

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, February 13, 2017

6:00 P.M. WORKSHOP: 2017 Projects Update, FY'18 Budget and spring/summer 2017 projects

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 January 23, 2017 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

II. MANAGER'S REPORT

Deputy Town Clerk, Eliza Porter, administered the oath to Police Officer Joseph Burke.

Town Manager Shane gave an overview of the Town projects during the spring/summer of 2017.

- The addition of center turning lanes on the north and south ends of Route One. The road widening of the project will start in April and the stripping and paving will happen in July. Shaw Brothers was the low bidder on this project.
- The reconstruction and the addition of a water line the entire length of Middle Road. Storey Brothers will be doing this project. There will be a lot of activity at the intersection of Tuttle and Middle Road with the addition of a new water pressure system that will allow water to go all the way to the Town line. Portland Water District is doing that portion of the project.
- Tuttle Road will be receiving a new water line from about Flintlock Drive to the intersection of Middle Road and from the railroad tracks, east for approximately 800 feet.
- The Railroad will be working on installing a parallel set of tracks which will allow them to increase train traffic. Sort of a train passing lane will be installed.
- The sidewalks on Tuttle Road will be extended from Town Hall to the wastewater treatment station. The ultimate goal is to get sidewalks to Twin Brook.
- This summer we will be relocating the Public Works sand and salt shed to the land we purchased from NELMA next to the Town Forest. The site is also the future home of the Town Garage in 5-7 years.
- The brush dump will have to be moved per the Department of Environmental Protection. It will be closed on June 15th and reopening on September 1st.
- The Fire Station is scheduled to be reconstructed. Construction will begin in April with the foundation dug and the house next door moved to another location.

III. PUBLIC DISCUSSION

Carolyn Currie of 321 Main Street wants to offer her opposing feelings to the proposed LED sign ordinance for the middle of Town. She hopes that LED signs will not be allowed as they would not be appropriate and are not compatible with the architectural vision or design standards of our Town. There seems to be a lot of changes to the original plan for that area. Her house is situated between 2 businesses on Main Street. If they both decide to install LED lights, they will shine directly into her home.

Chairman Turner explained that this came forward at the desire of the Congregational Church to install a LED sign. The Ordinance Committee studied this and have learned a lot about them. The projection of light is and will be manageable.

Councilor Storey-King reiterated that the Ordinance Committee spent many months looking at this ordinance and one of the stipulations is that businesses would not be allowed to have their signs illuminated while the business is closed.

Councilor Edes said that the Ordinance Committee heard all Ms. Currie's concerns and more. They came up with a very, very restrictive ordinance. There will be no flashing allowed and there will be time limits to when they can be turned on. They are also very expensive and would cost businesses thousands of dollars to install them.

Councilor Gruber told Ms. Currie that the Planning Board will hold a Public Hearing on this and then the Council will hold their Public Hearing. He encouraged her to attend both those meetings to voice her concerns.

IV. LEGISLATION AND POLICY

17 – 017 To hold a Public Hearing to consider and act on amendments to Chapter 30 (Boards & Commissions), Article 3 (Town Lands and Conservation Commission) of the Cumberland Code, as recommended by the Ordinance Committee.

Councilor Storey-King explained that the Lands & Conservation Commission (LCC) developed a list of suggested amendments which she incorporated in the Ordinance. LCC member, Mike Schwindt also reviewed the amendments and they both feel that the final product is a good one.

Chairman Turner opened the Public Hearing.

Public discussion: None

Chairman Turner closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Bingham, to amend Chapter 30 (Boards & Commissions), Article 3 (Town Lands and Conservation Commission) of the Cumberland Code, as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

17 – 018 To authorize the Town Manager to award the bids for the Tuttle Road, Middle Road, and Route One reconstruction projects.

Town Manager Shane said that since we sent the project bids out early, it saved us considerable money. We had 5-11 bidders on these projects and he recommended that the bids be awarded.

Councilor Edes said that he had the opportunity to meet with Rick and Rob Storey to discuss his concerns in bringing the waterline on Middle Road to the Town line. They explained the process and the real cost to him and he said that he is now comfortable to extend the waterline all the way to the Town line. He thanked the Storey's for taking the time to explain this to him.

Motion by Councilor Stiles, seconded by Councilor Copp, to award the Middle Road reconstruction and waterline project to Storey Brothers, Inc. in the amount of up to \$3,101,227.80 which includes \$127,375.00 from Portland Water District, \$336,700.00 from Summit Natural Gas, for an actual cost to the Town of \$2,637,152.80.

VOTE: 6-0-1 (Storey-King abstained) MOTION PASSES

Motion by Councilor Stiles, seconded by Councilor Gruber, to award the Tuttle Road sidewalk, drainage and water main improvement project to A.H. Grover, Inc. in the amount of up to \$848,139.10 which includes reimbursement of \$250,000 from PACTS and \$189,000 from Portland Water District, for an actual cost to the Town of less than \$410,000.00.

VOTE: 7-0 UNANIMOUS

Motion by Councilor Stiles, seconded by Councilor Copp, to award the Route One turning lane project to Shaw Brothers, Inc. in the amount of up to \$986,366.41 which includes reimbursement of \$500,000.00 from MDOT, for an actual cost to the Town of \$486,366.41.

VOTE: 7-0 UNANIMOUS

17 – 019 To authorize the Town Manger to execute a gift letter to Boundary Points Surveying for donated surveying services for the Central Fire Station project.

Town Manager Shane explained that David Bouffard, owner of Boundary Points Surveying has done a lot of surveying for the Town over the years and he does an excellent job. When we asked him to do the surveying for the new Central Fire Station project, he agreed, but said that he wanted to donate his services because he appreciates what the Fire/EMS employees do for our community and other communities. This gift saved the Town approximately \$5,000.00.

Motion by Councilor Bingham, seconded by Councilor Stiles, to authorize the Town Manger to execute a gift letter to Boundary Points Surveying, LLC for donated surveying services for the Central Fire Station project.

VOTE: 7-0 UNANIMOUS

17 – 020 Discussion re: Brown Tail Moth Spraying Spring 2017.

Town Manager Shane explained that everything east of the 295 corridor would be the area that would need to be sprayed (approximately 1,250 acres). With any type of aerial spraying program, there is 250 foot setback from the water because of the shellfish population. That equals approximately 106 acres along the coast, leaving a little over 1,100 acres of spray area. He is not confident that people will want to sign up for aerial spraying. Last year, we had a lot of people opt out of the ground spraying program and with aerial spraying, opting out and skipping over properties is difficult. If the Council wants to pursue the aerial spraying program, we would have to begin soon due to meetings with the State, notifications, etc.

Chairman Turner polled the Council to see how many wanted the Manager to pursue the aerial spray program. It was unanimous that they did not want to pursue an aerial program.

17 – 021 Discussion re: Brush pick up.

Town Manager Shane explained that after a recent ice storm, a lot of tree limbs fell around Town and several Councilors asked him to look into the cost of having it all picked up. The cost of renting the equipment and having a contractor assist our crew would be about \$20,000.00 and take about 4 weeks to complete a Town wide collection of tree limbs. He presented this information to the Finance Committee last week and they unanimously decided not to endorse such a program. The Town will be picking up the limbs on the side of the road as the snow melts, but not piles of brush that residents place roadside.

Chairman Turner polled the Council to see how many are in favor of the Finance Committees recommendation not to have a town wide tree limp pick up program. UNANIMOUS

17 – 022 To appoint a member to the Parks & Recreation Commission.

Motion by Councilor Copp, seconded by Councilor Bingham, to appoint Nancy Storey to the Parks & Recreation Commission.

VOTE: 6-0-1 (Storey-King abstained) MOTION PASSES

17 – 023 To set a Public Hearing date of February 27th to consider and act on a wharfing out permit for 30 Fern Lane, Map 70, Lot 1, as recommend by the Coastal Waters Commission.

Motion by Councilor Bingham, seconded by Councilor Stiles, to set a Public Hearing date of February 27th to consider and act on a wharfing out permit for 30 Fern Lane, Map 70, Lot 1, as recommend by the Coastal Waters Commission.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Bingham – He offered his condolences to Councilor Copp and his family on the passing of his mother-in-law.

The Public Works crew did a great job plowing his road and all the roads in Town.

In regard to the passing of resident Ken Casey, we need our Aging in Place program in order to watch out for our residents, such as Ken, who made our town what it is today.

Councilor Gruber – He attended the funeral of Firefighter Brandon Thibreau. He was so impressed by the number of Cumberland residents who attended. It was nice to feel the love and support for Brandon and his family.

He attended a School Board meeting recently where 2 middle school students were presented an award for the work that they did with the Aging in Place program.

There was an article in the Forecaster recently thanking the 431 volunteers who put in over 12,000 hours of volunteer time in our Food Pantry. This includes our own Town Manager who puts in many, many hours in the Food Pantry. Thank you so much, Bill.

Our Historical Society received an award on a presentation that they did at the Cumberland Fair. They do a great job and thank you.

Councilor Storey-King – Middle Road residents should have received a letter from the Town regarding future blasting for the road reconstruction project. She encouraged everyone to complete and return the form to the Town so that well testing can be done prior to blasting.

It is playoff time and Greely Girls Hockey are still in it. Greely Girls Basketball has had only one loss all season. Greely Boys Basketball were undefeated (18 and 0), congratulations to Coach Seaver and all the players. She wished all the teams the best of luck, you represent us very well.

Councilor Edes – There is a new school light on Route One at the Friend's School. That was installed at their request, not at the request of the Town. From someone who has been in Public Safety all of his adult life, he feels that reducing the speed limit there from 50 mph to 15 mph does not make sense for this 200 foot stretch of road. It is not safe.

Ken Casey passed away recently. Ken died at the age of 93 and he was a good man. Condolences to his family.

The Council and School Board held a joint meeting to hear a presentation regarding the estimated population in the future. It was a very informative presentation.

Chairman Turner – The following budget workshops will be held: February 27th at 5:30 p.m., March 6th at 5:30 p.m., March 13th at 5:30 p.m. and Saturday March 18th from 8:00 a.m. to noon (or completion). He encouraged anyone to attend as resident input is always welcome and appreciated.

He received a couple of calls from residents who live in the center of Town that they feel the snow plow driver on that route drives a little too fast. He requested that the Town Manager bring this to that driver's attention.

Councilor Stiles – He thanked Councilor Copp for his donation to the Food Pantry and 4-H auction.

Effective February 27th, our part-time Code Enforcement Officer, Bill Longley, will become a full-time Cumberland employee.

Councilor Copp – His mother-in-law passed away last week. It was a tough week for his family. He thanked the Council for the flowers that were sent to her service.

The Town lost a very young resident recently. Brandon Thibeau lost his battle with cancer at the age of 22. Brandon was a member of the Cumberland and North Yarmouth Fire Departments. He was a great kid who was so dedicated to the fire department. His family should be extremely proud that they raised such a fine young man.

Town Manager Shane – In reference to the budget reports that the Council receives, things are going relatively well, even considering the amount of snow that we have gotten. We will know more at the end of the third quarter.

Thank you to our Public Services team for the great job they are doing with all the recent snow events. They have kept their attitude positive and their spirits are good. They have done an outstanding job and have served our community well.

VI. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

TIME: 8:17 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary