

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, December 22, 2014

5:30 P.M. Call to Order

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

Motion by Councilor Bingham, seconded by Councilor Stiles, to recess to Executive Session pursuant to 1 M.R.S.A. § 405(6)(E) consultation with the Town Attorney and § 405(6)(C) re: real property.

VOTE: 6-0 UNANIMOUS

TIME: 5:32 P.M.

Councilor Edes arrived at 6:00 P.M.

7:00 P.M. Return to regular session

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Stiles, to accept the December 8, 2014 meeting minutes as presented.

VOTE: 5-0-2 (Copp & Turner abstained) MOTION PASSED

II. MANAGER'S REPORT

The Council and Police Chief received a card from Mary Cusick which read:

Dear Council Members and Police Chief,

When Dave Ireland Builders went under, I was terrified of losing my deposit and felt very much on my own in Gardiner. You were so welcoming to me and I was so impressed with your support for your town residents. I believe your actions are responsible for our refunds. Thank you!!!

Manager Shane said that 2 days after that Town Council meeting, Summit Natural Gas announced that they would be refunding deposits to those effected by the sudden closing of Dave Ireland Builders.

Co-Chairs of the Aging in Place Committee, Peter O'Donnell and Teri Maloney-Kelly gave the following update on the committee's work to date:

Thank you for your appointment to this important community undertaking. We are here tonight with a request and also to brief you on our work for the past two months.

As you know the Town has conducted two resident surveys, one in June, and another one in November. These surveys asked citizens questions about important town issues and they have produced some useful data for us to use on the Aging in Place Committee.

To date we have had two meetings of the Aging in Place Committee. The full committee determined the scope and population. We will develop a plan for Cumberland residents who are 55 years or older. We have established the following sub committees: affordability, transportation, health and socialization, technology, and advocacy; and have scheduled regular monthly meetings of the full committee; and the sub committees to do their work. We have also agreed as a full group on a set of objectives, or guiding principles, for the work of the subcommittees. This was done to help focus our work and we hope to ultimately produce an action plan from the full committee and the subcommittees that develop ways for our citizens to stay in this community as they progress in age.

At our last full committee meeting we discussed preliminarily a community forum or community visioning meeting to explore with residents of Cumberland their views about ways to Age in Place in Cumberland Maine. This Community Vision Meeting is merely an idea at this point and we are seeking comments from community members, social service agencies such as AARP, and the full committee for what this Community Visioning Forum should look like. As I said earlier we are here to brief you about our work to date, and we also have a request for you.

First we would very much like to hear from you about your ideas for a Community Visioning Forum on Aging in Place, or any ideas you have about the work of our committee. We are open to hearing from you at any time as we continue to do our work. We welcome your input because you are the ones most closely connected with the citizens of Cumberland. Secondly, we would like to ask to get onto your workshop agenda sometime in the next few months for the purpose to update you on our progress, and to hear from you any ideas you have for the work of our Aging in Place committee.

Lastly, we would like to thank Bill Shane and Brenda Moore for their work in guiding our committee to date. They have made themselves available and helpful to us as we begin this exciting community venture.

Thank you for again for your time. Teri and I are here tonight to answer any questions you may have for us.

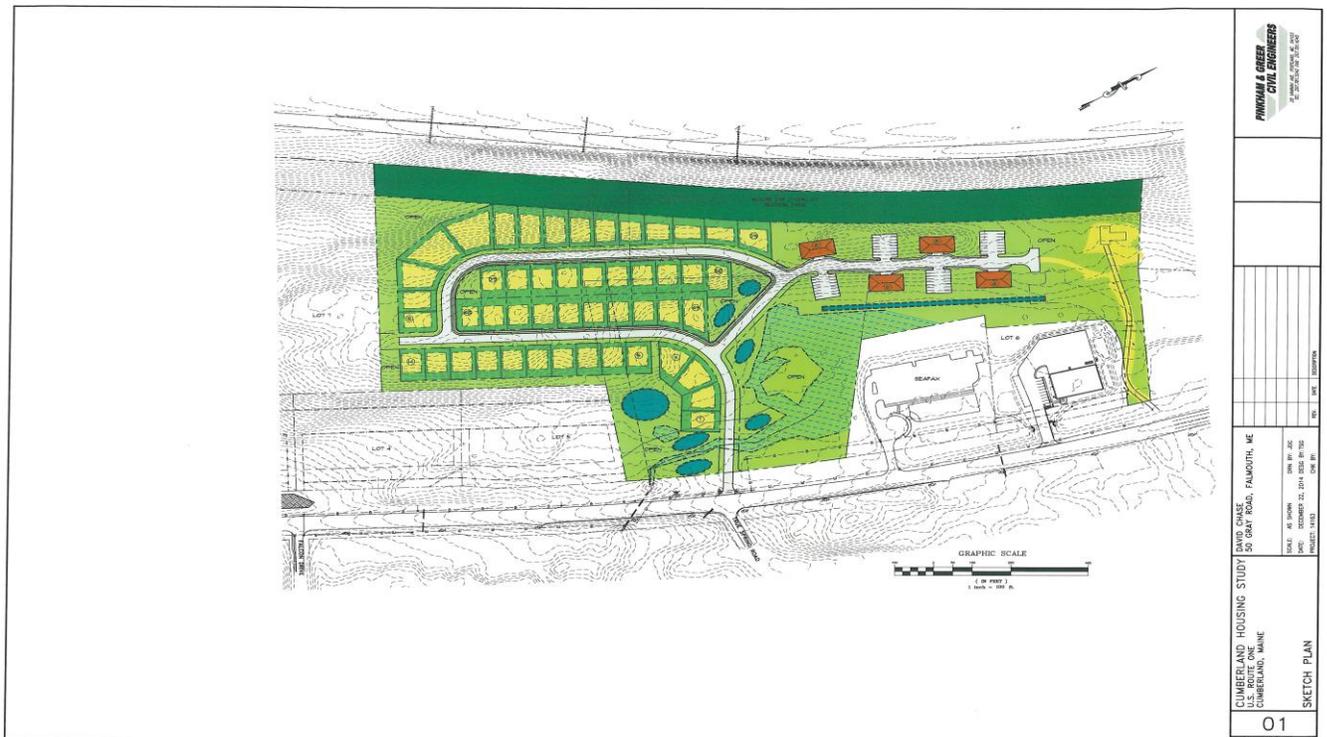
III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

14 – 180 To send to the Planning Board for a Public Hearing and recommendation, amendments to the Contract Zone Agreement with David Chase for Cumberland Foreside Village.

Town Manager Shane referred to the map below:



Town Manager Shane said that David Chase is asking permission to amend the existing Contract Zone Agreement. The existing agreement allows for 144 units of residential housing, but this plan is a little different in that some of the units are on the Town owned lot. Mr. Chase is looking to construct 45 single family homes and townhouse style rental units. These would be market-rate homes (\$299,000 - \$350,000 range) and \$1,500 - \$1,600 per month for the rental units. There is a request for a lot size reduction from 7,500 sf to 5,000 sf. This would require amendments to the side, rear and front setbacks. The current agreement does not allow duplexes, and he is requesting multiplexes. The town owned lot is approximately 9 acres in size with 2/3 unusable because it is wetlands.

Mr. Chase's engineer, Tom Greer is present to answer any questions.

Tom Foley, representing True Spring Farms Condominium Association (abutters) asked if this would go to the Planning Board to develop a complete major subdivision plan before any excavation takes place, and when the excavation does begin, how long it is anticipated to last. Also, will the additional traffic flow allow for a traffic signal at the entrance of the subdivision from Route One?

Mr. Greer responded there has not been a traffic study done yet, but they will likely be on the very edge of triggering a traffic light requirement with the full build out. The traffic study will be part of the Planning Board requirements. Mr. Greer said that if time allows, they would like to begin rock removal on the top of the property. They have to remove a fair amount of rock to prep the lots. The sooner they can begin that process, the sooner the lots can go on the market.

Motion by Councilor Copp, seconded by Councilor Storey-King, to send to the Planning Board for a Public Hearing and recommendation, amendments to the Contract Zone Agreement with David Chase for Cumberland Foreside Village, and to direct the Town Manager to acquire an independent appraisal for the Town owned property.

VOTE: 7-0 UNANIMOUS

14 – 181 To hear a report from the Cemetery Association re: new record keeping system.

Bob Storey and Peter McKenney of the Cumberland Cemetery Association presented the following on cemetery history and new software:

Cumberland Cemetery Association



Report to
Cumberland Town Council
Presented December 22, 2014
by
Robert L. Storey, President
Peter C. McKenney, Sec./Treas.



Backgrounds

- Robert Storey
 - Trustee 1996 to present
 - President 2000 to present
- Peter McKenney
 - Treasurer 1994 to present
 - Trustee 1996 to present
 - Secretary 2010 to present



The last direct report to the Town Council??

1998



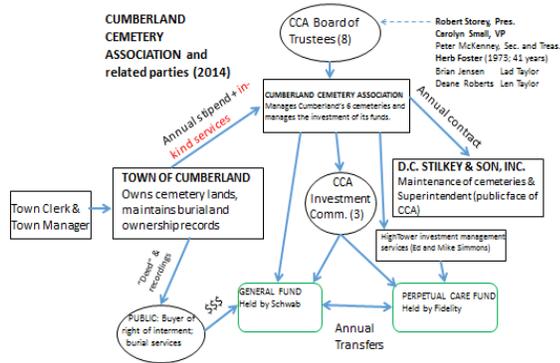
Outline

- Inform Town Council of the Town's six public cemeteries
- How did we get here?
 - Overview of cemetery management evolution in Cumberland
 - Accomplishments to date
- What needs to be accomplished in the future?
- Roles for the parties to support attractive and safe cemeteries
- Closing



Very brief historical overview

- Town of Cumberland owned cemeteries appear by 1847
- 1880 Town owned 4
 - Each cemetery had its own superintendent
- 1918 "Cumberland Cemetery Commission"
- 1933 **Cumberland Cemetery Association**
 - "Member organization"
 - Town warrant to obtain operating funds
- 1965 CCA designated by IRS a 501(c)(13) organization
- 2006 Self-perpetuating Board of Trustees

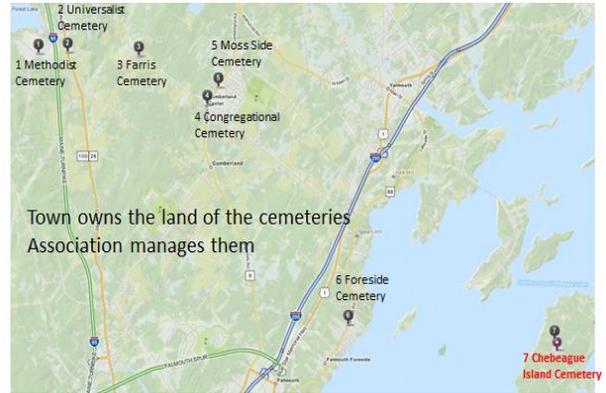


D.C. Stilkey & Son, Inc.
Cemetery Management & Memorial Sales

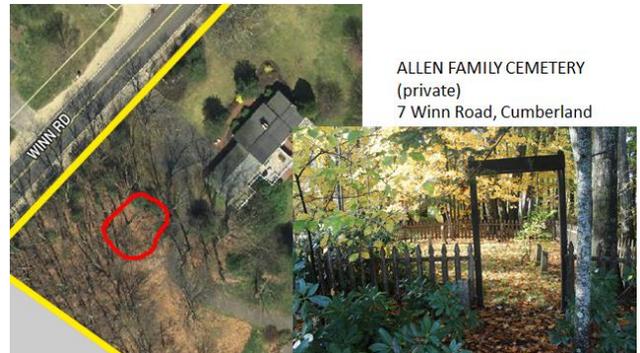
Superintendent of all mainland cemeteries in Cumberland since 1998.



- Other roles outside of the Stilkey contract with Association
1. Contractor for several other area cemeteries
 2. Sells and installs monuments
 3. Opens and closes burial spaces
 4. Crematory in Freeport

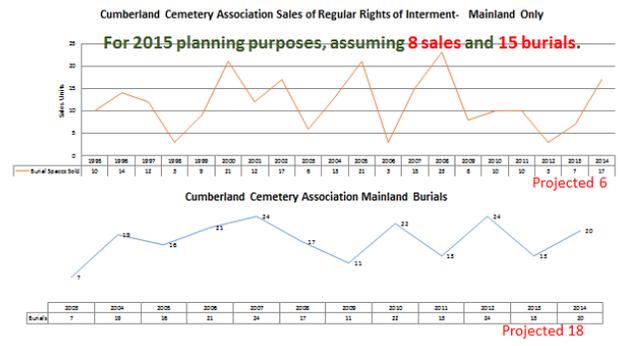


Cemetery	Year Church Formed (P. S. Sweetser)	Earliest Possible Burial	Marked on Maps?	How Acquired by Town?	Later Acquisitions?	Size (Acres) Total/Used	Total Burial Spaces	Total Burials (known)
Methodist	~1800	1800	1857	Unknown	Landing Mountain 1818, Henry & Ethel Wilson gift 1967	3.3/2.3	1,707	822
Universalist	1847	1816	1857	Purchase in 1869	NA	0.9	391	195
Farris		1812	1857	Purchase from Osnia Harris estate, 1847	Deed from Hannah Farris, 1901	1	658	248
Congregational	1794	1798	1857	Unknown	NA	1.5	996	535
Moss Side		1828	No	Joab Black tax liens in 1880s?	Purchases from Owen Farwell 1947, Perry Burnell 1949, and Medley Watson 1994	7.1/4.5	5,344	1,010
Foreside	1789	1809	1857	Unknown	Ethel Bates in 1957	2.6/1.3	1,004	372
						16.4/11.5	10,100	3,182
Chebeague Island		~1810	1857	Gift of Hamilton Family	Multiple Purchases, e.g. 1990	6	Unk	Unk





Per handwritten list: 23 interred in this private family cemetery from 1791 to 1897. CCA cleared trees, straightened stones, and built white picket fence in 1964.



Trends in Cemetery Economics

1. Growing fraction of human bodies are being cremated
2. Fewer human remains are being interred in cemeteries
3. Lower sales of burial spaces and fewer interments → insufficient income from lot sales and interments to maintain public cemeteries
4. Greater reliance on earnings from perpetual care funds and from municipalities.



Accomplishments

- Cemeteries are safe, well-maintained, and peaceful “park-like” areas
- Monuments are sound and relatively clean
- Grounds are generally level, although ground subsides when old caskets collapse
- Trees and brush are well-maintained
- Fences remain serviceable
- Association has good organizational structure documents, including an Investment Policy
- All burial spaces have a unique identifier and a related index map
- Good team in place with established communication processes
- New computer data management system installed in 2014



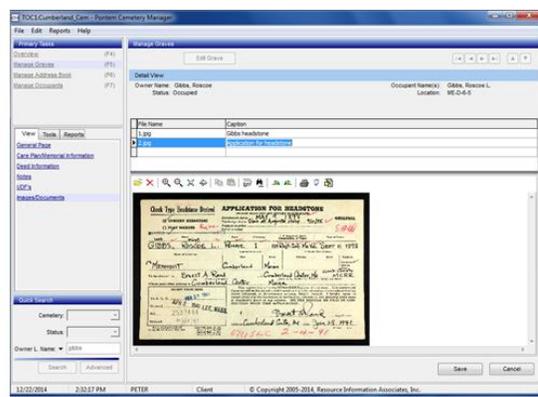
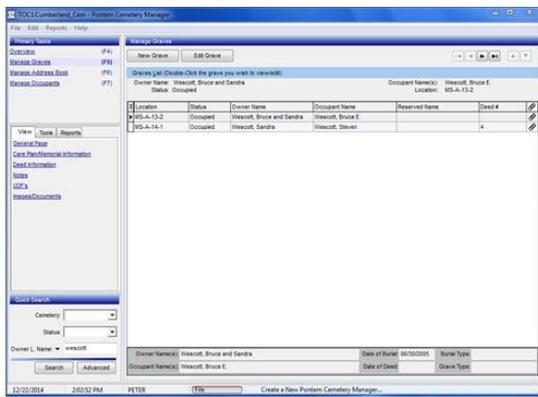
Aspirations

- Rolling five-year maintenance plan with “special projects” such as
 - Annual tree and brush management,
 - As-needed monument cleaning and repair, levelling sunken graves, adding loam, and turf restoration
- Repair granite posts and iron gates in Congregational Cemetery
- Signs for cemeteries
- Survey cemeteries for GIS maps and install baselines
- Fences for back of Congregational and front of Universalist Cemeteries
- Improve workflow processes
- Utilize website for informing citizens
- Sponsor online burial search service (names of occupants, DOD, burial location)
- Utilize Pontem software fully (genealogy, history, list of veterans, etc.)
- Attract more volunteers and recruit future leaders for the Association

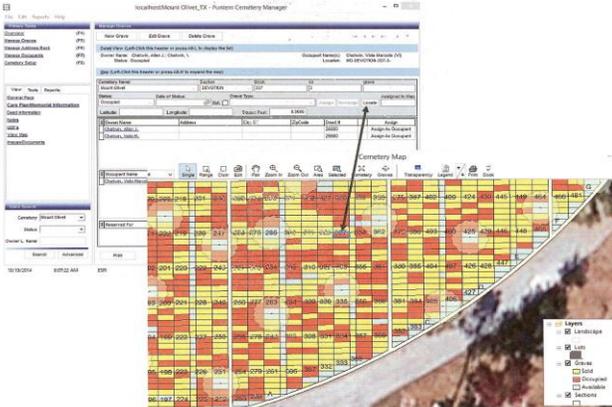


Sample cemetery signs





Esri®-Engineered GIS Mapping Option - Locating a Single Grave



CLOSING

1. How did the Town's cemeteries evolve to their current status?
 Strong **Town support** and a focused **Association**
2. What needs to be accomplished?
 Rolling five-year **special projects plan**
 Upgraded **survey** of cemeteries and enhanced **maps**
 Additional fixtures: fences and signs
Communication tools: Website enhancement, online search, interactive maps, collect and load historic data, efficient and effective inter-party workflow process
3. Roles to play
 Town: financial and in-kind support, awareness, and guidance
 Association: Remain focused, attract more talent and enthusiasm
 Public: Volunteer, submit historic data, keep informed

Cumberland Cemetery Association



Report to
 Cumberland Town Council
 Presented December 22, 2014
 by
 Robert L. Storey, President
 Peter C. McKenney, Sec./Treas.

14 – 182 To hear a report from the Fire Chief re: smoke alarms and carbon monoxide detectors.
 Fire Chief, Dan Small presented the following:



Cumberland Fire Department
 Home Safety Detectors

Smoke
Carbon Monoxide
Explosive Gas

Why Do We Need Them?

They could save
 your life.

Smoke Detector 25 Fire Fatalities in 2014

- Type
 - Ionization
 - Photoelectric
- Hearing Impaired
- Power
- Locations
 - In Residence
 - Walls/Ceilings



<http://cumberlandmaine.com/government/departments/fire-department/>

Carbon Monoxide

- Odorless
- Colorless
- Tasteless
- Any Fuel Burning Device
- Vapor Density = 0.97
- Detector Location

<http://cumberlandmaine.com/government/departments/fire-department/>

Propane

- Odorant
- Vapor Density = 1.5%
- Lower Explosive Limit = 2.37%
- Upper Explosive Limit = 9.5%
- Detector Location



Natural Gas

- Odorant
- Vapor Density = 0.6%
- Lower Explosive Limit = 4.4%
- Upper Explosive Limit = 15%
- Detector Location



Some samples of smoke and carbon monoxide detectors:



Maintenance

- Monthly Testing
- Battery Replacement
- Low Battery Indication
- Accidental Activation



If you remove a battery from your smoke detector, place it on your pillow to remind you to replace it!

Activation Procedure

- Evacuate Building
 - Leave doors and windows closed
- Call 911
- Stay Out of Building
 - NOTHING is worth getting hurt....or worse!!!

Questions



14 – 183 To hear a report from the Deputy Tax Collector re: foreclosed properties.

Town Clerk, Tammy O'Donnell explained that every year, foreclosure notices must be mailed per state statute. In the past two years, she began sending reminder notices each April advising delinquent tax payers that foreclosure notices will be coming soon. These reminders have made a significant difference over the past two years. On April 25, 2013, she mailed out 215, 30-day notices. On June 4, 2013, she only had to file 82 tax liens, the lowest number in the past 15 years. The number of foreclosed properties this year is only 4.

Town Manager Shane suggested tabling this item to allow staff to work with the 4 previous owners to try to the taxes current.

Motion by Councilor Stiles, seconded by Councilor Turner, to table this item to allow staff 90 days to work with previous owners in an attempt to get their taxes current.

VOTE: 7-0 UNANIMOUS

14 – 184 To appoint members to Boards & Committees.

Motion by Councilor Turner, seconded by Councilor Bingham, to appoint Steve Moriarty to the Planning Board and to the Maine Municipal Association Legislative Policy Committee.

I move to reappoint the following:

Board of Adjustments and Appeals – Sally Pierce

Cumberland Energy Advisory Committee – Kate Baldacci

Cumberland Housing Authority – James Clifford & Joyce Frost

Lands & Conservation Commission – R. Samuel York

Planning Board – Peter Sherr

Personnel Appeals Board – Katherine Brooks & James Clifford

Prince Memorial Library Advisory Board – Mark Lapping & Eli Rivers

Recreation/Community Education Advisory Board – Chris Fitzpatrick

Rines Property Citizens Advisory Committee – Sally Pierce & Robert Waterhouse

Val Halla Golf & Recreation Center Board of Trustees – Tim Moody & John Zappia

VOTE: 7-0

UNANIMOUS

V. NEW BUSINESS

Councilor Copp – The following boards/committees still need members: Board of Adjustments and Appeals (1 vacancy), Coastal Waters Commission (3 vacancies), Lands & Conservation Commission (2 vacancies), Recreation/Community Education Advisory Board (3 vacancies), Rines Forest Committee (2 vacancies), Shellfish Conservation Commission (1 vacancy), Twin Brook Advisory Committee (1 vacancy), Val Halla Board of Trustees (1 vacancy).

Councilor Storey-King – Greely High School recently did the right thing by giving an honorary diploma to a WWII Veteran, Phil Roy. This was a spectacular thing to do.



She wished everyone a Merry Christmas and a Happy New Year.

Councilor Edes – Merry Christmas to everybody.

Councilor Bingham – Thank you to Town Manager Shane and Penny Asherman for their efforts in the work that they have put into the acquisition of the Payson property. They have been at the forefront of a lot of the discussion, that has been at times, more adversary than they deserve.

He wished everybody a Merry Christmas.

Chairman Gruber – Last Monday, he and Councilor Bingham attended the annual Town Employee Appreciation Luncheon. It was a very nice event.

Last Friday, the Food Pantry gave out the annual Christmas baskets. The Food Pantry volunteers and the support from the Council are very much appreciated.

Councilor Stiles – The Library will be closing at 1:00 on Christmas Eve and at 5:00 on New Year's Eve.

He wished everyone a Merry Christmas and a safe and Happy New Year.

Councilor Turner – In regard to the Food Pantry, the reason it runs so smoothly is because Bill Shane is always present keeping the process in an orderly fashion.

He went through the process with Summit recently to get his refund lost to Dave Ireland Builders. He wanted everyone to know that there is paperwork to fill out with Summit and the refund comes within a few days. You will not get your refund immediately.

VI. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

TIME: 9:28 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary