

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, December 9, 2013

6:00 P.M. Workshop with the Lands & Conservation Commission re: foreclosed property on Cottage Farm Road and Greely Road Extension.

7:00 p.m. Call to Order

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

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Gruber, to accept the November 25, 2013 minutes as presented.

VOTE: 7-0 UNANIMOUS

II. MANAGER'S REPORT

CMP was cutting trees this morning on Main Street (near the High School) causing traffic to become backed up for 2 miles in each direction. This not only caused many people to be late for work, but the school buses and many teachers were also late. The Manager called CMP to be sure this would not happen again. The situation could have been disastrous if an emergency vehicle had to get through that area this morning.

III. PUBLIC DISCUSSION

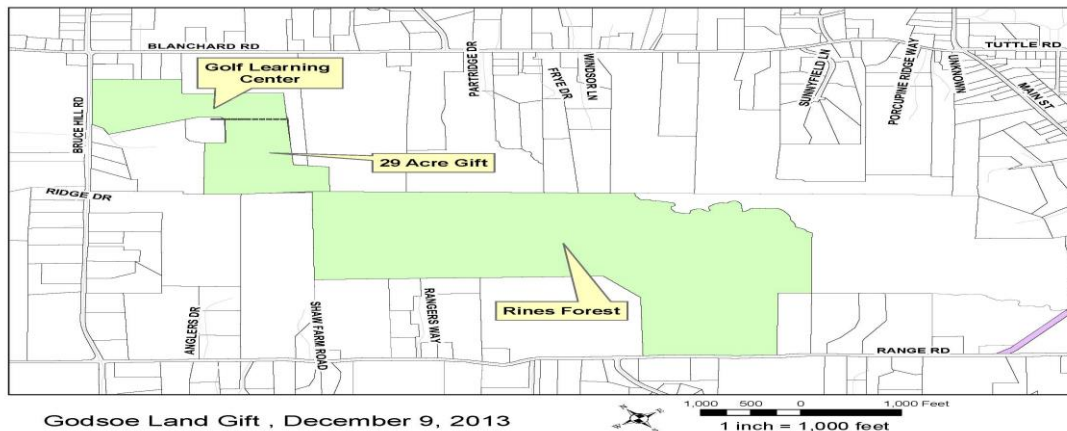
None

IV. LEGISLATION AND POLICY

13 – 177 To hold a Public Hearing to consider and act on accepting a gift of 29 acres of land abutting the Rines Forest from the Godsoe family and to authorize the Town Manager to execute a gift letter.

Chairman Stiles opened the Public Hearing.

Town Manager Shane said that this is an exciting opportunity for the Town and a very generous gift from the Godsoe family. The parcel abuts the Golf Learning Center on Bruce Hill Road and also the Rines Forest.



Godsoe Land Gift , December 9, 2013

Elaine Godsoe said that the family is delighted that the Town will accept this gift of land.

Penny Asherman of the Chebeague and Cumberland Land Trust thanked the Godsoe family for this generous gift to the Town. Ms. Asherman said that the Land Trust supports the Town's acceptance of this gift. This is an important parcel for the Town because it abuts the Rines Forest, and the waters that come from the parcel feed Mill Brook, which supports the brook trout population, and eventually goes into the Presumpscot River, then to Casco Bay. It helps with habitat protection, giving the animals a place to travel, and some of the wetlands on the property support the amphibian population. The trail connectivity is very exciting for the Town. Ms. Asherman said that the Land Trust is excited to work with the Town to add this parcel to the Rines Forest easement area, and they would be happy to help with the stewardship responsibilities and working on the trail connectivity.

Chairman Stiles closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Storey-King, to accept the gift of property located within Cumberland, Tax Map R05 Lot 48, from John and Elaine Godsoe as conveyed by quitclaim deed executed December 3, 2013.

VOTE: 7-0 UNANIMOUS

Motion by Councilor Copp, seconded by Councilor Storey-King, to authorize the Town Manager to execute a letter to John and Elaine Godsoe indicating the acceptance of the gift of property located within Map R05 Lot 48, with an appraised value of \$161,000.

VOTE: 7-0 UNANIMOUS

Chairman Stiles asked Councilor Copp if he would be willing to assist him in meeting with staff and the Conservation Commission to develop a conservation easement.

Councilor Copp accepted.

13 – 178 To set a Public Hearing date (January 13th) to consider and act on a recommendation from the Lands and Conservation Commission re: foreclosed properties.

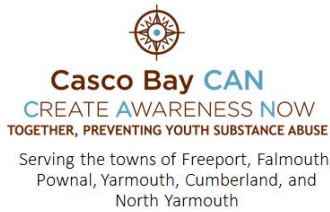
Chairman Stiles said that the Council met with members of the Lands and Conservation Commission this evening in workshop to hear their ideas and recommendation. The recommendation will be considered at their January 13th meeting and hopefully, the public will give their input as well.

Motion by Councilor Bingham, seconded by Councilor Turner, to set a Public Hearing date of January 13th to consider and act on a recommendation from the Lands and Conservation Commission re: foreclosed properties.

VOTE: 7-0 UNANIMOUS

13 – 179 To hear a report from Casco Bay C.A.N. (*Create Awareness Now*) and the Cumberland Police Department re: prevention and reducing youth substance abuse in Portland North communities.

Beth Blakeman-Pohl of Casco Bay C.A.N. and Lieutenant Milt Calder of the Cumberland Police Department, gave the following presentation on the highlights of the program:



Cumberland County Collaborative Campaign Joining 4 Drug Free Community Programs



Parent Campaign Materials:

- Website:
www.backeachotherup.org
- Posters
- Video and Radio PSA
- Rack Card
- Facebook

7,500 Coasters distributed in
summer / fall of 2013



Front



Back

Teen Marijuana Use (For Parents)



Project Sticker Shock Collaboration of Law Enforcement, Businesses, and Youth



Drug Take-Back Events



Increased Enforcement of Underage Drinking and Youth Drug Misuse

- Anonymous Tip Line (Since inception in 2011)
 - 108 in our service area
 - 97 related to underage drinking or drugs
- Compliance checks yielded no fails in Falmouth, Cumberland, Pownal and North Yarmouth; 2 fails in Yarmouth and 4 fails in Freeport. (Businesses serving or selling alcohol)
- Collaborating with Statewide Underage Drinking Enforcement Task Force

Thank you for helping us make a
difference in our communities!

"Some people want it to happen,
Some wish it to happen,
Others make it happen."

~Michael Jordon

Councilor Bingham asked Lt. Calder if there is a program where residents can notify the Police Department if they are going to be away to be sure their children do not have a party where underage drinking is taking place.

Lt. Calder said that there is such a program. It is a residential check program where the police will do a drive-by or check the house if requested.

Councilor Gruber asked what will happen when the 5-year grant money is gone (in 1 more year)?

Ms. Blakeman-Pohl said that the coalition implements the aspects of the project that are sustainable, so the program could sustain itself if there was no more grant money. There will be another opportunity to apply for an additional 5-year grant when the current grant is up.

Councilor Edes said he is happy to see the proactive approach of this program. Usually, law enforcement tends to be more reactive. He feels that this program is making a difference.

13 - 180 To hear a report from Integrated Forest Management re: update on tree cutting.

Town Manager Shane introduced Jeremy Stultz of Integrated Forest Management who gave the following presentation. Manager Shane explained that this project was approved in 2011, but the harvesting never took place due to weather. We are hopeful that the harvesting will begin in January.

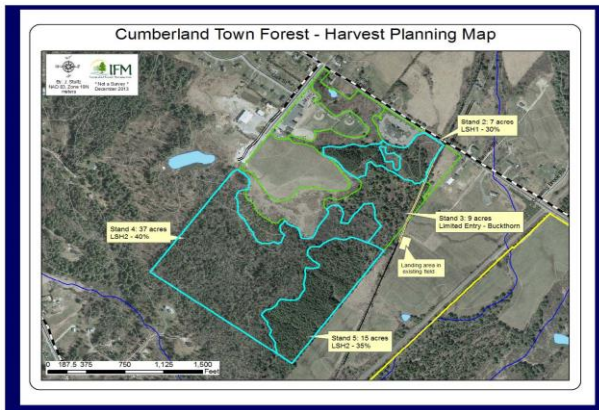


Management Plan Highlights, cont.

- Maintain/enhance other uses (i.e. recreation)

Harvest Plan

- Winter only harvest; 2014 & 2015
- Propose Cut-to-Length harvesting
 - Low impact processor / forwarder
 - Brush in trails
 - Potential for hand-crew as well
- Modest revenue from improvement harvesting



Buckthorn....



Looking Forward...

- December – Contract and final pricing
- Mid January – Harvesting begins
 - Start small, full production by February
- Spring – post harvest close out
- Late spring – further mechanical buckthorn (invasive) control
- Fall – Further invasive control

Buckthorn Control

- Mechanical & herbicide control
 - Mech: brush saws or Fecon
 - Late spring / early summer
 - Herb: foliar application
 - Late summer / early fall
- Estimate is \$550-650/acre total

Work in Progress...

- Marking
 - Property lines (pink flags)
 - Stream zones (blue flags)
 - Trail system (orange flags)
 - Trees to be harvested (blue paint)
- Neighbor notification and meetings
- Revenue projection

13 – 181 To hear a presentation from Siemens re: conversion of Town buildings to natural gas.

Cumberland.Maine



Upgrading Town Buildings and Reducing Energy and Maintenance Costs Utilizing Performance Contracting



What is Energy Performance Contracting?

An ESPC is an agreement between a building owner and an Energy Services Company (ESCO) that identifies, designs, and installs energy related improvements that pays for the new equipment over time and guarantees their performance.



What is Performance Contracting?

A different means of procurement...

...a vehicle for utilizing energy and operating savings to finance needed capital improvements.

A new means of renovation...

...a mechanism for facility infrastructure upgrades and modernization.

A unique means of partnering...

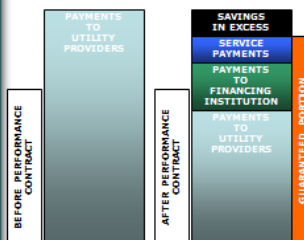
...a relationship of mutual benefit focused on the customer's operational needs and objectives.

3

What is Performance Contracting (ESPC)?

Energy related capital improvements paid from energy and operating cost savings

How it works



- ✦ Guaranteed performance
- ✦ Single source responsibility
- ✦ Life-cycle versus first cost approach
- ✦ Improvements can be made with no impact to taxpayers
- ✦ Supported by The State of Maine

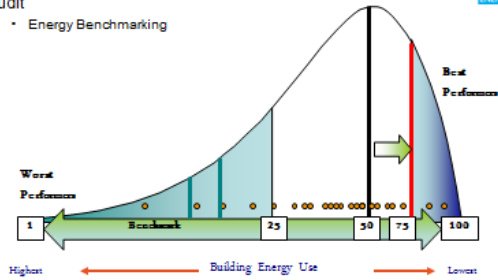
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Technical Approach-Benchmark Buildings



Audit

- Energy Benchmarking



Challenges in Managing Town Buildings

Step One Preliminary Audit

- Confirm Existence of Energy & Operational Savings Opportunities



Challenges in Managing Town Buildings

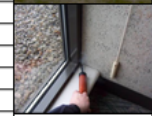
- Aging Boiler Plants & Buildings
- Building Infrastructure Issues
 - Hot Water & Steam Piping
 - Windows
 - Electrical Systems
 - Lighting
 - Roofs
- Occupant Comfort & Safety
- Managing Energy Costs:
 - Energy Price
 - Energy Conservation & Efficiency
 - Energy Reliability & Security
 - Environmental Responsibility



Savings Projects at XYZ Schools & Town Buildings

Energy Savings Projects-PRELIMINARY

	Energy Savings Projects-PRELIMINARY
FIM-1	Occupancy Sensors
FIM-2	Demand Controlled Ventilation, Gym, Auditorium, Cafeteria
FIM-3	Energy Management System Upgrades
FIM-4	Install Energy Management System
FIM-5	Building Envelope Improvements
FIM-6	VFD's and high efficiency motors on Hot Water Pumps
FIM-7	New Circulator Pumps
FIM-8	New Hot Water Tanks
FIM-9	Condensing Boilers, New Gas Burners
FIM-10	Unit Ventilators, ERV, HRU, AHU, Package units etc.
FIM-11	CoolTrol Controls for Walk-in Freezers and Refrigerators
FIM-12	Kitchen Exhaust Hood Controls (Melinck Controller)
FIM-13	Steam System Improvements
FIM-14	Network Controllers
FIM-15	Vending Machine Controls
FIM-16	New Siding and Insulation



Performance Contracting Option

Performance Contract Delivers:

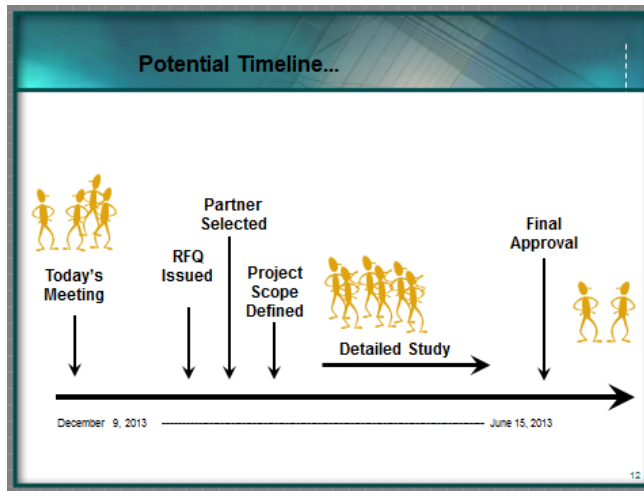
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|---|---------|
| Initial Investment of \$25K-\$75K | No Risk |
| Perform an Investment Grade Audit ("IGA") | No Risk |
| Present Projects for Selection by | No Risk |
| Arrange Financing | No Risk |
| Authorize Agreement to Construct Projects | No Risk |
| Construct Projects | No Risk |
| Savings Begins | No Risk |
| Construction Completion | No Risk |
| Investment of IGA and Project is Repaid | No Risk |
| Measurement of Savings Achieved vs. Guarantee | No Risk |

Performance Contracting Option-Benefits



Cash Flow Positive From Concept to Construction:

- Preserves operating cash
- Improves comfort, safety and security
- Provides enhanced learning environment
- Provides town residents, students & faculty an environment that is **Green**



13 – 182 To hold a Public Hearing to consider and act on a Class I Liquor License application for Cumberland House of Pizza.

Town Manager Shane said that all the paperwork is in order.

Chairman Stiles opened the Public Hearing

Public discussion: None

Chairman Stiles closed the Public Hearing

Motion by Councilor Storey-King, seconded by Councilor Gruber, to approve the Class I Liquor License application for Cumberland House of Pizza.

VOTE: 6-0-1 (Copp abstained) MOTION PASSES

13 – 183 To accept a gift of \$3,000.00 to the Cumberland Police Department from Maine Marathon.

Town Manager Shane said that each year that Maine Marathon has had a marathon in Cumberland they have made a donation above and beyond the regular costs. This is a very generous and appreciated donation to the Police Department.

Motion by Councilor Bingham, seconded by Councilor Turner, to accept the donation of \$3,000.00 to the Cumberland Police Department from Maine Marathon.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Turner – he attended a Greely boys' basketball game recently and enjoyed it immensely. He used to attend regularly when his children were in school, but has not been in a long time. He is looking forward to the game against Falmouth.

Councilor Bingham – he enjoyed the annual Turkey Trot this year.

Councilor Storey-King – None

Councilor Gruber – the Food Pantry continues to do well by having enough products on the shelves. We have been very blessed with donations but when January and February hit, it all seems to disappear. Thank you to all those who have supported the Food Pantry, and thank you to all the volunteers.

Chairman Stiles – he will be starting his campaign again in the near future to raise funds for the 4-H auction to buy meat for the Food Pantry.

Councilor Edes – he asked the Manager is there is a problem with the ventilation in the men's locker room at the Police Department. It was brought to his attention that there was an issue.

Town Manager Shane said that there is not a problem. We have air quality tests done twice a year in the entire building. Those tests have shown no problem.

Councilor Copp – with the snow that we got today, it is the perfect scenario to ride down the road on Forest Lake that he spoke about at the last meeting. It's a dirt road that has not been sanded with over 100 homes on it. It is all packed down now and sheer ice. We are putting our emergency vehicles and employees at risk by the conditions of these roads. He suggested that the Council get together to ride around that area so everyone can see how bad it is. If an oil truck ever tipped over and ruptured, that oil would go directly into Forest Lake.

Town Manager Shane said that the Town of Windham will do nothing to improve the situation on the road. The roads around the lake are all private roads with no public easements. The Town of Windham has no control over these roads and those homes should not have been built without proper turnarounds and proper inspections. We are going to be faced with being the bad guys because we are going to have to say sorry Windham, but mutual aid from Cumberland is no longer an option on these roads. He feels that the Council should have a meeting with the Windham Council to talk about these concerns.

Town Manager Shane – he had the privilege of attending the annual 4-H Pig Club banquet last week, where our esteemed Chairman was the master of ceremonies. It is amazing to see how much 4-H has done for these kids. Every year he learns something new about the kids who participate. It is an amazing program.

He was asked to get some information regarding animal trapping on Town owned land for the Council. Trapping is regulated by the State, but permission is required for trapping on Town land.

VI. EXECUTIVE SESSION pursuant to Title 36 M.R.S.A., § 841 re: Hardship Abatement Request and pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.

Motion by Councilor Bingham, seconded by Councilor Turner, to recess to Executive Session pursuant to Title 36 M.R.S.A., § 841 re: Hardship Abatement Request, and pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.

VOTE: 7-0

TIME: 8:53 p.m.

Returned from Executive Session at 9:42 p.m.

Motion by Councilor Bingham, seconded by Councilor Gruber, to table the Hardship Abatement Request for property identified as Tax Map R05/Lot 34, in order to get more information.

VOTE: 7-0

UNANIMOUS

VII. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

TIME: 9:43 p.m.

Respectfully submitted by,

Brenda L. Moore
Council Secretary