

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, February 9, 2015

5:30 Workshops

7:00 P.M. Call to Order

5:30 P.M. Workshop with the Chebeague and Cumberland Land Trust re: funding for Knight's Pond area property.

6:30 P.M. Workshop to hear a report from the Aging in Place Committee.

7:00 P.M. Call to Order

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

Excused: Councilor Copp

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Edes, to accept the January 26, 2015 meeting minutes as presented.

VOTE: 6-0 UNANIMOUS

II. MANAGER'S REPORT

Due to the number of presentations, Town Manager Shane said he would hold his report until the New Business portion of the meeting.

III. PUBLIC DISCUSSION

Steve Moriarty, Representative to the Maine Municipal Association Legislative Policy Committee (LPC) gave the following update:

The LPC discusses any new bills before the Legislature that has any impact on schools, cities or towns. A big topic of discussion this year is the potential loss of State Revenue Sharing. Revenue Sharing began in 1972, and is a system in which the state is to return to towns and cities a sum equivalent to 5% of the state's total receipt of property and income taxes. This year that amount would be a return of \$158,000,000 by statute. In fiscal year 2016, Cumberland should receive approximately \$1,050,000. Under the current proposal, the Governor plans to distribute \$62,500,000 (a 60% reduction). This means a loss to Cumberland of \$635,000 of what we would usually receive. Worse yet, in the FY17 budget, Revenue Sharing would be eliminated altogether. The Governor's budget includes a provision which would give communities the option to tax non-profits of \$500,000 of value or more as a possible offset to the loss of Revenue Sharing. It will be another month or so before the Governor's budget gets its first hearing before the Appropriations Committee and a lot can and will happen between now and then.

Other highlights include the proposed cutting of income tax from 7.95% to 5.75% and an increase in sales tax from 5.75% to 6.5%.

IV. LEGISLATION AND POLICY

15 – 013 To hear a presentation from Gorrill Palmer Engineers re: the Blackstrap Road project (Gorrill Palmer will meet with neighborhood in East Conference Room after presentation).

Al Palmer of Gorrill Palmer Consulting Engineers presented the following:

Cumberland, Maine Blackstrap Road Improvements Project Town Council Presentation

February 9, 2015



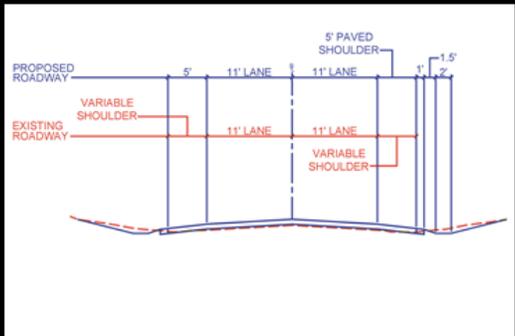
Existing Conditions



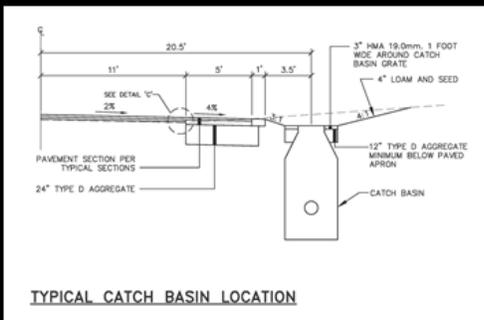
Proposed Improvements



Proposed Typical Roadway Section



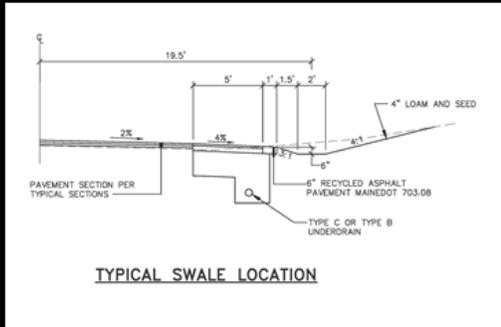
Proposed Roadway Section with Catch Basin



TYPICAL CATCH BASIN LOCATION



Proposed Roadway Section with Shallow Swale



TYPICAL SWALE LOCATION



Project Schedule

95% Plans to Town 2/20/15
 Out to Bid Week of 3/2/15
 Bids Due 3/19/15

Contractor to Complete Improvements by Fall of 2015
 Anticipated 120 Day Work Window

Complete Surface Pavement Spring 2016



Project Budget

2015 Improvements with 10% Contingency and GP Contract

\$988,500

2016 Surface Pavement Completion with 10% Contingency

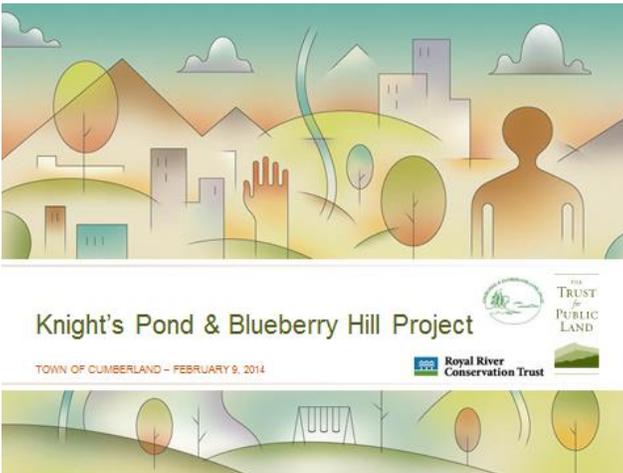
\$243,000

Total
 \$1,231,500



15 – 014 To hear a report from the Chebeague and Cumberland Land Trust and to consider and act on authorizing purchase of Knight’s Pond area property.

Chebeague and Cumberland Land Trust President, Penny Asherman, presented the following:



Physical Description



- 215 acres
- Upland forests
- 46 acre pond
- Critical bird habitat
- Streams supporting wild Brook Trout in Rines Forest
- Views of Casco Bay
- Oak-Hickory forest
- Spotted Wintergreen
- Close to town centers & schools

THE TRUST OF PUBLIC LAND
 LANDSCAPE FOR THE PEOPLE

Public Benefits



- Recreational Opportunities
 - Hiking, running, biking, skiing, snowshoeing, skating, snowmobiling
 - Hunting, fishing, trapping
 - Canoeing, kayaking
 - Nature observation, picnicking
- Stormwater Management
- Water Quality Protection
- Wildlife habitat
- Educational opportunities
 - Schools, Land Trusts, Recreation Department

THE TRUST OF PUBLIC LAND
 LANDSCAPE FOR THE PEOPLE

Knight's Pond & Blueberry Hill Trail Map



- Existing trails network
 - Excellent condition
 - Trails actively used
 - Connectivity to:
 - FAA property
 - Farwell Forest
 - Utility corridor
 - North Yarmouth

THE TRUST OF PUBLIC LAND
 LANDSCAPE FOR THE PEOPLE

Regional Connectivity



- Part of 1,600 acre forest block
- Long term goal: build regional greenway
 - FAA Property
 - Farwell Forest
 - Rines Forest
 - Godsoe Addition
 - Idlewood
 - Merrill Forest
 - Hadlock Forest in Falmouth
- Recreation & habitat corridor

THE TRUST in PUBLIC LAND

Community Support



- 17 letters of support
- 250 attendees for skating party
- 80 + attendees for hike with naturalists
- Neighborhood house parties
- Dozens of volunteers
- 160 + donors

Upcoming Events:

- Valentine's Day snowshoe

THE TRUST in PUBLIC LAND

Knight's Pond Project Overview



- Public/private partnership
- TPL holds option to purchase at appraised FMV
- During option period:
 - Raise acquisition funds
 - Complete due diligence
 - Develop ownership structure
 - Stewardship and management plans
 - Improvements to dam

THE TRUST in PUBLIC LAND

Outcomes



- Municipal Ownership
- Conservation Easements held by CCLT, RRCT
- Stewardship
- Monitoring
- Education
- Management structure and maintenance costs
- Guaranteed public access
- Off street parking

THE TRUST in PUBLIC LAND

Budget

Expenses:

Land Acquisition	\$ 900,000
Project Costs*	\$ 200,000
Stewardship	\$ 30,000
Total Project Costs	\$ 1,130,000

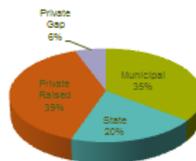
Revenue:

Land for Maine's Future	\$ 225,000
Cumberland	\$ 300,000
N. Yarmouth	\$ 100,000
Private**	\$ 440,627
Total Raised	\$ 1,065,627
Gap	\$ 64,373
Total Goal	\$ 1,130,000

*Includes due diligence, staff time, campaign costs and dam improvements

**Over 160 individuals have contributed to the campaign

Funding Mix



THE TRUST in PUBLIC LAND

Project Timeline



- Contract Deadlines:
 - Option Period expires May 30th
 - Closing by June 30th
- Key Dates
 - Joint Standing Committee February 4th
 - Cumberland Town Council meeting February 9th
 - North Yarmouth Town Meeting April 11th
 - Dam improvements complete by April 15th
 - LMF Board Meeting May 19th

THE TRUST in PUBLIC LAND

Cumberland Action Steps



- Execute a P&S agreement with TPL
- Hold title to land in Cumberland subject to CE held by CCLT
- Allocate \$300,000 for purchase
- Work with CCLT to draft easement language
- Execute a Project Agreement with LMF

THE TRUST IN PUBLIC LAND



Thank You!

Jen McAdoo of Valley Road said that she has lived on Valley Road for 25 years and having access to property like Blueberry Hill and Knight's Pond is one of the reasons that she lives in Cumberland. She uses the property frequently, year round. She met Mr. Knight years ago while picking blueberries and it was clear to her how much he enjoyed the property and that he wanted others to enjoy it too. Aside from the resource conservation aspect, another unique aspect of this project is the public/private partnership that has come together to raise the money to purchase this land. Most of the money has come from private individuals. She urged the Council to vote to allocate the requested funds in support of this project.

Sam York of Fox Run Road said that he also frequents the property and has created some of the trails. This property is a gem and he feels it is the best property in the entire town. There are trails for every level of hiking, as well as fishing, skiing and skating. He encouraged the Council to support this project.

Steve Moriarty of 34 Blanchard Road said that we in this town should be so very grateful for the generosity of landowners who have made their property available to us for recreational use. There were no better exemplars of that spirit of generosity than Richard and Helen Knight and their daughter, who for decades made their property available to the public. He has thought for many years that it would be wonderful if the property could be held in public ownership, and now thought the efforts of dozens of people, it can come true. He urged the Council to support this project.

Sally Stockwell of Range Road said for many years she has been cross-country skiing from Falmouth to North Yarmouth through this property. She is so excited about this opportunity for the residents of our town. The Department of Inland Fisheries and Wildlife has designated this as a high value inland wading bird and water fowl habitat. Biologists who have looked at the area have said that it is the best small wetland for small wading birds and water fowl in all of Southern Maine. Cumberland's contribution to this is so important and she urged the Council to protect this property for the future.

Rob Vogel of Philip Street (and the Land Trust Board member) thanked the Council for their serious consideration of this project.

Councilor Bingham said that the public should be aware that there is a reserve account for land acquisition and the money for this project is in that account. This will not come out of the general fund. We have had 3 Comprehensive Plans since the 1980 and Knight's Pond and Blueberry Hill have always been part of those plans.

Councilor Storey-King said that she has also recreated there for many years. As a child, she was a horse 4-H member and rode by horseback up there and tented out all night. The Land Trust has done an amazing amount of work in a short period of time.

Councilor Edes agreed that this is part of Mr. Knight's vision for the Town and he supports it.

Councilor Turner made the following motion, Councilor Stiles seconded:

WHEREAS, the Trust for Public Land intends to acquire a 212 acre parcel of land from Rebecca Leland Swiggett, including Knight's Pond on Greeley Road Extension and Range Road in Cumberland for 1.2 million dollars, funded by private donations and a grant from the Land for Maine's Future bond; and

WHEREAS, the Town desires to purchase the portion of said land that is located within the Town of Cumberland from the Trust for Public Land in order to preserve open space and permit public access and recreational uses on this land; and

WHEREAS, the Chebeague and Cumberland Land Trust desires to promote such public access and recreation, manage and conserve the property by prohibiting certain development through a permanent conservation restriction to be granted and conveyed by the Town upon its purchase of the property; and

WHEREAS, the Trust for Public Land is willing to convey that portion of the property located in Cumberland to the Town for a substantially reduced price based on the grant of said conservation easement to the Chebeague and Cumberland Land Trust.

NOW THEREFORE, the Cumberland Town Council hereby authorizes the Town Manager, William Shane, to execute a Purchase and Sale Agreement in the amount of \$300,000 for the acquisition of that portion of the property located within the Town of Cumberland and further authorizes a simultaneous conservation easement to be granted to the Chebeague and Cumberland Land Trust.

VOTE: 6-0 UNANIMOUS

15 – 015 To hear a report from the Ordinance Committee re: Fireworks Ordinance update and Ad Hoc Committee consolidation.

Councilor Turner said that the Ordinance Committee met to review the Fireworks Ordinance and decided that they would not recommend any changes based on the fact that there have been very few complaints to date.

Councilor Storey-King said that she sits on the Twin Brook Advisory and the Recreation Committees and it is sometimes hard to get a quorum at meetings or there is little to discuss and they meet simply for the sake of meeting. She thought, in a way to make meetings more efficient and increase participation, establish one Parks and Community Programs Committee. This committee will encompass the current Recreation & Community Education Committee, the Twin Brook Advisory Committee and the Rines Forest Committee. When work on policy and planning is complete, adding the Knight's Pond and Ocean Access Committees into one substantial, important, decision making committee. She urged the Councilors to take the idea to the committees that they sit on and see what the committee's think of this plan. She wants to do this slowly and thoughtfully.

Councilor Turner agreed. He said that there are some committees who really struggle for items to talk about.

15 – 016 To hold a Public Hearing to consider and act on amendments to the Property Tax Assistance Ordinance as recommended by the Senior Circuit Breaker Committee.

Town Manager Shane explained that State Law changed a little over a year ago that impacted all the communities that has a Senior Circuit Breaker program. When the State practically eliminated the State Circuit

Breaker program, they inadvertently eliminated the local programs as well. We were able to act quickly and get our residents one last refund, but we are now required to follow the new law which has a much smaller refund. Previously, our senior citizens received over \$175,000 in property tax relief in the old program. This year we will be lucky to hit \$10,000 in refunds. Staff will assist residents to fill out the State application and the Town will match the State refund up to \$900.00. We will work with our State Legislators to see if we can get the program back to a more equitable level.

Councilor Stiles said that we have worked very hard with the State to get the program back to par. He testified in Augusta about how important this program is to our senior citizens.

Chairman Gruber opened the Public Hearing.
Public discussion: none
Chairman Gruber closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Storey-King, to amend to the Property Tax Assistance Ordinance as recommended by the Senior Circuit Breaker Committee.
VOTE: 6-0 UNANIMOUS

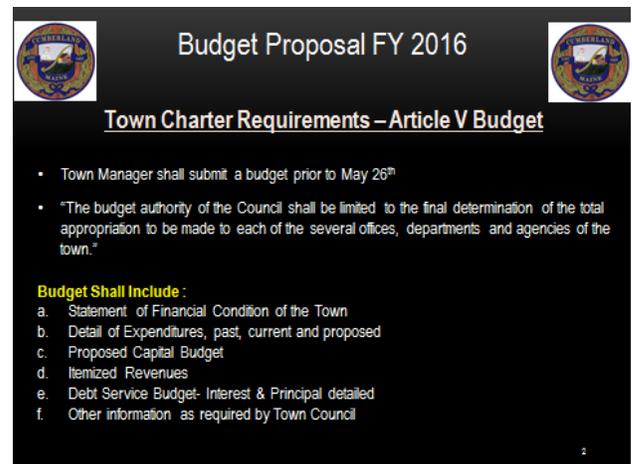
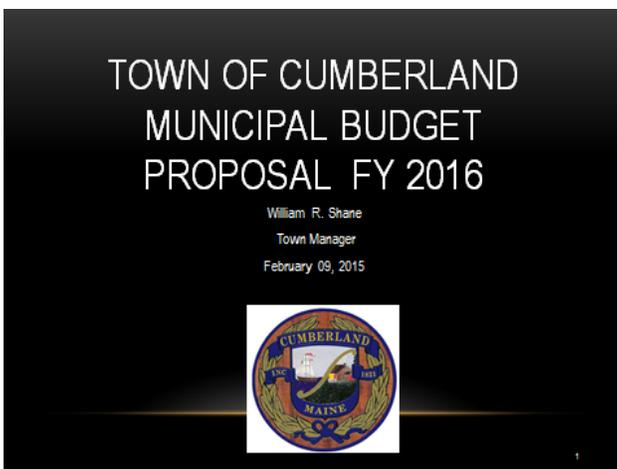
15 – 017 To reappoint Anita Anderson as Public Health Officer for a 3-year term (January 23, 2015 – 2018).

Town Manager Shane explained that this is required by law and staff is recommending reappointment of Anita Anderson.

Motion by Councilor Stiles, seconded by Councilor Edes, to reappoint Anita Anderson as Public Health Officer for a 3-year term (January 23, 2015 – 2018).
VOTE: 6-0 UNANIMOUS

15 – 018 To hear a presentation from the Town Manager re: FY2016 budget.

Town Manager Shane presented the following:





Budget Proposal FY 2016



A. Financial Condition Overview

- The Town is in a very good Financial Position
- Close FY 2014 with \$1.7 M Fund balance with \$1.2 M of unassigned
- Bond Ratings Held at A 3 for Moody's and AA+ Standard & Poore's
- Tax Payments were at a near all-time high collection of 99% and Foreclosed properties less than \$10,000 uncollected

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Budget Proposal FY 2016



B. Detail of Expenditures

- Successfully bonded the \$3M Payson property purchase at 2.5% vs 4%
- Re-financed 3 Sets of Bonds for savings over \$250,000
- Proposing a New Debt Reserve to flatten future Capital Spending Impacts
- Budget to be posted on line Tuesday

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Budget Proposal FY 2016



C. Capital Improvements Overview

- Payson Property development on-hold
- Town Garage relocation delayed to FY 2018
- Closing of the Stump Dump Summer of 2017
- Over \$1M in paving prosed this Summer
- Turnpike Interchange Application submitted

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Budget Proposal FY 2016



B. Debt Service – Town Garage

Phase One – 58 New Homes - \$350,000 to \$600,000 - 30 Homes built/underway

Phase Three – Full - 38 Affordable Senior Housing Units

Phase Two – On Deck - 20-30 Town Houses & 10,000 SF of retail plus new Mini Park consisting of an outdoor Ice Pond, Outdoor Basketball Courts and Bathroom facilities - Estimated Value = \$ 20 - \$30 Million

Annual Tax Base = \$352,000 + Personal Property Tax + annual appreciation

Very Prelim. \$\$ to Move Town Garage at \$4 M = \$320,000 - 20 year debt service

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Budget Proposal FY 2016



E. Debt Service – Town Garage

NEXT STEPS - FOR TOWN GARAGE RELOCATION FY 2018

- Evaluate Land Options- preference toward Sewer & Water
- Determine if North Yarmouth would be interested in a common facility with MSAD 51
- Hold Public Meetings on Land Options and Preliminary Costs
- Develop Budget and Advise for Design Build of new facility
- Select Development Team
- Return to Town Council with Final Costs
- Hold Public Hearing for Bonding and authorization for PB Review
- Begin Construction Spring 2017
- Move into New Facility Summer 2018
- Begin Phase Two of Village Green - Late Summer 2018

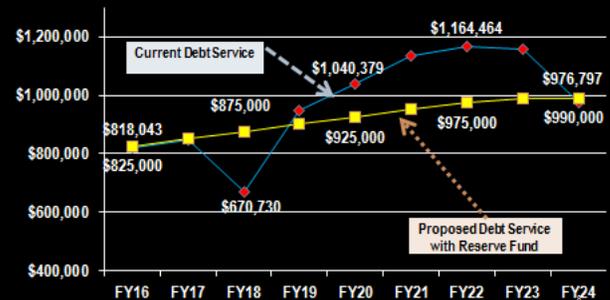
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Budget Proposal FY 2016



E. Debt Service





Budget Proposal FY 2016



Knowns

- Val Halla & Adult Education Moved to the General Fund
- Rise in Expenses \$950,000
- Increase in Revenues \$ 772,000 Non-property taxes
- Increase in New Property Taxes \$532,500
- Paving Plan fully funded
- Commitment Date – July 13, 2015

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Budget Proposal FY 2016



Unknowns

- MSAD 51 Budget
- Health Insurance- 15% - 30% Increase
- Governor's Budget Impacts on Schools & Town's
- \$ 375,000 Revenue Sharing lost
- Impact of Homestead Exemptions – Under 65 will see a \$175 increase in taxes without any changes to current budget
- Town Council may need to restart Budget process after State Legislature adjourn based on Municipal Impacts

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Budget Proposal FY 2016



Preliminary Tax Rate Impact

Municipal

\$950,652 Expenses - \$772,147 Rev Incr \$178,495
 Val Halla + Adult Ed (Exp.) – VH +AE (Rev)

County Tax Increase **\$ 51,358**

Tax Base Growth FY 16 vs FY 15 \$ 532,500
\$302,647

If the MSAD 51 Assessment increase less than \$716,000 or 5%
 Mil Rate for FY 2016 = \$ 17.75 or less 2% increase over FY 2015

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Budget Proposal FY 2016



Next Steps

- Budget Workshop - 2/23/14 – prior to Council Meeting – 6 PM
- Budget Workshop - 3/09/14 – prior to Council Meeting – 6 PM
- Budget Workshop - Saturday, March 14, 2015
8 AM until Completed
- March 23, 2015 Public Hearing FY 2016 Budget – 7 PM

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V. NEW BUSINESS

Councilor Edes – None

Councilor Storey-King – It has been on the news that Anthem has had a security breach. The MSAD employees have health insurance through Anthem. They have learned that Anthem has reported that they will not call or e-mail any of their policy holders asking for their private information. If anyone is contacted this way, they should not give any information. Anyone can file a fraud report on their credit report by going to the following website: <https://www.experian.com/fraud/center.html>.

She noticed that the Police Department posted an accident on their Facebook page that occurred on Middle and Tuttle Roads. There were a lot of comments posted on how to improve that intersection, including “put a stoplight there”. There is a light there flashing yellow one way and flashing red the other way. She did notice that the streetlight on the north side of that intersection was not working.

Congratulations to all of the winter sports teams and good luck on their upcoming tournaments.

Ashley Storey recently scored her 1,000th point at a Greely basketball recently. Ashley is the first girl in Greely’s history to do this, and only the 3rd athlete to do it in Greely’s history.

Councilor Bingham – Thank you to the Public Works crew for keeping our roads clear. They do an amazing job.

With the cold weather and snow, be sure to look out for your neighbor, especially the elderly ones.

Chairman Gruber – The Council heard an update from the Aging in Place Committee in a workshop earlier this evening. The Committee has a website that can be located from the homepage of the Town website.

The Food Pantry had its annual meeting last week. We have had a very good year in regard to the number of people we served. A middle school student recently donated \$100 recently. Thank you very much to that young man.

Councilor Stiles – He has noticed that people tend to put their trash out the evening before their scheduled pick up. This is not good practice if the snow plows are going to be out plowing overnight. He asked people to please get up a few minutes early on their trash day and put it out in the morning to avoid having the plows hit it and spread it all over the place.

Councilor Turner – He recently hooked up to natural gas, as many residents have. He reminded everyone to be sure the vents are cleared of snow to avoid having carbon monoxide going back inside the house.

Town Manager Shane – Over the past two weeks, the Public Works employees have worked over 60 hours of overtime per employee. They have done an amazing job and we are all grateful to them.

With the amount of snow that we have received, there will be some mailboxes that get damaged because they get buried and the plow driver cannot see them. If this happens, please contact the Public Works department (829-2220) and it will be replaced with a temporary mailbox, then a permanent replacement in the spring.

As of last week, the Town owns the bypass at Harris Road and Route 9 and will begin maintaining it.

VI. ADJOURNMENT

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

VOTE: 6-0 UNANIMOUS

TIME: 9:29 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary