

**MINUTES**  
Cumberland Town Council Meeting  
Town Council Chambers  
**MONDAY, July 11, 2011**

**7:00 p.m. Call to Order**

**Present:** Chairman Perfetti, Councilors Turner, Copp, Storey-King, Gruber, Moriarty & Stiles.

**I. APPROVAL OF MINUTES**

June 20, 2011

Motion by Councilor Stiles, seconded by Councilor Gruber, to approve the minutes as presented.

VOTE: 7-0

UNANIMOUS PASSAGE

**II. MANAGER'S REPORT**

- **Maine Municipal Association "Then and Now" Photo Contest**

Several months ago, Maine Municipal Association requested that all municipalities submit photos to their "Then and Now" photo contest. Library Director, Thomas Bennett provided an 1872 photo of the Greely Institute, along with a new photo of the building taken by Fred Field. We were notified last week that we were one of 12 communities selected (out of 38 who submitted photos) whose photo will be displayed in the Municipal Calendar.

- **Post Office Letter**

A letter was drafted and signed by Chairman Perfetti to the Maine Congressional Delegation regarding the fate of the Cumberland Post Office. It was requested in the letter that the Town be notified if there are discussions in the future about our post office being closed so we can be involved in those discussions and find an alternative solution to closing it. The Manager has spoken to the Postmaster and has been advised that there are no immediate plans to close the post office.

- Councilor Storey-King reported that on Thursday, June 30<sup>th</sup>, two groups of young women basketball players from Southern Maine, known as the Firecrackers ventured to Orlando, Florida for the National AAU Championship. The Firecrackers were Maine State Champions, have been all over New England playing and winning, and were invited to come to Florida to compete in the AAU Tournament. Out of 81 teams competing, the Firecrackers made it to the final game that was broadcast on ESPN3. They did not win the final game but did get a 2<sup>nd</sup> place trophy. Two Cumberland girls played in the tournament, Ashley Storey and Camille Giardina. The U-14 team went on to win the National Title. Congratulations to both teams.

**III. PUBLIC DISCUSSION**

None

**IV. LEGISLATION AND POLICY**

**11 – 115 To hear a report from the Cool Cities Committee re: household energy usage.**

Cool Cities Committee members, Alex Kimball and Paul Weiss presented the following presentation entitled Understanding Your Home Energy Use:

# UNDERSTANDING YOUR HOME ENERGY USE

Presented by Cumberland Cool Cities Committee

## Is MY house energy efficient?

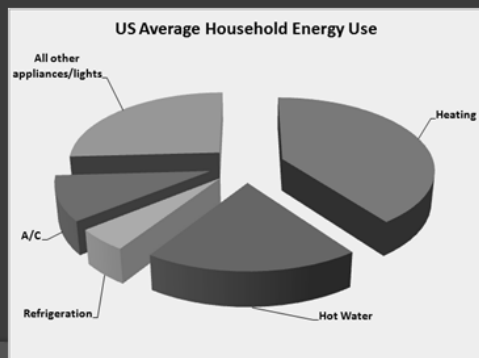
Am I spending too much?

Am I using too much heating fuel?

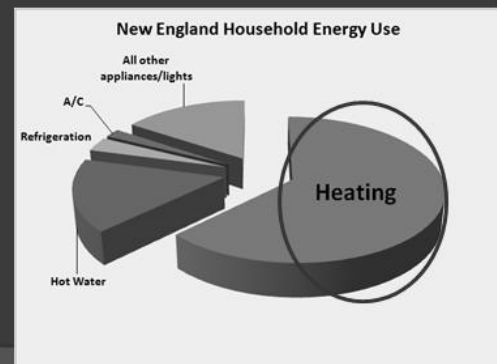
Am I using too much electricity?

How much money are we really talking about saving here?

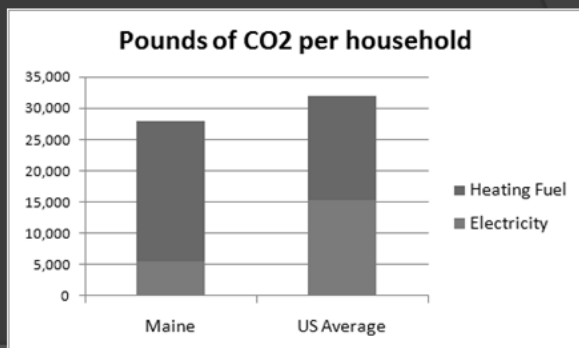
## How does the average US house use power?



## What does a New England house use?



## Our household "Carbon Footprint"



## What makes us different?

- It's cold here.
- We use less electricity because we use less electric heat, and much less A/C
- The average Maine house uses 6,250 kWh per year, below the national average of 10,896
- The average Maine house uses 1,000 gallons of #2 heating fuel per year, over the average of 730 gallons

## So how am I doing?

- Step 1 Find your CMP bill
- Step 2 Read the numbers at the bottom to get your yearly kilowatts

**Messages about your Central Maine Power delivery account**  
We are installing Smart Meters at homes and businesses throughout our service area. You will receive a new smart meter over the next 15 months. Smart meters will provide you with information to manage your energy use.

Please see back page for important information

Your electricity usage (in kilowatt hours)

	09/11	02/11	05/11	08/10	11/10	02/10	05/10	08/09	11/09	02/10	05/10	08/10	11/10
Daily	22	22	22	20	18	18	22	20	18	19	22	34	
Monthly	646	647	745	605	528	574	690	575	518	616	633	700	

## Rate my house

- Step 3 Divide the amount due by your monthly kWh to get your current rate per kWh.

**New charges:**  
Electricity Delivery: Central Maine Power (see detail below) \$41.07+  
Electricity Supply: Standard Offer Service \$26.47+  
Total new charges \$67.54

**Current Account Balance:** Please pay before 04/13/11 **\$97.54**

**Central Maine Power Delivery Service Account Detail**

Prior balance for Central Maine Power delivery  
Payments received - Thank you  
Balance forward \$37.48- \$37.48  
\$0.00

**Current delivery charges**  
Delivery Charges: Residential  
Delivery Service: \$46.00 @ \$0.41 \$41.07+  
Up to  
Over 100 kWh @ .00810

**Total current delivery charges** \$41.07  
**Central Maine Power account balance** \$41.07

**Messages about your Central Maine Power delivery account**  
We are installing Smart Meters at homes and businesses throughout our service area. You will receive a new smart meter over the next 15 months. Smart meters will provide you with information to manage your energy use.

Please see back page for important information

Your electricity usage (in kilowatt hours)

	09/11	02/11	05/11	08/10	11/10	02/10	05/10	08/09	11/09	02/10	05/10	08/10	11/10
Daily	22	22	22	20	18	18	22	20	18	19	22	34	
Monthly	646	647	745	605	528	574	690	575	518	616	633	700	

## Last steps

- Step 4 Call your fuel provider and ask how many gallons you received in the past year
- Step 5 Figure out the heated square feet of your house
- Step 6 Enter all this into Home Efficiency O'Matic!

## How does MY house match up?

House Size (Sq. Ft)	1950
Cost per KWH	0.15
Cost per Gal	3.4

Electricity	You	Average kWh	% of Average
Yearly	7477	6130.68	122%
Electric % of cost	27%	23%	

Fuel	You	Average Gals	% of Average
Yearly	880	886.36	99%
Fuel Oil % of cost	73%	77%	

Average yearly cost	\$	3,933.24
Your yearly cost	\$	4,113.55
Yearly savings at average usage	\$	180.31
Savings at 90% of average usage	\$	573.64
Savings at 75% of average usage	\$	1,163.62

**11 – 116 To hold a Public Hearing to consider and act on the adoption of a Street Lighting Ordinance.**  
Councilor Moriarty explained that when the Ordinance Committee reviewed the Street Lighting Ordinance, they had a number of questions and decided it was not ready to be adopted. It will be reviewed further and decided if it should be a stand-alone ordinance or be included as part of a larger ordinance.

Motion by Councilor Moriarty, seconded by Councilor Stiles, to table this item indefinitely.  
VOTE: 7-0 UNANIMOUS PASSAGE

## 11 – 117 To appoint members to vacant boards/committees.

Councilor Turner explained that the Nominating Committee now consists of Councilors Copp, Perfetti, and himself. They met and were very impressed with the most recent group of applicants. He reminded residents that there are many more vacancies on committees that need to be filled.

Motion by Councilor Turner, seconded by Councilor Copp to appoint:  
Eli Rivers to the Prince Memorial Library Board, Gerry Boivin and Peter Sherr to the Planning Board.  
VOTE: 7-0 UNANIMOUS PASSAGE

**11 – 118 To hold a Public Hearing to consider and act on an amendment to Section 410 (Extraction of Earth Materials) of the Cumberland Zoning Ordinance to add the condition of contract zone requirement to existing criteria for review and approval, as recommended by the Planning Board.**

Town Manager Shane explained that Section 410 of the Zoning Ordinance deals with extraction of earth materials. There are 4 specific items in this section that were amended: 1) any applicant had to go before both the Zoning and Planning Board, which is almost the identical review process. This was changed to going before the Planning Board only, 2) after the issuance of 5 consecutive annual permits, the applicant can apply for a 5-year permit as long as all the standards have been met, 3) all gravel extraction operations would require a contact zone agreement. This would give the Town site specific ability to analyze the impacts to the neighborhood, and 4) the applicant will have to post a letter of credit or escrow account instead of a surety bond in order to assure financial security with the application.

The Town gravel pit is the only pit the Industrial Zone that is currently active and would fall under these rules. This safety net will ensure that every section of Town is now protected.

The Planning Board and staff are recommending approval.

Public discussion: None

Motion by Councilor Moriarty, seconded by Councilor Stiles, to amend Section 410 (Extraction of Earth Materials) of the Cumberland Zoning Ordinance to add the condition of contract zone requirement to existing criteria for review and approval, as recommended by the Planning Board.

VOTE: 7-0 UNANIMOUS PASSAGE

**11 – 119 To hold a Public Hearing to consider and act on an amendment to the Mass Gathering Ordinance to exempt Town functions from the Mass Gathering Permit requirement.**

Town Manager Shane explained that the Council had directed staff to come back with amended language that would exempt the Town from the mass gathering permit requirement. The only event this applies to is the annual Memorial Day Parade.

Public discussion: None

Motion by Councilor Storey-King, seconded by Councilor Copp, to amend the Mass Gathering Ordinance to exempt Town functions from the Mass Gathering Permit requirement.

VOTE: 7-0 UNANIMOUS PASSAGE

**11 – 120 To set a Public Hearing date (July 25<sup>th</sup>) to consider and act on setting the FY'12 tax rate as recommended by the Tax Assessor.**

Motion by Councilor Copp, seconded by Councilor Stiles, to set a Public Hearing date of July 25<sup>th</sup> to consider and act on setting the FY'12 tax rate as recommended by the Tax Assessor.

VOTE: 7-0 UNANIMOUS PASSAGE

**11 – 121 To set a Public Hearing date (July 25<sup>th</sup>) to set rates at which interest will be paid for delinquent taxes, and to authorize applying tax payments to the oldest unpaid taxes.**

Motion by Councilor Copp, seconded by Councilor Stiles, to set a Public Hearing date of July 25<sup>th</sup> to set rates at which interest will be paid for delinquent taxes, and to authorize applying tax payments to the oldest unpaid taxes.

VOTE: 7-0 UNANIMOUS PASSAGE

**11 – 122 To hear a report from the Town Manager re: Request for Proposals for the Drowne Road School conversion to senior housing.**

Town Manager Shane explained that the Council had requested that he prepare an RFP for the Drowne Road School conversion project. The RFP has been published in the newspaper and is posted on the Town website. The intent is to have the school be a taxable property, around the \$4-5 million dollar range, converting the property into 30-40 senior or independent housing units. To date, there have been no proposals other than the Bateman proposal.

Councilor Storey-King said that she had a conversation with Mr. Bateman and he understood the reasoning and due diligence on the part of the Council by doing this.

**V. NEW BUSINESS**

**Councilor Turner** – since he has numerous committee assignments, he respectfully removed himself from the Coastal Waters and Shellfish Commission, leaving those committees in the capable hands of Councilor Gruber.

Councilor Turner said that in the future, the Council should discuss impact fees and sewer fees. The Council's policy has changed drastically from when they were developed 20+ years ago. Both of these fees have to be eased up a bit if we are interested in encouraging more people to consider living in Cumberland.

**Councilor Copp** – made a recommendation to consider the formation of a Growth Ordinance Review Committee, consisting of two members of the Council and two members of the Planning Board, to review impact and sewer connection fees, as Councilor Turner mentioned. It is time to take a long look at these fees.

Chairman Perfetti said that he and the Manager spoke about the formation of a Growth Ordinance Ad Hoc Committee and agreed to hold a workshop before the July 25<sup>th</sup> Council meeting to discuss and act on it if agreed by the Council.

**Councilor Storey-King** – she asked the Manager when the paving will begin on Route 88. Town Manager Shane responded that it will begin on Monday, July 18<sup>th</sup>, weather permitting.

**Councilor Moriarty** – none

**Chairman Perfetti** – referred to an e-mail from Jeff Daigle that reported the housing numbers issued Maine for the month of May from the Boston Fed: Bangor 14, Lewiston-Auburn 6, Portland, South Portland, & Biddeford 106. This is a 41% decrease compared to May 2010.

There will be a public, informational meeting regarding the Tuttle Road paving and sidewalk project at Town Hall on Wednesday, July 27<sup>th</sup> from 6:30 – 8:00 p.m. Residents will get an overview of the project and have the opportunity to ask questions.

**Councilor Stiles** – there was a rabid fox incident in Cape Elizabeth recently and he has noticed increased fox activity in our area. A fox ran across his lawn with a turkey in its mouth. He warned citizens not to go near or feed any wild animals.

**Councilor Gruber** – he was asked by the Lands & Conservation Commission to recommend to the Council that our three town trails (the Town Forest, Rines Forest, and Twin Brook) be placed on the Maine Trail Finder.com. It is a free online trails portal featuring maps and information of non-motorized trails across the state of Maine.

There is no cost to the Town to add our trails to the website.

He attended the CMBA Route 100 businesses open house a couple of weeks ago. He was very impressed by all the businesses and the event.

He visited the community garden recently and was impressed by the hard work that they are doing there.

**Town Manager Shane** – at the next Council meeting the issue of the open space at the Bateman property (Doane Property revitalization project) being public or private on will be discussed.

**VI. ADJOURNMENT**

Motion by Councilor Stiles, second by Councilor Turner, to adjourn.

VOTE: 7-0

UNANIMOUS PASSAGE

TIME: 8:19 p.m.

Respectfully submitted by:

Brenda L. Moore  
Council Secretary