

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, August 27, 2018

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 Gruber, seconded by Councilor Turner, to accept the August 13, 2018 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

II. MANAGER'S REPORT

Town Manager Shane reported that the culvert project on Mill Road is almost completed. The road will be repaved tomorrow and the guard rail replaced next week.

There are dedicated left turn lanes at the Main Street intersection now. This will hopefully alleviate a lot of the traffic back up problems during the morning traffic.

Final paving of Middle Road is scheduled for the month of September.

The repairs of the "S" turns on Skillin Road will begin tomorrow. This is the section of road that typically heaves during the winter months.

Demolition of the pier at Broad Cove Reserve will begin tomorrow and will take approximately 2 weeks. The contractor will return in November to install the pilings and the new pier will be floated in from Rockland and installed a couple of months later.

We have submitted our speed limit reduction requests to MDOT and they have responded to say that they are approximately 8 to 12 months behind. They hope to have a response to our requests on Route One and Blackstrap Road by the end of the year and Orchard Road and Blanchard Road Extension by spring.

III. PUBLIC DISCUSSION

Teri Maloney-Kelly of Maloney's Ridge Way said that she had a glorious day in Cumberland today. It began with a cup of coffee at home and it was quiet. That is a real blessing for West Cumberland residents (because of the gravel pit noise). She went to visit a resident as part of her volunteering with the Aging in Place Committee. Then, she went to the beach at Broad Cove Reserve for the first time. She urged residents to volunteer their time because she is concerned about our Town in the future. We should be trying to get new people involved in serving on Town committees including the Town Council.

Sally Brown of Greely Road said that she is here this evening to speak on behalf of the Cumberland residents who live near the 4 railroad crossings and are affected by the train whistle noise. When growing up on the land that she presently lives on, there were trains, but there were fewer and the whistles were quieter. Now, Greely Road, Tuttle Road, lower Main Street and Murfield Roads are faced with 7 daily Amtrak runs, and apparently more runs are planned in the future. These trains are in addition to regular freight trains who make a total of 17 to 19 trips in a 24 hour period. The train whistles have continued to

get louder and longer. Most freight trains seem to be respectful of whistle blowing, but it seems that both freight trains and Amtrak trains are blowing their whistles far ahead of the whistle blowing signs and the whistles are lasting for longer periods of time. Recently, the track renovations, which have included clear cutting everything right up to the fence that used to shield nearby residents from the noise, leave them with whistles that are significantly louder and produces vibrations in their homes. She said that she would like the Town Council to consider implementing quiet zones and perhaps forming a committee with at least one resident from each crossing and Town officials to research these concerns. The Towns of Freeport, Yarmouth, Falmouth and part of Portland have instituted quiet zones. With the recent upgrade to the crossing arms and signals, it is now unnecessary to have both crossing arms and train whistles in Cumberland?

Chairman Copp said that at their next meeting on September 10th the Town Council will hold a workshop with residents to discuss their concerns.

Suzanne Jones of Murfield Road asked if it was a possibility that after the workshop, a committee could be established to look into these concerns based on data and not opinions.

Chairman Copp responded that a committee can be formed and this can be discussed in more detail at the workshop.

IV. LEGISLATION AND POLICY

18 – 112 To hold a Public Hearing to consider and act on setting sewer user fees for FY2019.

Town Manager Shane said that he is recommending a 2% increase in sewer user fees. This increase is a result of a capital project over the next two years that the Town of Falmouth has planned for the pump station that we own 30% of. The improvements are significant and will cost 3 to 5 million dollars.

Chairman Copp opened the Public Hearing.

Public discussion: Dottie Spaulding of Greely Road said that her sewer fees keep going every year. She lives alone and her bill is \$70 per month.

Town Manager Shane said that the Town can help her with information on getting a sub-meter that will separate her outdoor spigot water use and save her some money.

Chairman Copp closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Bingham, to authorize a 2% increase in sewer user fees for FY2019.

VOTE: 7-0 UNANIMOUS

18 – 113 To hold a Public Hearing to authorize the issuance of Senior Property Tax Assistance Program payments.

Town Manager Shane said that Town staff and Councilors Gruber and Stiles met with over 150 of our senior residents last week and assisted them with their applications. This year, we will be issuing almost \$75,000 in senior property tax rebates.

Councilor Gruber also thanked Aging in Place Committee Chairman, Brian Cashin, for helping.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Storey-King, to authorize the issuance of Senior Property Tax Assistance Program payments.

VOTE: 7-0 UNANIMOUS

18 – 114 To hold a Public Hearing to consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 315 (Zoning), Section 38 (Animals) of the Cumberland Code, as recommended by the Ordinance Committee.

Town Manager Shane explained that this ordinance requires animals remain in the RR1 and RR2 zones where larger lots exist and not in the MDR Zone on ½ acre lots.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Edes, to forward to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 315 (Zoning), Section 38 (Animals) of the Cumberland Code, as recommended by the Ordinance Committee.

VOTE: 7-0 UNANIMOUS

18 – 115 To hold a Public Hearing to consider and act on a Mass Gathering Permit Maine's Ultimate Yard Sale to be held on September 8th (rain date September 9th) from 9:00 a.m. to 2:00 p.m. at the Cumberland Fairgrounds.

Town Manager Shane said that the paperwork is in order and staff has met with Mike Timmons of the Cumberland Farmer's Club on this and next two items and they are recommending approval. Mr. Timmons is here if the Council has any questions for him in regard to these events.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Stiles, seconded by Councilor Turner, to approve the Mass Gathering Permit Maine's Ultimate Yard Sale to be held on September 8th (rain date September 9th) from 9:00 a.m. to 2:00 p.m. at the Cumberland Fairgrounds.

VOTE: 7-0 UNANIMOUS

18 – 116 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Cumberland County Fair to be held from September 23rd – September 30th at the Cumberland Fairgrounds.

Town Manager Shane said that the paperwork is in order and staff is recommending approval

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Stiles, seconded by Councilor Turner, to approve the Mass Gathering Permit for the Cumberland County Fair to be held from September 23rd – September 30th at the Cumberland Fairgrounds.

VOTE: 7-0 UNANIMOUS

18 – 117 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Vintage Bazaar New England to be held on October 6th from 8:30 a.m. to 4:00 p.m. and October 7th from 10:00 a.m. to 4:00 p.m. at the Cumberland Fairgrounds.

Town Manager Shane said that the paperwork is in order and staff is recommending approval.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Stiles, seconded by Councilor Turner, to approve the Mass Gathering Permit for the Vintage Bazaar New England to be held on October 6th from 8:30 a.m. to 4:00 p.m. and October 7th from 10:00 a.m. to 4:00 p.m. at the Cumberland Fairgrounds.

VOTE: 7-0 UNANIMOUS

18 – 118 To consider and act on an application for a Non-Profit Temporary Victualer's License for North Yarmouth Congregational Church Men's Club for FY2019.

Town Manager Shane explained that this is a no fee permit to allow this non-profit group to have a food booth at the Cumberland Fair.

Chairman Copp asked for any public comment.

No public comment.

Motion by Councilor Bingham, seconded by Councilor Stiles, to approve the application for a Non-Profit Temporary Victualer's License for North Yarmouth Congregational Church Men's Club for FY2019.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Bingham – none

Councilor Gruber – none

Councilor Edes – none

Councilor Storey-King – She warned the public that there are scammers out there who contacted her parents recently from someone claiming to be police and told her mother that one of her grandchildren was in jail and needed money for bail. Her mother almost fell for the scam. There have been some senior citizens who have fallen it and have not been able to get their money back. The Attorney General and the State Police are aware of this scam.

Chairman Copp – Martha Pettengill passed away recently. He knew her as the lunch lady at Greely and she was the sweetest lady there ever was. Condolences to her family.

Councilor Stiles – He reminded the public that we are getting close to Cumberland Fair time and he continues his efforts to collect money for the 4-H auction to benefit the food pantry.

He is happy to announce that he recently found out that he is going to have another greatgrandchild.

Councilor Turner – The senior property tax assistance program is a wonderful program and he wants people to realize that when we help one group of citizens, another group of citizens is picking up the slack and we need to be conscience of that. He feels that we may have made a mistake when setting up the stipulation that someone has to have lived in Town for 10 years to qualify. If someone moves into Town at age 59 and pays taxes for 10 years, is that enough time to receive the benefit of this program? He is not sure it should be.

Town Manager Shane – Our longtime Public Works Administrative Assistant, Laura Neleski lost her husband Bill to cancer recently. Through his cancer battle, Laura has been an amazing mom, an amazing wife and an amazing person. They are a great family and Bill's memorial service was a wonderful, well attended event. We all extend our condolences to the Neleski family.

He met with the Superintendent and Business Manager of MSAD 51 last week to discuss the future of the Town garage. North Yarmouth no longer has any presence of the S.A.D. and moving the bus garage to North Yarmouth could be an option that they want to keep open. More information on moving the Town garage will be forthcoming.

- VI. EXECUTIVE SESSION** pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.
Motion by Councilor Stiles, seconded by Councilor Bingham, to recess to Executive Session pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.
VOTE: 7-0 UNANIMOUS
TIME: 8:09 P.M.

Reconvene to regular session at 8:21 P.M.

- VII. ADJOURNMENT**
Motion by Councilor Stiles, seconded by Councilor Gruber, to adjourn.
VOTE: 7-0 UNANIMOUS
TIME: 8:21 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary