

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, November 28, 2016

7:00 P.M. Call to Order

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

Excused: Councilors Edes, Gruber and Turner

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Storey-King, to accept the November 14, 2016 meeting minutes as presented.

VOTE: 4-0 UNANIMOUS

II. MANAGER'S REPORT

Report from Ordinance Committee (Councilor Storey-King)

Councilor Storey-King reported that the Ordinance Committee meet last week (with Councilor Copp in attendance as Chairman of the Nominating Committee) regarding the consolidation of committees, which we have been discussing for a long time. The Ordinance Committee feels that it makes sense to have 2 new committees. She read a letter that will be mailed to members of the Lands & Conservation Commission, the Recreation Community Education Advisory Board, the Rines Property Citizens Advisory Board, the Twin Brook Advisory Committee and the Val Halla Board of Trustees, that explains this change in detail:

Re: Committee Reorganization

Lands & Conservation Commission, Recreation Community Education Advisory Board, Rines Property Citizens Advisory Board, Twin Brook Advisory Committee and Val Halla Board of Trustees

Dear Committee Member,

The Town Council has decided to reorganize multiple appointed committees. The reasons for reorganization vary from committee to committee and are an attempt to repurpose committees' goals and objectives, and be respectful of all committee members' personal time. All current committee memberships will expire on December 31, 2016. All committees listed above will be reorganized into two committees:

Lands and Conservation Commission

The expanded roles of the Lands and Conservation Commission will include:

- *A Town Forests subcommittee to include invasive species management*
- *A trails and trail connectivity subcommittee to include multiple user types*
- *A policy, ordinance, and education outreach committee*

The Commission shall consist of at least 12 members and meet no less than 8 times per year on the first Wednesday of each month. Meetings are open to the public.

Each of the Lands and Conservation Commission subcommittees shall meet and report to the full committee at each meeting, and meet individually at least quarterly or more often as work requires. The Commission will also be invited to report directly to the Town Council at least once a year.

Parks and Recreation Commission

The focus of the Parks and Recreation Commission will be on parks programming and facilities including:

- *Val Halla*
- *Knight's Pond*
- *Broad Cove Reserve*
- *Twin Brook*
- *West Cumberland Recreation Area*

The Parks and Recreation Commission will review and make recommendations regarding:

- *recreation programming and activities*
- *coordination with M.S.A.D. 51 on facilitating usage of programs and field use*
- *approval of all mass gathering events at Town facilities*
- *development of a Capital Improvement Plan for Town-owned recreational facilities*
- *development of a Parks and Recreation Commission Ordinance*
- *amendments to the existing Mass Gathering Ordinance*

This committee membership shall consist of 6 Cumberland residents, 2 North Yarmouth residents, and ex-officio representatives from the Cumberland Town Council, the North Yarmouth Select Board and M.S.A.D. 51. The Commission will also be invited to report directly to the Town Council at least once a year.

The Parks and Recreation Commission shall meet at a minimum monthly, November through March, and one meeting during the summer. These meetings are also open to the public.

The Town Council will be re-appointing new members to both Commissions on January 9th and they encourage you to apply to become a member of one of these new Commissions.

Sincerely,

Sincerely,

*Shirley Storey-King, Chairperson
Ordinance Committee*

*Ron Copp, Jr., Chairman
Appointments Committee*

Chairman of the Lands & Conservation Commission, Sam York, said he feels that this is a step in the right direction. The Commission has struggled over the years to maintain membership and to cover all the items that they need to cover. This committee restructure will help with that.

Councilor Stiles added that the Cumberland/North Yarmouth Joint Standing Committee has some governance over the Knight's Pond Reserve property and they will need to stay informed about what is happening at that property.

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

Motion by Councilor Copp, seconded by Councilor Bingham to add item 16-161 to the agenda.

VOTE: 4-0 UNANIMOUS

16 – 157 To hold a Public Hearing to consider and act on the 2017 Shellfish License allocations, as recommended by the Shellfish Conservation Commission.

Acting Chairman Stiles opened the Public Hearing.

Chairman of the Shellfish Conservation Commission, Michael Brown explained that the Commission met and are recommending no changes to the license allocations this year. They will remain:

RECREATIONAL: Unlimited resident recreational licenses
25 non-resident recreational licenses
8 monthly resident licenses
2 monthly non-resident licenses

COMMERCIAL: 1 resident commercial licenses
1 non-resident commercial license

Acting Chairman Stiles closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Copp, to approve the 2017 Shellfish License allocations, as recommended by the Shellfish Conservation Commission.

VOTE: 4-0 UNANIMOUS

16 – 158 To set a Public Hearing date of December 12th to consider and act on amendments to Chapter 223 (Shellfish Conservation) of the Cumberland Code, as recommended by the Shellfish Conservation Commission.

Mr. Brown said that the Shellfish Conservation Commission recommends that the licensing fee structure remain the same as last year. He explained that the amendments to the ordinance were recommended by the Department of Marine Resources (DMR). One amendment is the removal of ordinance language that says that only specific tools will be used when digging shellfish. The second item is related to eel grass. Our ordinance says that digging within 2 feet of eel grass is prohibited. DMR has asked us not to include that in our ordinance because they cannot enforce this on our behalf. The last item is that we don't specifically say that it is illegal to dig on our flats when they are closed. DMR wants this specific language added so they can enforce that.

Motion by Councilor Bingham, seconded by Councilor Copp, to set a Public Hearing date of December 12th to consider and act on amendments to Chapter 223 (Shellfish Conservation) of the Cumberland Code, as recommended by the Shellfish Conservation Commission.

VOTE: 4-0 UNANIMOUS

16 – 159 To hold a Public Hearing to consider and act on draft zoning map amendments to rezone property at Tax Assessor Map U07, Lot 16 to change zoning designation from Rural Residential One (RR1) to Highway Commercial (HC), as recommended by the Planning Board. TABLED TO 12/12/16

Motion by Councilor Storey-King, seconded by Councilor Bingham, to table to December 12, 2016.

VOTE: 4-0 UNANIMOUS

16 – 160 To authorize the purchase of 7.9 acres of land for \$10,000, and to authorize the Town Manager to execute a gift letter on the Town's behalf in the amount of \$37,400.

Town Manager Shane explained that this came before the Council last year when the Harwood's were in the beginning stages of trying to sell their property. Unfortunately, it did not sell at that time and they are now prepared to move forward on this regardless of the sale of their property. They have offered the Town 7.9 acres, which is adjacent to the Town Forest and this parcel would close the loop on most of our property from Tuttle Road to the back of the Town Forest.

Motion by Councilor Storey-King, seconded by Councilor Copp, to authorize the purchase of 7.9 acres of land for \$10,000, and to authorize the Town Manager to execute a gift letter on the Town's behalf in the amount of \$37,400.

VOTE: 4-0 UNANIMOUS

16 – 161 To consider and act on sending to the Planning Board for a Public Hearing and a recommendation, potential changes to, or repeal of, the VCC Multiplex Overlay District.

Councilor Copp explained that this is will assist the Planning Board with a project that was proposed. The VCC zone was changed to allow some residential units in the commercial district. We have someone who wants to put in residential units without constructing the commercial portion of their project. This was not the intent of the Council and we want the Planning Board to consider this and make a recommendation back to the Council.

Motion by Councilor Copp, seconded by Councilor Bingham, to request a recommendation from the Planning Board to retain, amend, or repeal the Village Center Commercial Multiplex Overlay District (Section 315-28.2).

VOTE: 4-0 UNANIMOUS

V. NEW BUSINESS

Councilor Bingham – there are a lot of organizations around town selling holiday items, such as Christmas trees and other agricultural products. When you can, please remember to support our local organizations by making your purchases local.

He won another apple pie this year for winning the 70 and over category in the annual Turkey Trot.

Councilor Storey-King – Greely Middle School will be holding their annual "Fill a Bus, Fill a Belly" food collection campaign. They will be collecting items for our food pantry. For those considering donations, consider the Middle School.

Councilor Stiles – thank you to Councilor Copp for his continued support and his donation to the 4-H fund to support the food pantry with meat products. If anyone has a spare \$10 to donate, he urged them to consider this worthwhile cause.

He has new great-grandson, Thomas John was born on November 22nd.

Councilor Copp – He thanked the Town Manager and all the volunteers who make our food pantry a success.

Town Manager Shane – the food pantry gave out 80 Thanksgiving baskets this year, and another 53 people shopped for their food the same day. This community is amazing with their donation and willingness to volunteer. The Girl Scouts helped set up for the Thanksgiving baskets and the Lions Club donated pies. The Swim Team has volunteered to come in at Christmas time to help make the Christmas baskets. The Fill a Bus, Fill a Belly campaign is a huge success. Last year the food pantry received over 4,000 pounds of food from it.

VI. ADJOURNMENT

Motion by Councilor Bingham, seconded by Councilor Copp, to adjourn.

VOTE: 4-0 UNANIMOUS

TIME: 7:29 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary