complete on both sides of the road from the Falmouth Town line to Heron Lane. Drainage work continues from Coveside Drive to Carolyn Lane (private road just beyond Carriage Road). The focus of Storey Brothers for the remainder of this year will be working on drainage and gravel shoulders. The Tuttle Road ramp will be excavated, cut out, and left gravel for the winter. When the paving plants re-open in the spring, paving and patchwork to existing pavement will be completed. Some driveway aprons will be left gravel for the winter and Storey Brothers has committed to maintaining them through the winter. If anyone has a problem, contact Chris Bolduc at Town Hall. Storey Brothers has done a phenomenal job.

Middle Road waterline project – chlorination/disinfection is getting done this week, public water service connection should be completed next week.

Range Road – final punch list items being completed Tuesday. Open next week for connection and hydrants.

CMP brush piles – Lucas Tree will be picking up brush piles. For more information, or to arrange to have the larger brush/limbs that were left behind by CMP removed from your property, please contact Public Works @ 829-2220.

Brush & Compost Facility – this is the last weekend that it will be open for the season (9:00 a.m. – 3:30 p.m.).

Carolyn Small from the Cumberland Historical Society brought a beautiful picture to display at Town Hall. The picture is a great piece of history that lists Civil War Veterans from Cumberland.

The Fire Department assisted with the stringing of new lights on the tree at the corner of Tuttle Road and Main Street. There will be a tree lighting ceremony on December 6th @ 7:00 p.m.

Maine Marathon made a generous donation of \$1500.00 to the Police Department for the DARE Program. The Council will have to act on acceptance of these funds this evening.

Town staff met with the Department of Marine Resources. It looks like the clam-flats will be opening on December 15th through May 31st. The Town Council will consider and act on the license allocations on December 13th, but a motion will be needed this evening to authorize the Town Manager to advertise the sale and lottery of licenses on December 14th.

To follow up on the discussion at the last meeting regarding the November 2nd Election and the roll that absentee voting played:

Total Registered Voters = 5836

Total Ballots Cast = 4200 (70%)

Total Voting Absentee = 1579 (38%)

Feedback from residents is that they like the convenience and flexible hours of absentee voting. Absentee voting allows for the continued use to Town Hall as the primary voting place.

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

Motion by Councilor Stiles, seconded by Councilor Copp, to authorize the Town Manager to accept a donation in the amount of \$1,500.00 on behalf of the Police Department DARE Program from Maine Marathon.

VOTE: 6-0 UNANIMOUS PASSAGE

10 – 159 To hold a Public Hearing to consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed for property identified as Tax Map U02/Lot 31 in the amount of \$20,446.18.

No public discussion.

Motion by Councilor Copp, seconded by Councilor Moriarty, to authorize the Town Manager to accept delinquent taxes and issue a quitclaim deed for property identified as Tax Map U02/Lot 31 in the amount of \$20,446.18.

VOTE: 6-0 UNANIMOUS PASSAGE

10 – 160 To set a Public Hearing date (December 13th) to consider and act on amendments to the Cumberland Traffic Ordinance to include No Parking Areas on Blanchard Road near the Congregational Church on Main Street.

Doug Pride, Moderator of the Congregational Church expressed concern that the church would be losing 10-12 parking spaces. People park there only a couple of hours per week and Mr. Pride said that he does not believe that there have been any complaints.

Councilor Moriarty said that he has not noticed many, if any, vehicles parking there.

Mr. Pride said that since they have expanded the parking lot at the Congregational Church, there has been a lot less parking in that area. On occasions such as weddings or funerals, Blanchard Road may be used for additional parking.

Councilor Copp asked the Manager why this item has been brought forward to the Council.

Town Manager Shane explained that during the site plan review, the Planning Board recommended that no parking be allowed at this location primarily because of the additional capacity increased by 18 spaces. Winter is the main concern when snow banks encroach further into the roadway. Mr. Pride and the Manager have spoken about this issue and Mr. Pride has suggested a trial period through the winter to monitor any issues and to determine if the signs are really necessary.

Motion by Councilor Moriarty, seconded by Councilor Turner, to set a Public Hearing date of December 13th to consider and act on amendments to the Cumberland Traffic Ordinance to include No Parking Areas on Blanchard Road near the Congregational Church on Main Street.

VOTE: 6-0 UNANIMOUS PASSAGE

10 – 161 To set a Public Hearing date (December 13th) to consider and act on the 2011 Shellfish License allocations.

No public discussion.

Town Manager Shane explained that the Shellfish Conservation Commission Chair will be at the December 13th meeting. The discussion will regard the seasonal opening of the clam-flats from December 15th – May 31st. DMR will reopen the clam-flats again somewhere between November 1st – December 15th of next year from Falmouth to Yarmouth. This is a huge plus for us since we have been shut down for the past 2 years.

Motion by Councilor Turner, seconded by Councilor Stiles, to set a Public Hearing date of December 13th to consider and act on the 2011 Shellfish License allocations and to authorize the Town Manager to advertise the sale of licenses beginning on December 14, 2010.

VOTE: 6-0 UNANIMOUS PASSAGE

10 – 162 To set a Public Hearing date (December 13th) to consider and act on the Greely High School Swimming Pool License renewal for the 2011 calendar year.

No public discussion.

Motion by Councilor Stiles, seconded by Councilor Copp, to set a Public Hearing date of December 13th to consider and act on the Greely High School Swimming Pool License renewal for the 2011 calendar year.

VOTE: 6-0 UNANIMOUS PASSAGE

10 – 163 To set a Public Hearing date (December 13th) to appoint Town Clerk, Tamara O'Donnell, Registrar of Voters for the period of January 2011 – January 2013.

No public discussion.

Motion by Councilor Copp, seconded by Councilor Stiles, to set a Public Hearing date of December 13th to appoint Town Clerk, Tamara O'Donnell, Registrar of Voters for the period of January 2011 – January 2013.

VOTE: 6-0 UNANIMOUS PASSAGE

10 – 164 To set a Public Hearing date (December 13th) to consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed for property identified as Tax Map R07/Lot 89 in the amount of \$8,449.97.

No public discussion.

Motion by Councilor Moriarty, seconded by Councilor Turner, to set a Public Hearing date of December 13th to consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed for property identified as Tax Map R07/Lot 89 in the amount of \$8,449.97.

VOTE: 6-0 UNANIMOUS PASSAGE

10 – 165 To set a Public Hearing date (December 13th) to consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed for property identified as Tax Map R07/Lot 89J in the amount of \$4,202.71.

No public discussion.

Motion by Councilor Stiles, seconded by Councilor Turner, to set a Public Hearing date of December 13th to consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed for property identified as Tax Map R07/Lot 89J in the amount of \$4,202.71.

VOTE: 6-0 UNANIMOUS PASSAGE

V. NEW BUSINESS

Councilor Turner – None

Councilor Copp – Thank you to the Town Manager for allowing MDOT to host a seminar at Town Hall regarding the new guard rails on 295. It was well attended. The new guard rails work like an accordion and are a lifesaving device.

Councilor Porter – He has been contacted by two residents regarding the formation of a community garden. He will be meeting with them soon to discuss it and assumes they would propose planting the garden on Town owned property.

Thank you to the Council and Town Employees for the floral arrangement and kind comments at his father's funeral service.

Chairman Storey-King – There will be two additional neighborhood meetings regarding the Doane Property development on Thursday, December 2nd @ 7:00 p.m. and December 15th @ 7:00 p.m. These meetings are open to anyone who would like to attend.

There will be a visit from Saint Nick at the tree lighting ceremony on December 6th.

Happy Thanksgiving to everyone.

Councilor Stiles – None

Councilor Moriarty – The Planning Board met last week. At the end of the meeting, there was a workshop on the recommendations of the Main Street Advisory Committee. It appears that there will be no changes or modifications to the recommendation of the committee. The Planning Board will vote on the recommendation in its present form at their December meeting, and then forward it to the Council to consider.

Town Manager Shane – There will be a brief workshop after the meeting this evening regarding the Recreation and Library services agreements with North Yarmouth.

VI. EXECUTIVE SESSION pursuant to Title 36 M.R.S.A., § 841 re: Poverty Abatement Application

Motion by Councilor Copp, seconded by Councilor Stiles, to recess to Executive Session pursuant to Title 36 M.R.S.A., § 841 re: Poverty Abatement Application.

VOTE: 6-0 UNANIMOUS PASSAGE

TIME: 7:49 p.m.

Motion to return from Executive Session by Councilor Moriarty, seconded by Councilor Stiles.

VOTE: 6-0 UNANIMOUS PASSAGE

TIME: 8:15 p.m.

Motion by Councilor Copp, seconded by Councilor Turner, to table consideration of Poverty Abatement Application to December 13, 2010 pending more information.

VOTE: 6-0 UNANIMOUS PASSAGE

VII. ADJOURNMENT

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

VOTE: 6-0 UNANIMOUS PASSAGE

TIME: 8:16 p.m.

Respectfully submitted by,

Brenda L. Moore
Council Secretary