

MINUTES

Cumberland Town Council Meeting

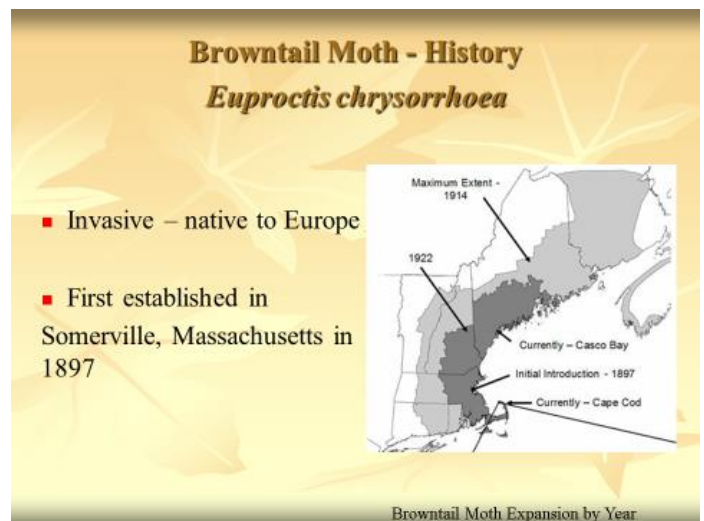
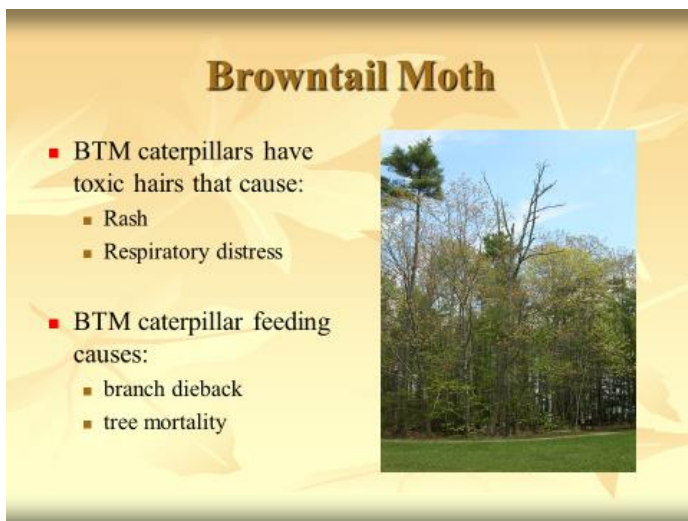
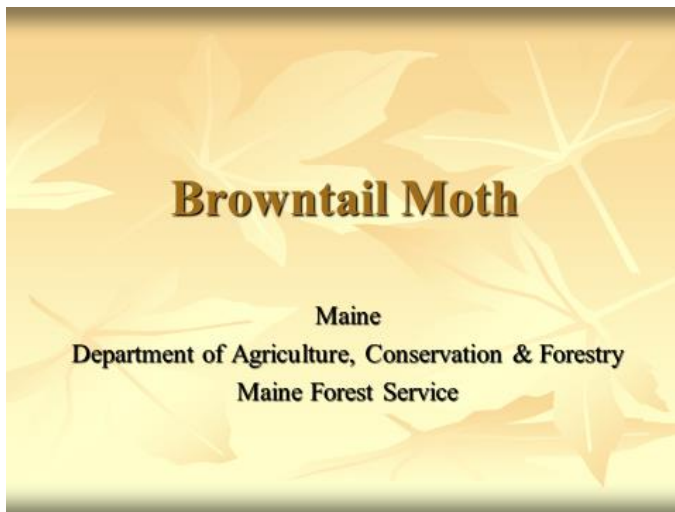
Town Council Chambers

MONDAY, April 25, 2016

5:45 P.M. Finance Committee Meeting

6:00 P.M. WORKSHOP with Terry Traver from Whitney Tree Service re: Brown Tail Moth problem on Route 88

Charlene Donahue of the Maine Forest Service presented the following:



Browntail Moth - History

- Population collapsed in 1920's
- Possibly due to a combination of weather and fungus, *Entommophaga aulicae*
- Expands periodically
- 1990's- 2005



Infected browntail moth caterpillar



Browntail Moth - Today

- Remnant remained in Brunswick area
- **Population increasing and expanding along coast**
- **Inland in:** Augusta, Gardiner, Lewiston, Monmouth, Turner, Vassalboro, Waterville and Whitefield



Browntail Moth - Life Cycle

- Caterpillars emerge in late April and May
- Feed on foliage until late June
- Molt skins five times
- Cast skins have toxic hairs on them



Browntail Moth - Life Cycle

- In late June – early July
 - Caterpillars move around looking for a good place to spin a cocoon and pupate
- They make cocoons in leaves, on branches, on buildings, under eaves and boats
- Cocoons are full of toxic hairs!

Browntail Moth - Life Cycle

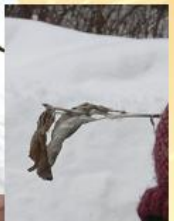
- Moths emerge from cocoons in July
- Lay eggs on leaves of host trees
 - Oak, birch, apple other hardwoods & shrubs
 - 200-400 eggs
 - Covered with toxic hairs
- Eggs hatch in August



(c) Anne Burton

Browntail Moth - Life Cycle

- Caterpillars skeletonize leaves
- Tie leaves together with silk
- Spend winter in webs
- 25-400 caterpillars/web



Browntail Moth - Problem

- Hairs are on caterpillars, cast skins, cocoons
 - Microscopic
 - Blow around
 - Stay toxic for 1-3 years
- Cold winter temperatures do NOT kill browntails
- Wet, cool springs when populations are high allow diseases to kill caterpillars

Questions?

Charlene.donahue@maine.gov

168 State House Station

(50 Hospital Street)

Augusta, ME 04333-0168

(207) 287-2431

www.maine.gov/forestpests#btm

Lebelle Hicks, PhD DABT, of the Maine Board of Pesticides Control presented the following:

Cumberland's Proposed Browntail Moth Program May 2016

Lebelle Hicks PhD DABT
Maine Board of Pesticides Control
207-287-7594
lebelle.hicks@maine.gov
www.thinkfirstspraylast.org

Tonight's Discussion

- Pesticides and Browntail moths
 - Comparative Biology
 - Competing Risks
 - Balance
 - Proposed program
- Questions

RISKS

Caterpillars



Hairs

Pesticide application



Honey bees



Humans, Pets etc.



Lobster



Comparative Biology

- **Target organism, Browntail moth, prior to toxic hair development**
- **Non-target mammals**
 - Humans and other mammals are similar to rodents
 - Rat data is used to estimate risks to people and other mammals
- **Non-target invertebrates**
 - Lobster are similar to insects
 - Honey bees are insects

beta-Cyfluthrin

- *beta-Cyfluthrin* (included in term cyfluthrin)
- Synthetic pyrethroid
- Low toxicity to humans, birds and other mammals
- High toxicity to insects, fish and invertebrates

beta-Cyfluthrin

- **Affects nerve transmission in all animals**
- **Insects, aquatic invertebrates (invertebrates)**
 - Toxic reactions
 - Gets into the system **rapidly**
 - **Livers can't change it into non-toxic compounds**
 - **Increased toxicity, death at low concentrations**
- Exposure
 - Caterpillars need to consume the leaves with the spray on them
 - Need to keep this material out of the water

beta-Cyfluthrin

- **Affects nerve transmission in all animals**
- **Mammals, people, pets, birds (vertebrates)**
 - Toxicity
 - Gets into the system **rapidly**
 - In liver, changed to **non-toxic** compounds **rapidly**
 - Excreted **rapidly** (95% in 48 hrs)
 - Exposure
 - Requires a high level of exposure to have a toxic response
 - People are not going to be eating the leaves with spray on them
 - Keep inside, windows clothes, pick up the toys, cover lawn furniture etc.

Fish, Including Lobster

- **Location, Location, Location**
- Label
 - Keep the product out of the water
 - Do not allow pesticide to run off into storm drains, drainage ditches, gutters or surface waters
 - Applying this product in calm weather when rain is not predicted for the next 24 hours
 - Do not apply when weather conditions favor drift from treated areas

Fish, Including Lobster

- Beyond the label
 - Use a drift control agent
 - BPC regulations chapter 29
 - Limitations on which chemicals can be used within 250 ft of the high water mark
 - No chemical pesticides (unless injected) within 50 ft of high water mark

Bees and other Insects

- **Timing, Timing, Timing**
- Label
 - Product is highly toxic to bees exposed to direct treatment or residues on crops or weeds.
 - Do not apply insecticide or allow it to drift onto crops or weeds on which bees are actively foraging.
- Beyond the Label
 - Treat before other insects have emerged

Proposed Program

- Whitney Tree Services
 - Applicators licensed and certified by Board of Pesticides Control
 - 5 licensed applicators
 - 2 masters level
 - 3 operator level
 - Truck mounted spraying
 - Areas not within 250 ft of the high water mark
- Compliance with label requirements and all regulations (State and Federal)

Proposed Program

- Tempo (EPA# 432-1363)
 - 10.8% *beta*-cyfluthrin (1 pound/gal)
 - Registered for uses indoors and outdoors on ornamental hardwood trees
- Other cyfluthrin products (922 sites)
 - Many foods and feed, livestock
 - Schools, hospitals, offices, camp sites etc.

**Why not do it myself?
Or
Why use a Tree Company?**

Caterpillars Nest in Top of Trees



Resources

- Maine Forest Service
 - 207-287-2431
 - 800-367-0223
 - http://www.maine.gov/dacf/mfs/forest_health/insects/browntail_moth.htm
- Maine Board of Pesticides Control
 - 207-287-2731
 - www.thinkfirstspraylast.org
 - <http://www.maine.gov/dacf/php/gotpests/>
- University of Maine Cooperative Extension Pest Management Office
 - 800-287-0279
 - <https://extension.umaine.edu/home-and-garden-ipm/common-name-listing/brown-tail-moth/>
- Northern New England Poison Center
 - 800-222-1222
 - <http://www.nnepc.org/>

7:00 P.M. CALL TO ORDER

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

Excused: Chairman Bingham

On behalf of the Town Council, Vice-Chairman Turner made the following comments:

The people of the Town of Cumberland should be in mourning right now for the loss of both Bob and Lucille Robinson, who passed away last Wednesday, 6 hours apart from each other. Bob was 95 and Lucille was 93. They were a miraculous couple who did amazing things for this Town. Bob served the Town for 38 years on various boards & committees. Vice-Chairman Turner said that he served on the Board of Adjustments and Appeals with Bob back in 1980 and considered him a good friend. Bob was a brilliant legal scholar who did a lot of things before he became a lawyer. His wife, Lucille spent many years of devotion to the Prince Memorial Library. They were both dedicated volunteers for our Town. Condolences to the entire Robinson family.

I. APPROVAL OF MINUTES

Motion by Councilor Gruber, seconded by Councilor Copp, to accept the April 11, 2016 meeting minutes as presented.

VOTE: 5-0-1 (Stiles abstained) MOTION PASSES

II. MANAGER'S REPORT

None

III. PUBLIC DISCUSSION

State Representative, Mike Timmons gave an update of the recent Legislative activity in Augusta.

IV. LEGISLATION AND POLICY

16 – 053 To consider and act on authorizing the Town Manager to execute a contract with Whitney Tree Service to spray for Brown Tail Moth's on Route 88 provided that the majority of residents participate.

Town Manager Shane explained that as a result of the Workshop earlier this evening, the Town will explore the cost of using organic chemicals vs. a synthetic material. We heard from a lot of residents who preferred using only organic materials.

Councilor Gruber said that he feels that the \$10,000 allocated for spraying will not be enough.

Town Manager Shane said that if the price does not come back in the \$10,000 to \$15,000 range, he will have to bring it back to the Council. We will know the price by next week.

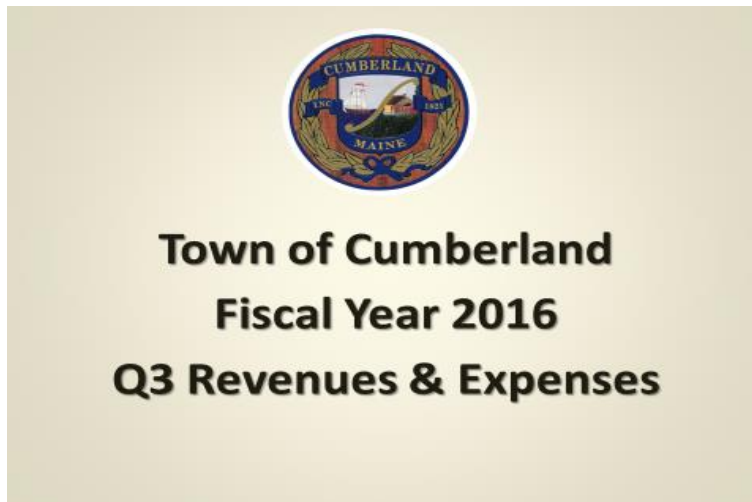
Motion by Councilor Stiles, seconded by Councilor Gruber, to authorize the Town Manager to execute a contract with Whitney Tree Service to spray for Brown Tail Moth's along the Route 88 corridor, and side streets as warranted, provided that the majority of residents participate, and I further authorize up to \$15,000 be expended from this year's contingency budget. If needed, the Town Council can meet in another session in order to increase the amount.

VOTE: 5-0-1 (Copp abstained) MOTION PASSES

Councilor Storey-King wants to be sure that we are only exploring the organic option. She fears that if the organic material is too expensive, a decision will be made to use the synthetic, and the public will not know.

Town Manager Shane said that more people will be on board if we use the organic. The more people that participate, the more successful the program will be now and in the future.

16 – 054 To hear a report from the Finance Committee re: 3rd Quarter Financials.



General Fund Q3 Revenues & Expenditures				
	FY16 Budget	FY16 Actual	FY16%	FY15 %
TOTAL REVENUES	\$ 4,555,489	\$ 3,660,434	80.4%	74.3%
Controllable Expenses	\$ 7,381,649	\$ 5,745,662	77.8%	80.7%
Fixed Expenses	\$ 18,530,481	\$ 14,556,993	78.6%	78.2%
TOTAL EXPENSES	\$ 25,912,130	\$ 20,302,655	78.4%	78.9%

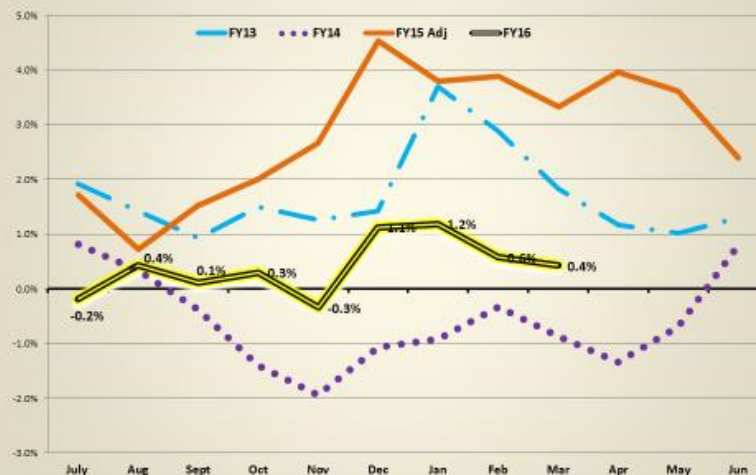
Q3 Selected Revenues

	FY16 Budget	FY16 Actual	FY16%	FY15 %
Excise Tax	\$ 1,480,000	\$ 1,341,785	90.7%	85.2%
State Revenue Sharing	\$ 385,710	\$ 308,338	79.9%	76.6%
Permits & Impact Fees	\$ 158,000	\$ 177,737	112.5%	104.0%
EMS Billing	\$ 186,200	\$ 166,037	89.2%	82.1%
Recreation	\$ 715,468	\$ 440,759	61.6%	59.0%
Val Halla Golf Club	\$ 674,500	\$ 388,668	57.6%	56.9%

Q3 Selected Expenditures

	FY16 Budget	FY16 Actual	FY16%	FY15 %
Police	\$ 1,257,423	\$ 1,043,600	83.0%	76.7%
Fire	\$ 885,161	\$ 663,258	74.9%	80.3%
Public Services	\$ 1,776,253	\$ 1,305,220	73.5%	78.1%
Val Halla Golf Club	\$ 703,356	\$ 520,333	74.0%	81.2%
Recreation	\$ 783,686	\$ 616,836	78.7%	89.4%
Legal	\$ 42,500	\$ 34,889	82.1%	136.2%
Abatements	\$ 20,000	\$ 80,473	402.4%	363.4%

% Variance to Average Expenditures



16 – 055 To hold a Public Hearing to consider and act on the adoption of the Knight’s Pond Preserve Management Plan.

Councilor Stiles said that this was a combined effort of the Cumberland/North Yarmouth Joint Standing Committee and Penny Asherman of the Chebeague & Cumberland Land Trust.

Vice-Chairman Turner opened the Public Hearing.

Public discussion: Penny Asherman, President of the Chebeague and Cumberland Land Trust, said that it was great working with the Joint Standing Committee to develop the management plan. Both Towns are very excited about the property and the opportunities it will bring. The Chebeague and Cumberland Land Trust Board has also reviewed the plan and finds it acceptable. There is a group of volunteers who will begin working on the property on projects such as trail marking, trail improvements, etc.

Vice-Chairman Turner closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Stiles, to adopt the Knight’s Pond Preserve Management Plan.

VOTE: 6-0 UNANIMOUS

16 – 056 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Penobscot Valley Kennel Club’s Dog Show to be held June 22nd – 25th from 8:00 a.m. to 7:00 p.m. at the Cumberland Fairgrounds.

Vice-Chairman Turner opened the Public Hearing.

Public discussion: None

Vice-Chairman Turner closed the Public Hearing.

Town Manager Shane said that staff is recommending approval.

Motion by Councilor Stiles, seconded by Councilor Copp, to authorize the Mass Gathering Permit for the Penobscot Valley Kennel Club’s Dog Show to be held June 22nd – 25th from 8:00 a.m. to 7:00 p.m. at the Cumberland Fairgrounds.

VOTE: 6-0 UNANIMOUS

16 – 057 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Cumberland Girls Round Robin Lacrosse Tournament to be held at Twin Brook on May 14th from 8:00 a.m. to 6:00 p.m.

Vice-Chairman Turner opened the Public Hearing.

Public discussion: None

Vice-Chairman Turner closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Storey-King, to authorize the Mass Gathering Permit for the Cumberland Girls Round Robin Lacrosse Tournament to be held at Twin Brook on May 14th from 8:00 a.m. to 6:00 p.m.

VOTE: 6-0 UNANIMOUS

16 – 058 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Cumberland Boys Jamboree Lacrosse Tournament to be held at Twin Brook on June 11th from 8:00 a.m. to 6:00 p.m.

Vice-Chairman Turner opened the Public Hearing.

Public discussion: None

Vice-Chairman Turner closed the Public Hearing.

Motion by Councilor Stiles, seconded by Councilor Storey-King, to authorize the Mass Gathering Permit for the Cumberland Boys Jamboree Lacrosse Tournament to be held at Twin Brook on June 11th from 8:00 a.m. to 6:00 p.m.

VOTE: 6-0 UNANIMOUS

16 – 059 To set a Public Hearing date of May 9th to consider and act on a Mass Gathering Permit for Girls on the Run-Maine for a 5K race to be held on June 5th from 7:00 a.m. to 1:00 p.m. at the Cumberland Fairgrounds.

Motion by Councilor Copp, seconded by Councilor Stiles, to set a Public Hearing date of May 9th to consider and act on a Mass Gathering Permit for Girls on the Run-Maine for a 5K race to be held on June 5th from 7:00 a.m. to 1:00 p.m. at the Cumberland Fairgrounds.

VOTE: 6-0 UNANIMOUS

V. NEW BUSINESS

Councilor Edes – The old Hazelton building on Middle Road is looking great with the new businesses who have relocated there. It's exciting to see activity there again.

He was speaking to a friend recently who said nice things about how easy it is to work with the Town, especially Code Enforcement Officer, Bill Longley.

He wished Councilor Copp condolences in the loss of his good friend, John Hagan.

Councilor Gruber – The Food Pantry has submitted a grant for a walk-in freezer. He feels good about our chances to get the grant. The 5 freezers that we currently have take up a lot of room, so the walk in freezer would be wonderful.

The Aging in Place Committee hosted a session on the school budget recently. The Superintendent explained the budget in detail and answered questions of the residents who attended. Many thanks to Superintendent Jeff Porter for doing this.

The Aging in Place Committee has also developed a community calendar of events. There is a lot going on in our community.

Councilor Storey-King – The Recreation/Adult Education Committee met recently. Some of the summer programs are already booked. They also added an ultimate Frisbee program.

Councilor Turner – There will be a Council and Planning Board workshop on May 9th at 6:00 p.m. regarding LED signs.

There will be a Council workshop on May 23rd at 6:00 p.m. regarding the new Bicentennial Committee charge.

Councilor Stiles – He reminded everyone that he continues his efforts to collect money for the 4-H auction that will benefit the patrons of the Food Pantry. His goal is to raise \$10,000 by September.

The Central Fire Station Building Committee has met a couple of times. They are looking at different fire stations in the area to get some ideas as to what has worked well and not so well with other fire stations. They are doing good work.

Councilor Copp – His good friend, John Hagar passed away recently at the age of 53. John was a good man who grew up in Cumberland. This is a very sad loss.

Town Manager Shane – We are scheduled to begin the paving program on some of the Main Street neighborhoods this week. The wintry weather expected tomorrow may cause a small delay.

There will be a neighborhood meeting on May 4th at 6:00 p.m. for the Middle Road waterline and reconstruction project.

VI. ADJOURNMENT

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

VOTE: 6-0 UNANIMOUS

TIME: 8:23 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary