

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, January 11, 2010

I. CALL TO ORDER @ 6:00 P.M.

Present: Chairman Copp, Councilors Perfetti, Porter, Storey-King, Stiles, and Moriarty.
Councilor Turner arrived at 6:02 p.m.

II. APPROVAL OF MINUTES

December 28, 2009

Motion by Councilor Stiles, seconded by Councilor Moriarty, to approve the minutes as amended.

VOTE: UNANIMOUS PASSAGE 6-0 (Councilor Turner out)

III. RECESS TO EXECUTIVE SESSION: pursuant to 1 M.R.S.A., Section 405(6)(E) Consultation with Legal Counsel re: possible litigation.

Motion by Councilor Stiles, seconded by Councilor Perfetti, to recess to Executive Session pursuant to Title 1 M.R.S.A., Section 405(6)(E) for consultation with legal counsel re: possible litigation.

VOTE: UNANIMOUS PASSAGE 7-0

TIME: 6:06 p.m.

IV. RECONVENE TO REGULAR SESSION @ 7:00 P.M.

Motion by Councilor Stiles, seconded by Councilor Turner, to reconvene to regular session.

VOTE: UNANIMOUS PASSAGE 7-0

TIME: 7:02 p.m.

V. MANAGER'S REPORT

The Town Manager informed the council and public that the town will offer a computer collection event at the Drowne Road Public Works Garage on Saturday, January 16, from 9:00 to 11:00 a.m.

VI. PUBLIC DISCUSSION

William ('Bill') Landis, long-time Recreation and Public Services Director, announced his retirement from the Town of Cumberland. "I am going to be leaving the Cumberland community at the end of June to pursue other endeavors." He and his college-aged daughter plan to move to either the west coast or the Carolinas. "As of May, it will be 19 years that I had the privilege to serve the residents of Cumberland. I've served as Recreation Director for 17 of the 19 years." Bill is affectionately known as "Coach Bill" to many of Cumberland's youth. "It will be tough to walk away from the youth. They get you by the heart." He explained he felt it appropriate to notify the Town Manager now "so that he could prepare for the process...and give myself time to bring closure in the community." Bill hopes the transition time will allow him to "move on without a hole in the department. Somebody will pick up without a beat. I will see you around in the next six months to say my goodbyes." Chairman Copp expressed the council's gratitude for Bill's service and dedication to the youth and community. "You will be missed." Chairman Copp explained that when he informed his niece of Bill's retirement "She literally started crying." The Town Manager described Bill as "somebody we're not going to be able to

replace in Cumberland. Your compassion and commitment to this community is unparalleled. You bring goodwill wherever you go. You set the standard...for the consummate public employee. We're going to miss you. We truly wish you success."

VII. LEGISLATION AND POLICY

10 – 001 To hold a Public Hearing to repeal and replace the Cumberland Floodplain Management Ordinance.

Code Enforcement Officer William Longley explained that this ordinance replacement consists mainly of "housekeeping issues." The current Cumberland Floodplain Management Ordinance is a 1996 version with 1999, 2002, 2005, 2007 and 2009 updates. This evening's replacement ordinance incorporates all of the updates in addition to amendments prepared and recommended by the state. Councilor Stiles also noted that without this ordinance a Cumberland homeowner could not purchase flood insurance. Councilor Moriarty asked about a flood zone map. Mr. Longley responded that the existing 1984 flood plain map is expected to be revised over the next year. No public comments.

Motion by Councilor Stiles, seconded by Councilor Moriarty, to repeal the current Cumberland Floodplain Management Ordinance and replace it with the updated Floodplain Management Ordinance as prepared by the State of Maine Planning Office.

VOTE: UNANIMOUS PASSAGE 7-0

10 – 002 To hold a Public Hearing to consider and act on a Class I Liquor License and Special Amusement Permit for The Sparrow's Nest, d/b/a Viking Grill, for the period of February 2010 – February 2011.

Town Manager Shane stated the business license and permit applications are in order for council approval and introduced Mr. Charlie Sparrow, owner of the Viking Grill. Mr. Sparrow stated the past license year was a difficult one due primarily to rain days. However, during times without rain "We did exactly what we expected to do. I've learned a great deal. I've streamlined" processes and I anticipate a "good year next year." The Viking Grill offers Friday evening specials and will continue to do so throughout this winter. "Friday nights are going very, very well." Saturday hours are provided for our outdoor winter enthusiasts who utilize Val Halla for sledding and other winter activities. Sunday brunch is offered from 9 am to 1:00 p.m. "It is filled every weekend." The banquet facility has "already doubled the weddings" booked last year. "We're excited about that." The recent New Years Eve event was very successful and due to its success, Mr. Sparrow is considering offering additional special occasion events at the Grill. The Town Manager noted that the Viking Grill is not requesting a golf cart vending license at this time. "It makes (me) no money," explained Mr. Sparrow, who also noted that the vendor cart license may be considered at a later date.

Motion by Councilor Porter, seconded by Councilor Turner, to approve the Class I Liquor License and Special Amusement Permit for The Sparrow's Nest, d/b/a Viking Grill, for the period of February 2010 – February 2011.

VOTE: PASSAGE 6-0-1 (Councilor Storey-King abstained)

10 – 003 To hold a Public Hearing to consider and act on the road acceptance of Chet's Way. ~TABLED TO 02/22/10

The Town Manager explained that an additional right-of-way is shown on the planning board file map for this subdivision. The Planning Board requested an amendment to the map and the developer has agreed to put this right-of-way on paper to create the connectivity requested by the Planning Board.

Motion by Councilor Perfetti, seconded by Councilor Storey-King, to table the item to February 22, 2010.

VOTE: UNANIMOUS PASSAGE 7-0

10 – 004 To hold a Public Hearing to consider and act on authorize the, purchase and installation of a Veterans Monument at Moss Side Cemetery.

The Town Manager presented slides showing the monument prototype which he debuted at the last council meeting. The Monument Committee viewed monuments on display in several Maine communities and particularly liked the monument located in Holden. The committee voted “to be extremely inclusive” with the names of veterans included in Cumberland’s monument. The center of the three slab monument will contain the “commemorative stone” inscribed with the symbol of every branch of service. The stones to the right and left of the center stone will contain the names of Cumberland veterans. The committee estimates a Phase One budget of \$15,000 and to date \$7,000 has been collected through the combination of miscellaneous and Main Street flag donations. The Manager requested authorization to purchase the stone and continue private fundraising efforts.

Mr. Bob Heyner, West Cumberland, commented “I’m very, very much behind this” project, noting especially the “veterans are going to fundraise. It’s nice that this is a veterans’ project. Nobody can get their hand in the fish bowl” and hijack the funds or effort because they don’t like how tax money is being spent.

Motion by Councilor Porter, seconded by Councilor Storey-King, to authorize the Town Manager to issue a purchase order not to exceed \$9,475.00 to Collette Monuments, Inc., for the purchase and installation of a Veterans Monument at Moss Side Cemetery.

VOTE: UNANIMOUS PASSAGE 7-0

Motion by Councilor Stiles, seconded by Councilor Storey-King, to authorize the Town Manager to proceed with the collection of donations for the Veterans’ Monument at Moss Side Cemetery.

VOTE: UNANIMOUS PASSAGE 7-0

10 – 005 To set a Public Hearing date (January 25th) to consider and act on amending Section 204.14.4.3 (Industrial District – Side Setback) of the Cumberland Zoning Ordinance.

Motion by Councilor Moriarty, seconded by Councilor Stiles, to set a Public Hearing date (January 25th) to consider and act on amending Section 204.14.4.3 (Industrial District – Side Setback) of the Cumberland Zoning Ordinance.

VOTE: UNANIMOUS PASSAGE 7-0

VIII. NEW BUSINESS

Councilor Turner – acknowledged Don Smith’s passing – he was a town father for North Yarmouth for many years and spent his life supporting sports and children’s activities.

Councilor Perfetti – a productive Sustainability Task Force meeting last week – he wished to squash rumors re: North Yarmouth Memorial School – no conclusions have been made by the committee.

Councilor Porter – also noted the passing of Ross Baston and Don Smith; true leaders of North Yarmouth - they gave of themselves their entire lives; our great loss is with Bill Landis’ retirement - he has served the kids and parents of this community for years and there is no way his work can be replaced by one individual; I’m happy for him but he leaves a void that will take a long time to fill.

Councilor Storey-King – she was asked to request whether Harland Storey would serve as the town’s ambassador at the Cumberland County 250th celebration and he agreed; Greely High School is a silver-medal winner in the US World & News Report as one of the top high schools in the country – an honor earned three years in a row.

Motion by Councilor Storey-King, seconded by Councilor Perfetti, to appoint Harland Storey as ambassador of Cumberland to the Cumberland County 250th Celebration Committee.

VOTE: UNANIMOUS PASSAGE 7-0

Chairman Copp – noted recent passing of Rolly Powers who lived in Cumberland over 60 years - he could fix anything and was a great guy who will be sadly missed by everybody in town; he thanked the police and fire department “deeply” for their finding and response to a fire at the building next door to Copp Motors - great job by both departments; also thanked the Manager for the fire hydrant in front of his building.

Stiles – none

Moriarty – none

Town Manager – he will request Senior Circuit Breaker Funding at the next council meeting - application deadline is this week; a rabies clinic at Town Hall on Saturday from 9-11 am.

IX. ADJOURNMENT

Motion by Councilor Perfetti, seconded by Councilor Turner, to adjourn.

VOTE: UNANIMOUS PASSAGE 7-0

TIME: 7:49 a.m.

Respectfully submitted,

Nadeen Daniels, CMC
Cumberland Town Clerk