

MINUTES

Cumberland Town Council Meeting

West Cumberland Hall

Open House from 6:00 – 7:00 P.M.

MONDAY, July 25, 2016

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 Gruber, to accept the July 11, 2016 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

II. MANAGER'S REPORT

None

III. PUBLIC DISCUSSION

Janene Gorham of Forest Lane said that the Forest Lake Association will be doing a watershed survey. It will begin in January and she invited the Town Councilors to attend their meetings.

Tim Michalak of 31 Shady Run Lane said that he has never seen a survey that asked residents if property taxes should be lowered. If a committee were proposed on how to lower taxes, the response would be overwhelming. Kennebunkport has lower taxes than Cumberland does. He asked the Council to exercise their fiduciary duty and control taxes. He questioned the need of a Town our size for a Communications Director. This is clearly wasteful spending. Remember the words of Thomas Jefferson, "a government that is large enough to give you everything you want, is large enough to take away everything you have". The Council's failure to exercise any restraint in spending, is heading the Town in that direction.

Brad Hilton of Blanchard Road said that he wishes more of the public would be involved in the budget process and attend budget meetings.

IV. LEGISLATION AND POLICY

16 – 100 To hear a report from the Tax Assessor and to hold a Public Hearing to consider and act on setting the FY2017 tax rate.

Tax Assessor, John Brushwein said that he recommends that the Town Council set the municipal tax rate for FY2017 at \$18.25 per \$1,000 of valuation. This is a .15 cent increase over the FY2016 tax rate. Residents who are currently receiving the Homestead Exemption and have a home valued at \$310,000, a Homestead Exemption of \$10,000, leaving a net taxable property value of \$300,000. \$300,000 times last year's tax rate of \$18.10 equals a tax of \$5,430.00. The Homestead Exemption has been increased to \$15,000, meaning that same homeowner would have a net taxable of \$295,000 times \$18.25 equals a tax of \$5,383.75, which is less than last year.

Chairman Turner opened the Public Hearing.

Brad Hilton of Blanchard Road said that he has concluded that the evaluation of property has gone up and the overlay has been decreased. These things are helping, but he still feels disturbed that there was an end of year surplus of \$700,000 that the Town Council chose not to use to decrease the tax rate.

Chairman Turner closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Edes, to set the municipal tax rate for FY2017 at \$18.25.

VOTE: 7-0 UNANIMOUS

16 – 101 To hold a Public Hearing to set rates at which interest will be paid for delinquent taxes, and to authorize applying tax payments to the oldest unpaid taxes.

Town Manager Shane explained that annually, Maine Municipal Association sends all Towns their recommendation for the interest rate to be charged for delinquent taxes. They have recommended 7% for the past few years, including this year.

Chairman Turner opened the Public Hearing.

Public discussion: none

Chairman Turner closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Bingham, to set an interest rate of 7% for delinquent real and personal property taxes for FY2017.

Be it further Ordered, that all payments for delinquent real and personal property taxes be applied to the oldest, unpaid taxes.

VOTE: 7-0 UNANIMOUS

16 – 102 To hold a Public Hearing to consider and act on amendments to Chapter 250 (Subdivision of Land), Article VI (Street Design and Construction Standards) Section 32 (Design and Construction Standards) of the Cumberland Code, as recommended by the Planning Board.

Town Manager Shane explained that our Subdivision Ordinance currently requires that subdivision roads be almost 36 feet in width, which is extremely excessive. We have not had subdivisions built to that standard in quite some time. The Ordinance Committee directed staff to come up with a more manageable system for the Town to maintain. The current subdivision roads are 22 to 24 feet in width, the majority being 22 feet as opposed to the 36 feet required by the current ordinance. The new standards will reduce those substantially and still provide safe travel in neighborhoods. There are now 3 standards, 1) residential access road with less than 50 vehicles per day, 2) a residential access road with greater than 50 vehicles per day, and 3) a mixed use commercial access road. The Planning Board agreed with the standards and made only a few minor modifications.

Chairman Turner opened the Public Hearing.

Public discussion: none

Chairman Turner closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Copp, to accept the Planning Board's unanimous recommendation to remove and replace the Subdivision Road Standards, Chapter 250, Attachment 1 and Attachment 2, as presented this evening.

VOTE: 7-0 UNANIMOUS

16 – 103 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Cumberland Soccer Club “Just for Fun” Labor Day Tournament to be held September 3rd and 4th from 7:00 a.m. to 7:00 p.m. at Twin Brook.

Motion by Councilor Gruber, seconded by Councilor Storey-King, to approve the Mass Gathering Permit for the Cumberland Soccer Club “Just for Fun” Labor Day Tournament to be held September 3rd and 4th from 7:00 a.m. to 7:00 p.m. at Twin Brook.

VOTE: 7-0 UNANIMOUS

16 – 104 To set a Public Hearing date of August 8th to consider and act on setting sewer user fees for FY’17.

Motion by Councilor Bingham, seconded by Councilor Stiles, to set a Public Hearing date of August 8th to consider and act on setting sewer user fees for FY’17.

VOTE: 7-0 UNANIMOUS

16 – 105 To set a Public Hearing date of August 8th to consider and act on a Mass Gathering Permit for Binnie Media’s Fall Ultimate Yard Sale to be held on September 17, 2016 at the Cumberland Fair Grounds from 9:00 a.m. to 2:00 p.m.

Motion by Councilor Stiles, seconded by Councilor Copp, to set a Public Hearing date of August 8th to consider and act on a Mass Gathering Permit for Binnie Media’s Fall Ultimate Yard Sale to be held on September 17, 2016 at the Cumberland Fair Grounds from 9:00 a.m. to 2:00 p.m.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Bingham – None

Councilor Gruber – None

Councilor Storey-King – She thanked Town Manager Shane for holding the Council meeting at the West Cumberland Hall this evening.

Councilor Edes – He asked Town Manager Shane why Falmouth cut trees on Middle Road. Town Manager Shane said that is the first phase of the Middle Road widening project.

Chairman Turner – In regard to Mr. Michalak’s comments about taxes being lower in other Towns, they likely have a much larger commercial tax base. We do not have the ability of Yarmouth or Falmouth in terms of the ratio of commercial vs. residential properties.

Councilor Stiles – He thanked Councilor Copp for his continued donation of another \$20 to the 4-H Auction Fund to benefit the Food Pantry.

He had another great grandson born on July 2nd. Henry Richard Wilson.

Councilor Copp – He referred to a letter from a resident thanking the Housing Authority for senior housing and the Cumberland Fire/EMS Department for their help to him and his family.

VI. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

TIME: 8:16 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary