

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, April 23, 2018

6:00 P.M. Call to Order

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

6:00 P.M. EXECUTIVE SESSION pursuant to 1 M.R.S.A., § 405(6)(E) consultation with the Town Attorney.
Motion by Councilor Turner, seconded by Councilor Stiles, to recess to Executive Session pursuant to 1 M.R.S.A., § 405(6)(E) consultation with the Town Attorney.

VOTE: 7-0

TIME: 6:03 P.M.

Reconvene to regular session at 7:02 P.M.

I. BUSINESS INTRODUCTION

Chris McGorrill, from Atlantic Federal Credit Union, said that the credit union has been part of the community since 2011. Since that time, over 3,000 accounts have been opened. A credit union is a financial cooperative, not driven by stockholders, but rather by its members. In 2017 they were recognized with a Certificate of Excellence from the Credit Union National Association, because they had provided over 3 million dollars in direct financial benefits to their memberships compared to banks. Depositaccounts.com also highlighted Atlantic as one of the healthiest credit unions in the country, placing them in the top 2%. Within the community, they are proud to support the Cumberland Food Pantry, the wood bank, and various programs in the school system. They teach financial education to 11th graders at Greely and host money night at the elementary school. They offer free confidential document shredding to their members in May and October. They are open Monday through Friday from 8:30 a.m. to 5:00 p.m.

II. APPROVAL OF MINUTES

Motion by Councilor Gruber, seconded by Councilor Bingham, to accept the April 9, 2018 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

III. MANAGER'S REPORT

The dedication and open house for the new fire station will be on Saturday, May 12th at 1:00 p.m. The public is welcome to attend.

The Windham Town Council will be discussing a moratorium on mineral extraction soon. There is an application in Windham for a proposed quarry very close to Forest Lake.

IV. PUBLIC DISCUSSION

None

V. LEGISLATION AND POLICY

18 – 055 To hold a Public Hearing to consider and act on a Contract Zone Agreement for John Paynter, 445 Greely Road Extension.

Town Manager Shane explained that we have been working with Mr. Paynter for over a year and this will bring the final piece around Knight's Pond into the ownership of the Town. The Planning Board voted unanimously in favor of this at their meeting last week. This Contract Zone will simply allow a garage and shed to remain where they are on Mr. Paynter's property.

Chairman Edes opened the Public Hearing.

Public discussion: none

Chairman Edes closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Turner, to approve the Contract Zone Agreement for John Paynter, 445 Greely Road Extension, as recommended by the Planning Board.

VOTE: 7-0 UNANIMOUS

18 – 056 To award the proposal for the Solar Photovoltaic Project to be located on the closed landfill on Drowne Road.

Town Manager Shane explained that this is the next step in the process. The Finance Committee and the Cumberland Climate Action Team will work together to create a Power Purchase Agreement. They will work with Revision Energy and then bring the Power Purchase Agreement back to the Town Council for consideration to award the project.

Chairman Edes reiterated that the action this evening is not to approve the project, but only to continue working with Revision Energy to develop a Power Purchase Agreement.

Councilor Stiles asked if Denny Gallaudet of the Cumberland Climate Action Team could give the public a brief description of the proposed project. A final decision on this project has not been made and the Council has not voted to approve it yet.

Mr. Gallaudet explained that the use of capped landfills for solar arrays is very common. The Cumberland Climate Action Team approached the Town to see if there was any interest. A nationwide process for proposals began and we received 2 proposals. Revision Energy of Maine submitted the lowest bid. The economics of solar energy have become outstanding in recent years and it looks like this community will be able to provide all the electricity for Town operations for a period of 34 years for approximately half the cost they are paying CMP. This is a savings for the taxpayers. This is a homerun for those who are concerned about what this planet is going to be like when our grandchildren are growing up.

Councilor Bingham said that as this project moves along through the process, it will have to go to the Planning Board for site plan review. He assured the neighborhood that the Town continues to work on finding a relocation site for the Town garage.

Councilor Storey-King said that on May 14th there will be a workshop with the Town Council and the Village Green neighborhood to talk about the Town garage, the salt shed and the compost pad. The Town Council has not given up on moving the Town garage.

Councilor Gruber said that everybody is in favor of saving energy. He asked Mr. Gallaudet if any other location was considered for this project.

Mr. Gallaudet said that they have not. The capped landfill location is common sense because it is not usable for anything else. There is also a lot of room on that location to move the 4-acres of panels around. There is a lot of flexibility on that site because there is a lot of acreage to work with.

Councilor Turner said that solar power is a huge benefit for the Town. He feels that the issue with the neighborhood is that they feel their property values will be decreased by the presence of this solar array. This Council does not have any desire to diminish anybody's property values and they will be very careful to do all they can to protect the neighborhood from any adverse effect from the project, if the old landfill does indeed become the site.

Motion by Councilor Copp, seconded by Councilor Stiles, to authorize the Finance Committee to continue to work with Revision Energy and to develop a Power Purchase Agreement for a solar project to be located on the former landfill site on Drowne Road.

VOTE: 6-1 (Gruber opposed) MOTION PASSES

18 – 057 To consider and act on an application for Colin Kolmar of Wiggly Bridge Distillery of York to sell malt liquor or wine (no sampling allowed) at the Cumberland Farmer's Market.

Town Manager Shane said that staff is recommending approval. The application is complete and the only condition of approval is that no sampling will be allowed during the Farmer's Market.

Councilor Bingham asked if we are setting some kind of precedent with this. This is a fairly big step and to be opening up the public sale of alcohol anywhere other than retail establishments should be thought through as it is a substantial change to our policy.

Councilor Storey-King agreed with Councilor Bingham. Will we have every micro-brewery wanting to sell beer at the Farmer's Market? How does this support farming? She cannot make a connection to farming.

Motion by Councilor Turner, seconded by Councilor Stiles, to approve the application for Colin Kolmar of Wiggly Bridge Distillery of York to sell malt liquor or wine (no sampling allowed) at the Cumberland Farmer's Market.

VOTE: 4-3 (Stiles, Storey-King and Bingham opposed) MOTION PASSES

18 – 058 To reappoint Anita Anderson as Health Officer.

Motion by Councilor Bingham, seconded by Councilor Storey-King, to reappoint Anita Anderson as Health Officer.

VOTE: 7-0 UNANIMOUS

18 – 059 To set a Public Hearing date of May 14th to consider and act on amendments to Chapter 229 (Site Plan Review) of the Cumberland Code, as recommended by the Planning Board.

Motion by Councilor Stiles, seconded by Councilor Gruber, to set a Public Hearing date of May 14th to consider and act on amendments to Chapter 229 (Site Plan Review) of the Cumberland Code, as recommended by the Planning Board.

VOTE: 7-0 UNANIMOUS

18 – 060 To set a Public Hearing date of May 14th to consider and act on amendments to Chapter 226 (Shoreland Zoning) of the Cumberland Code, as recommended by the Planning Board.

Motion by Councilor Stiles, seconded by Councilor Turner, to set a Public Hearing date of May 14th to consider and act on amendments to Chapter 226 (Shoreland Zoning) of the Cumberland Code, as recommended by the Planning Board.

VOTE: 7-0

UNANIMOUS

18 – 061 To set a special Town Council meeting date of May 8th to countersign the Warrant and Notice of Election calling the June 12, 2018 M.S.A.D. 51 Budget Validation Referendum.

Motion by Councilor Bingham, seconded by Councilor Storey-King, to set a special Town Council meeting date of May 8th to countersign the Warrant and Notice of Election calling the June 12, 2018 M.S.A.D. 51 Budget Validation Referendum.

VOTE: 6-1 (Gruber opposed)

MOTION PASSES

VI. NEW BUSINESS

Councilor Bingham – None

Councilor Gruber – He sent his appreciation to Cumberland Rescue. They responded to a family member's emergency and he cannot say enough good things about them and their professionalism.

Thank you to the Town Manager for his work with the Historical Society and attending their board meeting.

Opening day for Little League is this Saturday.

Councilor Storey-King – She and Chairman Edes met with CMP and their engineers earlier today regarding holding neighborhood meetings on two projects that they are proposing in our community. One is the expansion of Raven Farm Station on Greely Road and the other is to increase the voltage on the Brite Line (the line that runs parallel to the railroad tracks on Middle Road).

The Parks and Recreation Advisory Board met recently and everything is looking good including Recreation revenues.

Every year, Maine Municipal Association hold an essay contest for 7th graders entitled "If I led my community...". Two out of the three winners are from Greely Middle School this year. One of them is her student.

Councilor Copp – He wished his wife a happy birthday.

Chairman Edes – Condolences to the Buhelt family. Wayne Buhelt was a longtime Cumberland Police Officer who passed away at the age of 80.

Councilor Stiles – He urged the public to attend the school budget workshops so they can become informed and understand where the majority of their tax dollars are spent.

Councilor Turner – None

Town Manager Shane – None

VII. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

TIME: 7:47 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary