

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, December 12, 2016

5:30 P.M. Neighborhood Meeting – Cumberland Foreside Village CZA

7:00 P.M. Call to Order

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

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Stiles, to accept the November 28, 2016 meeting minutes as presented.

VOTE: 4-0-3 (Edes, Gruber and Turner abstained)

II. MANAGER'S REPORT

Councilor Gruber reported on the annual Fill-a-Bus, Fill-a-Belly Food Drive to benefit the Food Pantry. This was the 3rd year that the MSAD 51 PTO put this on and it was another huge success.

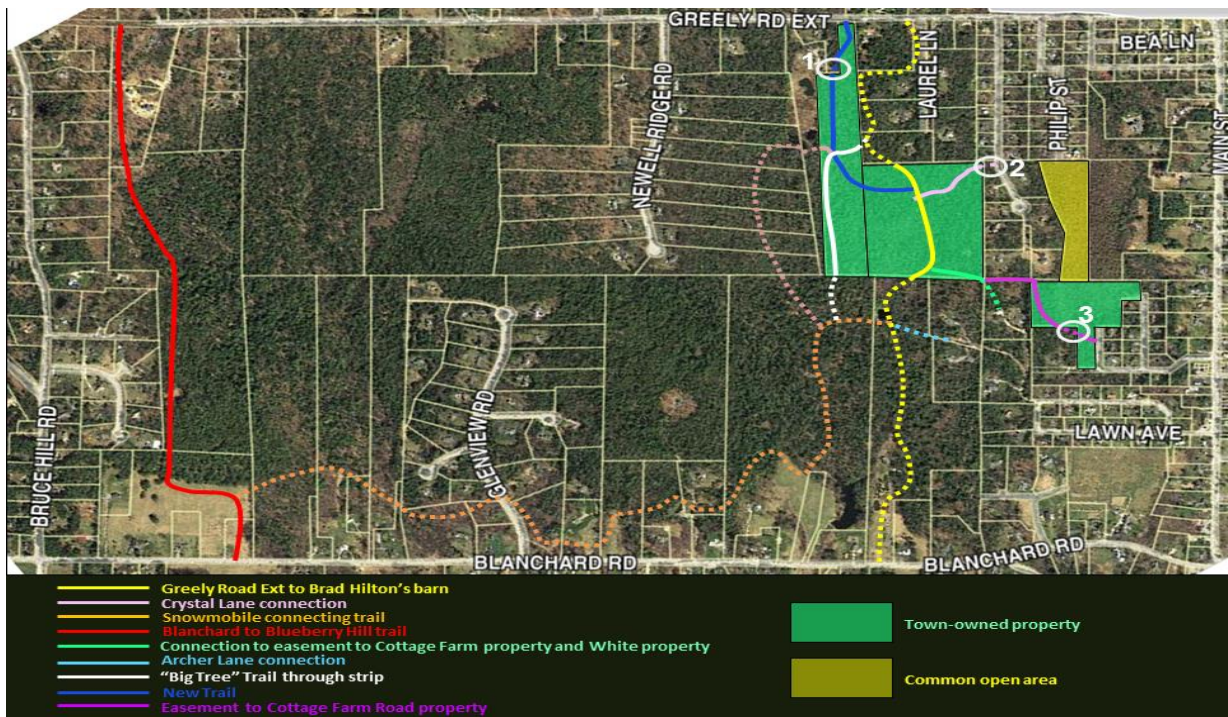


Communications Director, Eliza Porter, gave a demonstration of the new Town website.

Town Manager Shane reported on the current foreclosures. We only have a few left from the 2015 tax year. We will work with the property owners and report back to the Council in March on the status.

III. PUBLIC DISCUSSION

Brad Hilton of Blanchard Road asked the Council to consider an easement on the Greely Woods property to assure that will be used for only trails, not development. Mr. Hilton said that he would put a trail easement on his property (yellow dotted line on map below) if the Town Council, within the next 6 months, creates an easement on the Town property, making trail connectivity from Greely Woods all the way to Blanchard Road.



IV. LEGISLATION AND POLICY

16 – 162 To hear a report from the Cumberland Cemetery Association re: the state of cemeteries and new software program.

Robert Storey, President of the Cumberland Cemetery Association gave a presentation of the Pontem Software program. Mr. Storey thanked Peter McKenney for his work with the Cemetery Association from 1994 until recently, when he left to become a Florida resident. Mr. Storey also thanked Molly Porter for her years of summer intern work taking photographs and compiling hundreds of grave notes.

16 – 163 To hold a Public Hearing date to consider and act on amendments to Chapter 223 (Shellfish Conservation) of the Cumberland Code, as recommended by the Shellfish Conservation Commission.

Town Manager Shane explained that Michael Brown, Chairman of the Shellfish Commission explained at the last meeting that these amendments are mostly housekeeping in nature and were suggested by the Department of Marine Resources after their annual review of our Shellfish Conservation Ordinance. The Shellfish Conservation Commission is recommending approval of the amendments.

Chairman Turner opened the Public Hearing.

Public Discussion: None

Chairman Turner closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Stiles, to amend Chapter 223 (Shellfish Conservation), Section 223-7 (Harvesting) and Section 223-17 (Opening and closing of flats), of the Cumberland Code, as recommended by the Shellfish Conservation Commission.

VOTE: 7-0 UNANIMOUS

16 – 164 To hold a Public Hearing to consider and act on draft zoning map amendments to rezone property at Tax Assessor Map U07, Lot 16 to change zoning designation from Rural Residential One (RR1) to Highway Commercial (HC), as recommended by the Planning Board.

Town Manager Shane explained that he and the Code Enforcement Officer met a few months ago with Michael Cianchette to discuss what can be done on the property since it was split in 2 different zones (Highway Commercial and Rural Residential). The Code Enforcement Officer saw no reason to have the parcel split between 2 zones, and the Planning Board agreed. Mr. Cianchette is here this evening and will answer any questions that the Council may have.

Chairman Turner opened the Public Hearing.

Public Discussion: Deb Poole said that she lives directly across from this lot and is in favor of making it one zone and the Cianchette family has done good things with the farm so far.

Michael Cianchette of 33 Winn Road said that they purchased the lot from the Railroad a little over a year ago. They have no firm plans as to what they will do with it yet, but they would like to find opportunities to support farming.

Chairman Turner closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Bingham, to rezone property at Tax Assessor Map U07, Lot 16 to change zoning designation from Rural Residential One (RR1) to Highway Commercial (HC), as recommended by the Planning Board.

VOTE: 7-0 UNANIMOUS

16 – 165 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, 2017 – January 17, 2018.

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

Chairman Turner opened the Public Hearing.

Public Discussion: None

Chairman Turner closed the Public Hearing.

Motion by Councilor Stiles, seconded by Councilor Gruber, to approve the Class I Liquor License application for Cumberland House of Pizza for the period of January 17, 2017 – January 17, 2018.

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

16 – 166 To hold a Public Hearing to consider and act on a Class I Liquor License application for Flannel Shirt Food Company, LLC, d/b/a/ Cumberland Food Company (previously Doc's Café) for the period of January 1, 2017 – January 1, 2018.

Town Manager Shane said that the paperwork is in order and staff is recommending approval. The new owners are here this evening.

Bryan Dame said that he will take over the business on January 1st and he is excited about this new venture. He has a strong cooking and baking background and he hopes to expand with some dinner to grab and go and a supper club when the Farmer's Market start up again, featuring local grown items.

Chairman Turner opened the Public Hearing.
Public Discussion: None
Chairman Turner closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Stiles, to approve the Class I Liquor License application for Flannel Shirt Food Company, LLC, d/b/a/ Cumberland Food Company (previously Doc's Café) for the period of January 1, 2017 – January 1, 2018.

VOTE: 7-0 UNANIMOUS

16 – 167 To hold a Public Hearing to consider and act on a Class I Liquor License application for Louie's Grille for the period of January 8, 2017 – January 8, 2018.

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

Chairman Turner opened the Public Hearing.
Public Discussion: None
Chairman Turner closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Stiles, to approve the Class I Liquor License application for Louie's Grille for the period of January 8, 2017 – January 8, 2018.

VOTE: 7-0 UNANIMOUS

16 – 168 To consider and act on authorizing the Town Manager to issue a purchase order for a new ambulance.

Town Manager Shane explained that the Council authorized half the funding for a new ambulance during this budget year and the other half will be available July 1st. We hope to have the ambulance here in August, but need the purchase order now to move forward with the purchase.

Motion by Councilor Gruber, seconded by Councilor Bingham, to authorize the Town Manager to issue a purchase order for a new ambulance not to exceed \$200,000.00

VOTE: 7-0 UNANIMOUS

16 – 169 To consider and act on accepting Old Colony Lane as a Town road.

Town Manager Shane explained that the road is paved and ready but the Finance Committee has to review the paperwork and approve.

Motion by Councilor Storey-King, seconded by Councilor Gruber, to accept Old Colony Lane as a Town road upon approval of the final documents and review and approval by the Finance Committee.

VOTE: 6-1 (Stiles opposed) MOTION PASSES

16 – 170 To consider and act on cancelling the December 26th Town Council meeting.

Motion by Councilor Copp, seconded by Councilor Bingham, to cancel the December 26th Town Council meeting.

VOTE: 6-1 (Gruber opposed) MOTION PASSES

V. NEW BUSINESS

Councilor Bingham – Merry Christmas and Happy Hanukah. Remember to patronize our local businesses during this holiday season.

Councilor Gruber – the Lions Club donated \$1,000 to the Food Pantry, thank you. The Cumberland Nursery School also gave a donation to the Food Pantry. Thank you to them as well.

Christmas food baskets will be distributed to Food Pantry clients this Friday. We are also giving out Christmas trees (donated by Coastal Landscaping and Jeff Storey of Spring Brook Farm) and clothing, as well as toys from our Fire Department.

The Aging in Place Committee will meet next Wednesday evening to discuss how the committee's initiatives can be even more effective next year and how they can interact with the Town Council in a more productive manner.

Merry Christmas to everyone.

Councilor Storey-King – She and Councilor Copp attended the Lands & Conservation Commission meeting to explain the consolidation of committees. It was a very productive meeting and she encouraged anyone interested to apply.

She wished everybody a Merry Christmas.

Councilor Edes – Merry Christmas to everyone.

Chairman Turner – None

Councilor Stiles – Again, Councilor Copp has donated \$20 to the 4-H auction to allow the food pantry to purchase meat products. Thank you.

Councilor Copp – During the neighborhood meeting this evening, there were a lot of comments about the 15 mph speed limit in front of the Friend's School on Route One. To him, that school zone will be the biggest cause of accidents on that stretch of Route One. To have to go from 50 to 15 miles per hour is very dangerous. Had the Council been aware that the school zone speed limit was going to be put in there, they probably would not have approved the project.

Councilor Edes agreed. He suggested holding a workshop with the Friend's School to discuss this situation and let them know how the Council feels about it.

Town Manager Shane – We have contacted Dr. Hicks, the State Toxicologist that was here last spring, to ask her about opinion about the aerial spraying program for brown tail moths. We are waiting to see if this is an option instead of the street spraying option again.

Our annual Employee Appreciation Luncheon will be held this Thursday at noon at Rachel's. Town Hall will be closing at noon to allow employees to attend.

The second part of the Cumberland Foreside Village Contract Zone amendment process will be a joint meeting of the Town Council and Planning Board on December 20th at 6:00 p.m.

There will be a joint meeting with MSAD 51, the Cumberland Town Council, and the North Yarmouth Select Board to discuss the results of the Lawton Expenditure Projection Report. The meeting will be on January 25th at 6:00 p.m.

VI. ADJOURNMENT

Motion by Councilor Edes, seconded by Councilor Storey-King, to adjourn.

VOTE: 7-0 UNANIMOUS

TIME: 8:45 p.m.

Respectfully submitted by,

Brenda L. Moore
Council Secretary