

# **MINUTES**

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, January 12, 2015**

## **7:00 P.M. Call to Order**

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

### **I. APPROVAL OF MINUTES**

Motion by Councilor Bingham, seconded by Councilor Copp to accept the December 22, 2014 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

### **II. MANAGER'S REPORT**

- **Foreclosed Properties – time table**

Town Manager Shane explained that this item will be brought to the Council on March 9<sup>th</sup>, at which time he will give the Council an update and ask for direction.

- **Time Warner Cable T.V. Issues**

Melinda Poore and Phil Repa(?) from Time Warner Cable spoke about resident complaints about sporadic scrambled signal and distorted sound with Time Warner subscribers.

Mr. Repa, Senior Director of Technical Operations explained that some diagnostic tests were run in different areas around Town to be sure everything was operating properly. TWC has been upgrading their plant and putting new equipment in the hub. There was a slight problem during the installation of the new equipment and has been resolved. This could have caused the problems.

Ms. Poore urged residents to contact Time Warner if they continue to experience problems.

### **III. PUBLIC DISCUSSION**

Mike Timmons, State Representative for Cumberland shared that he had the honor of attending a meeting at our school recently, with over 800 students and staff honoring the guest students from Japan. This program has been going on for 23 years. He presented a flag that was flown over our Capital to the Greely Students who presented it to their guest students.

In his role as State Representative, he shared that he is looking closely at 6 items:

- Revenue Sharing
- Unfunded Mandates
- Sales Tax
- Income Tax
- Charter Schools

He will come back every month or two to report on the progress of these items.

### **IV. LEGISLATION AND POLICY**

**15 – 001 To hold a Public Hearing to consider and act on a Class I Liquor License application for Louie's Grille, LLC for the period of January 8, 2015 – January 8, 2016.**

Town Manager Shane said that all the paperwork is in order and staff is recommending approval.

Motion by Councilor Bingham, seconded by Councilor Stiles, to approve the Class I Liquor License application for Louie's Grille, LLC for the period of January 8, 2015 – January 8, 2016.

VOTE: 7-0 UNANIMOUS

**15 – 002 To hold a Public Hearing to consider and act on a Class I Liquor License application for Cumberland House of Pizza for the period of January 17, 2015 – January 17, 2016.**

Town Manager Shane said that all the paperwork is in order and staff is recommending approval.

Motion by Councilor Stiles, seconded by Councilor Turner, to approve the Class I Liquor License application for Cumberland House of Pizza for the period of January 17, 2015 – January 17, 2016.

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

**15 – 003 To set a Public Hearing date of January 26<sup>th</sup> to consider and act on approval of amended Contract Zone Agreement with David Chase for Cumberland Foreside Village and to review the recommendation of the Planning Board.**

Motion by Councilor Bingham, seconded by Councilor Turner, to set a Public Hearing date of January 26<sup>th</sup> to consider and act on approval of amended Contract Zone Agreement with David Chase for Cumberland Foreside Village and to review the recommendation of the Planning Board.

VOTE: 7-0 UNANIMOUS

**15 – 004 To set a Public Hearing date of January 26<sup>th</sup> to authorize the Town Manager to execute a Purchase and Sale Agreement with Cumberland Foreside Village for the Town owned lot on Route One (next to Seafax).**

Motion by Councilor Copp, seconded by Councilor Stiles, to set a Public Hearing date of January 26<sup>th</sup> to authorize the Town Manager to execute a Purchase and Sale Agreement with Cumberland Foreside Village for the Town owned lot on Route One (next to Seafax).

VOTE: 7-0 UNANIMOUS

**15 – 005 To appoint Chris Bolduc as Assistant Town Manager.**

Town Manager Shane said that this is a well-deserved title, although staff already considers Chris the Assistant Town Manager. Manager Shane said that he has full confidence that Chris can handle this and he is strongly recommending approval.

Motion by Councilor Bingham, seconded by Councilor Copp, to appoint Chris Bolduc as Assistant Town Manager.

VOTE: 7-0 UNANIMOUS

**V. NEW BUSINESS**

**Councilor Copp – None**

**Councilor Storey-King** – She was at the Japan welcoming ceremony and wants to thank the Town Manager and Mike Timmons for representing the Town so well. It was a spectacular ceremony and the Greely Middle School Chorus was amazing.

**Councilor Edes** – His thoughts go out to Jane Beaulieu and family on the passing of their daughter.

He walked the Town owned property off Greely Road Extension with John Jensenius recently. Before he walked the property, he was in favor of selling it, but has since changed his mind. It is a beautiful piece of property with lots of access for the public to use it and enjoy it.

**Councilor Bingham** – The Land Use Committee met last week. The survey that they sent out is back and the results will be helpful for the committee. The committee should have a recommendation to the Town Council within a couple of months.

**Chairman Gruber** – The Aging in Place co-chairs will be at the January 26<sup>th</sup> Council meeting to do a workshop on the committee's work to date.

He received a few complaints from residents regarding fireworks after New Year's Eve. He suggested that the Ordinance Committee take another look at the fireworks ordinance since it has been a couple of years.

The Food Pantry continues to grow and we are able to service our customers, but we are getting more and more customers using the Food Pantry every week.

**Councilor Stiles** – He asked the Manager if there is anything new to report on the natural gas project and if any Town or school buildings are hooked up to natural gas yet.

**Councilor Turner** – In regard to the fireworks issue, he agrees that it is worth the Ordinance Committee having a brief discussion about it. Although there have not been many complaints, it should be pointed out that one of the complaints came from an individual who has lived in this Town for over 40 years, and it was in his backyard that fireworks were going off past the allowed time. He did admit that he didn't feel that fireworks were the issue, but rather lack of courtesy from his neighbor. The interesting piece of this is that the Council received a letter from that neighbor praising the Town for allowing fireworks.

**Town Manager Shane** – The Police Department Facebook page had the fireworks ordinance posted on it to remind residents of the rules. Their Facebook page has a lot of good information posted on it and everyone should look at it regularly.

The Town's experience with Summit Natural Gas to date would be graded at a B to B+ range. The installation of the infrastructure last summer went well for us, even though Summit continues to get bad press in other communities.

In regard to clamming on the Payson Property, regardless if the Town owns beach access or not, people are still allowed to clam per Colonial Rights. Colonial Rights allows people to fish, fowl, or navigate between the high and low water marks regardless of property ownership.

The road into the Payson Property is posted no trespassing primarily because there are 2 unoccupied homes down there and Bateman Partners will begin working on the roads soon. He encouraged people to use the site (walking in if possible) even though it is posted. Until the pending lawsuit is

over, no Town funds will be used to improve the site. The Ocean Access continues to meet and work on a recommendation for the property.

**VI. ADJOURNMENT**

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

VOTE: 7-0                      UNANIMOUS

TIME: 8:10 P.M.

**WORKSHOP** re: FY2016 Budget Meeting I