

MINUTES

Cumberland Town Council Meeting
Town Council Chambers
MONDAY, November 25, 2013

7:00 p.m. Call to Order

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

Absent: Councilor Turner

I. APPROVAL OF MINUTES

Motion by Councilor Gruber, seconded by Councilor Bingham, to accept the October 28, 2013 minutes as presented.

VOTE: 6-0 UNANIMOUS

II. MANAGER'S REPORT

- **Introduction of Gary James, Tax Assessor**

Town Manager Shane introduced the new County Tax Assessor, Gary James.

Mr. James said that he is excited about his new position as County Assessor. He has been an appraiser for 22 years, and has been doing assessing appeals for the past 6-7 years. This opportunity to work as Regional Assessor for the County (particularly for Cumberland and Yarmouth) is a perfect fit for him and he looks forward to working with Cumberland residents. He will do his best to be flexible and meet with residents at times that are convenient with them, even evenings and weekends if need be.

- **Veterans Day Celebration**

Town Manager Shane showed photos of the Korean War Veteran celebration that was held on Veterans Day to celebrate the 60th anniversary of the end of the war. He said that it was a very special and emotional day. He thanked Councilor Storey-King who worked on the planning committee and helped make the celebration a reality.

Councilor Storey-King said she was so proud to be on the committee and was proud of Cumberland, who already had the Veterans identified and the Korean War Veterans list prepared for her. The S.A.D. was kind enough to let them use school busses to transport the Veterans to Cumberland, North Yarmouth and Yarmouth. Sam, Tate, and Isabelle Porter read the Cumberland Veteran names. It was a very somber and amazing experience.

- **Greely Cross Country**

This Saturday is a special day for Greely High School student, Kirstin Sandreuter, who will be running in a Regional Cross Country Final in Bronx, New York. . A couple of weeks ago, she finished 4th in New England. If she finishes in the top 10 on Saturday, she will move on to the nationals in Pasadena, California. Kirstin is a resident of North Yarmouth and this is huge for our community.

- **Medical Marijuana**

The Planning Board met last week in workshop to discuss licensed medical marijuana facilities. There was a lot of discussion regarding where in Town these facilities would be allowed. Mr. Shane said that staff would prefer to only allow such facilities on the two Town owned lots on Route One.

The Planning Board felt that was too restrictive and could open the Town up for potential law suits. The Planning Board felt that the Route One South area should be considered (Tuttle Road ramp to the Falmouth line). Mr. Shane reminded them that we are trying to build our business and economic develop center in that area. When the Planning Board meets in December they will review all the definitions that have already been approved by the Ordinance Committee, plus the two areas of zoning that staff is recommending (OC South and OC North).

- **Natural Gas Update**

Town Manager Shane said that he received the gas line layout from Summit last week. The first year will start with pipe being laid from the fairgrounds, down Blanchard Road, down Tuttle Road, to Route One heading north and south. Town staff met with the School Board Finance Committee to discuss the very aggressive schedule next summer. The schools have a potential savings of \$200,000 just in heating costs in the first heating season. The Manager and Operations Director met with an energy service contract provider recently. They will go into all the Town buildings and give an evaluation and a guarantee of savings. They will be at the December 9th Town Council meeting to give a presentation and explain how their contract will work.

- **Cumberland Farmer's Market "Lettuce Run for Hunger"**

Councilor Gruber gave the following update on the Cumberland Farmer's Market and the Thanksgiving basket program through the Food Pantry:

Last week, the Town Council Chambers was filled with food as the Girl Scouts helped sort items for the Thanksgiving baskets. It was very impressive and emotional to see. Thank you to Girl Scout Leader, Sarah Rose and the Girl Scouts for their amazing work.

Over 70 baskets were handed out, which translates to over 230 people.

The Farmer's Market event, "Lettuce Run for Hunger" donated \$700 to the Food Pantry.

Rachel's On the Green (the Smith Family) donated 22 turkeys.

Bert Kendall and the American Legion Post 91 donated \$100 and 15 turkeys.

Thank you to Bill and Linda Shane for all their hard work at the Food Pantry all year long.

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

13 – 169 To hold a Public Hearing to consider and act on the 2014 Shellfish License allocations, as recommended by the Shellfish Conservation Commission.

Chairman of the Shellfish Conservation Commission, Mike Brown, said that the Commission met recently, and is making the following license allocations for 2014. The allocations are identical to last year, with the exception of no commercial licenses issued in 2014:

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

COMMERCIAL: **5 0** resident commercial licenses
 + 0 non-resident commercial license

Mr. Brown said that the clam flats remain open seasonally (November – May) and there is some antidotal evidence that the number of clams is down. This could be due to the rising water temperature, which makes the clams softer, making them more susceptible to predators, as well as the green crab problem.

Chairman Stiles opened the Public Hearing.

Public discussion: none

Chairman closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Gruber, to approve the 2014 Shellfish License allocations, as recommended by the Shellfish Conservation Commission.

VOTE: 6-0 UNANIMOUS

13 – 170 To hear a report from Public Services Director, Chris Bolduc re: bulky waste pick up tonnage.


Bulky Item Pickup Week Status Update

November 2013

1

Education Efforts Starting Summer of 2011


A PDF was
Posted on the Town's
Website under
Public Services



2

Early Fall 2011

Information was
broadcast in the
Crier in August and
again at the
beginning of
October



3

October 2011

Informational mailer was sent to all residents.



4

Late October and November 2011

Informational door Hanger was developed for education after the event.



Bulky Item Pickup 2012 and 2013

In addition to updating the web postings, we incorporated a notice of refusal to pickup



Prior to Fall of 2011, this was a regular scene during pick up week.



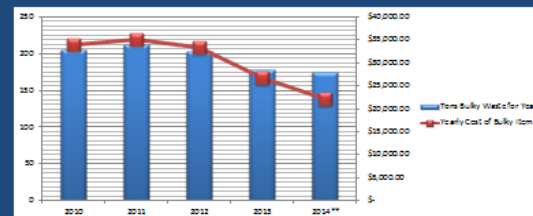
Since then, scenes like below are more unusual and generally have mitigating circumstances.



Program History

	2010	2011	2012	2013	2014**
	Cost/ton \$183.96	Cost/ton \$183.96	Cost/ton \$183.03	Cost/ton \$180.66	Cost/ton \$127.10
Ave tons during Non-Bulky Item Month	127.73	120.47	109.10	107.43	110.14
Addition # tons in May	104.84	104.13	105.43	90.56	89.77
Addition # tons in October	104.13	108.09	97.47	87.75	91.04
Non-Bulky Wastes for Year	206.07	212.22	202.88	178.31	174.81
Yearly Cost of Bulky Item	\$ 34,033.42	\$ 35,220.03	\$ 33,485.84	\$ 26,864.18	\$ 22,318.86

May's Ave.
→ last 3 years
-7.5%



Where does
Cumberland
go from here?

Comparison of Surrounding Towns

[illegible]

Possibilities:

Continue Current Service:

- Continue to work with Hauler to pick up only the items that are meant to be included in this program.
- Continue to work with residents to ensure knowledge of the way the program is intended to work.
- Continue to reduce the expense of this service to the Taxpayers

11

E-Card:

- Electronic System that involves new software, materials and staff to issue the cards – Can be expensive to start up and time consuming to maintain/administer

Punch Card:

- Only works at landfills and recycling centers

12

Dumpsters at Public Works:

- Twice a year, residents can bring items to the public Works garage for disposal. Staff can sort into the correct dumpsters to be hauled away.
- + Should reduce tonnage, should reduce litter and clutter in town.
- Not all residents have the means to get their items to the garage.

13

Tag System: Free or for a Fee

- Issue 5 – 10 tags per household for item of the homeowners choosing
- Hauler can collect once a month or as in current contract, twice a year.
- This would decrease tonnage but comes with its own expenses.

Additional Expenses:

- Tags**
- Estimated cost of tags is .60 per tag or \$600.00 per 1,000.
 - 10 tags per household, 2700 households = \$16,200.00
 - Assume 50% reduction in tonnage = \$12,000 + the \$16,200 = \$28,200
 - more than the current program costs
- Fees can be assessed to offset the cost of tags however, residents would have to come into Town Hall.
 - Program set up and tracking would also have some logistical challenges
 - Staff hours to administer, track and maintain the distribution of tags.
 - Increased traffic at counter, time away from current duties
 - If mailed to each residence, approximately \$1,400.00 per mailing in addition to cost of tags.

14

Universal Waste

Town Expenses		\$89 42
Waste Collection Services		\$ 3,619.18
Batteries	\$ 587.00	
Bulbs	\$ 335.33	
Tires w/ Repairs	\$ 110.00	
CPMC Management	Household Bulbs	\$ 28.00
Total Expense		\$4,089.93

Town Expenses		\$89 42
Waste Collection Services		\$ 3,619.18
Batteries	1,513 lbs	
Bulbs	599 lbs	
Tires w/ Repairs	41 lbs	
TV's	335 lbs	
Commodities	75 lbs	
Shredders	91 lbs	
Printers	100 lbs	
CPMC Management	Household Bulbs	\$ 28.00
Total Expense		\$4,089.93



15

Councilor Bingham asked Mr. Bolduc his thoughts of having only one bulky item pick up per year.

Mr. Bolduc said that it would likely not be much of an issue with residents, but there is no additional fee from our trash hauler for two pick-ups per year. He would be worried that once residents realized they were only getting one pick-up per year, they would put out twice as much anyway, and the tonnage would be the same.

Chairman Stiles asked Mr. Bolduc if the haulers were educated not to pick up items that are not allowed or would fit into a trash bag.

Mr. Bolduc said that we have a new hauler this year and there was a little confusion at first, but they now realize that they are not to pick up everything.

Councilor Copp suggested having a spring pick-up and in the fall, place 2 or 3 large dumpsters at Public Works for residents to dispose of the items themselves. It would be interesting to compare the tonnage of each.

Chairman Stiles said that the only reason we are having this discussion is because people don't follow the rules.

13 – 171 To set a Public Hearing date (December 23rd) to hear a report and accept from the Comprehensive Plan updates from the Ad Hoc Committee.

Motion by Councilor Storey-King, seconded by Councilor Bingham, to set a Public Hearing date of December 23rd to hear a report and accept Comprehensive Plan updates from the Ad Hoc Committee.

VOTE: 7-0 UNANIMOUS

13 – 172 To set a Public Hearing date (December 9th) to accept 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 said that there was a Council site-walk of this property last weekend. He knows that everyone who went is very appreciative of this very generous gift from the Godsoe's.

Town Manager Shane pointed out that this property abuts the Rines Forest.

Motion by Councilor Copp, seconded by Councilor Gruber, to set a Public Hearing date of December 9th to accept 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.

VOTE: 6-0 UNANIMOUS

13 – 173 To set a Public Hearing date (December 9th) to consider and act on a Class I Liquor License application for Cumberland House of Pizza.

Motion by Councilor Bingham, seconded by Councilor Edes, to set a Public Hearing date of December 9th to consider and act on a Class I Liquor License application for Cumberland House of Pizza.

VOTE: 6-0 UNANIMOUS

13 – 174 To set a workshop date of December 9th with the Lands & Conservation Commission re: foreclosed property on Cottage Farm Road and Greely Road Extension.

Motion by Councilor Gruber, seconded by Councilor Bingham, to set a workshop date of December 9th with the Lands & Conservation Commission re: foreclosed property on Cottage Farm Road and Greely Road Extension.

VOTE: 6-0 UNANIMOUS

13 – 175 To consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon receipt of \$11,000.00 for property located at 69 Pleasant Valley Road, Tax Map R08/Lot 27.

Town Manager Shane said that, as the Council knows, when a property goes into foreclosure, the Town attempts to work with the property owners to help them get the taxes current. This payment will bring this property within a tax year away from being current. A lien will remain on the property and the property owner has been working closely with Town staff to take care of back taxes.

Motion by Councilor Bingham, seconded by Councilor Copp, to authorize the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon receipt of \$11,000.00 for property located at 69 Pleasant Valley Road, Tax Map R08/Lot 27.

VOTE: 6-0 UNANIMOUS

13 – 176 To consider and act on authorizing the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon receipt of \$5,915.32 for property located at 331 Blanchard Road, Tax Map R08/Lot 68B.

Town Manager Shane said that this situation is very similar to the previous item. This one will be very close to being paid in full during this fiscal year.

Motion by Councilor Storey-King, seconded by Councilor Gruber, to authorize the Town Manager to accept delinquent taxes and issue a quitclaim deed, upon receipt of \$5,915.32 for property located at 331 Blanchard Road, Tax Map R08/Lot 68B.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Bingham – he helped with the Lions Club pie project. They sold 170 pies, which is up from 130 last year. Thank you to everyone who purchased a pie. The annual Lions Club citrus sale, which supports the Greely Scholarship Fund, will be happening soon.

Councilor Storey-King – the Twin Brook Advisory Committee is in need of one member. Thank you to Theresa Maloney-Kelly for her service on the committee. She had to resign due to another commitment.

She attended a meeting in Yarmouth last week with PACTS to discuss public input on road improvement.

Thank you to those who were involved in the Veterans Day celebration for the Korean War Veterans. Thank you to Representative, Steve Moriarty for his keynote speech and legislative proclamation, Girl Scout Troop Number 24, buglers Caleb Howell and Jordan Merrifield, and our generous sponsors. This was a community effort and a great honor for her.

She wished everyone a Happy Thanksgiving.

Councilor Gruber – he thanked Councilor Storey-King for all her hard work on the Veterans Day event.

He is looking forward to the presentation on December 9th by the energy service contract provider to hear suggestions on how we can save on energy costs in Town and School buildings. This is a tremendous opportunity for the Town and School to work together.

Thank you to the Assistant Town Manager and Finance Director for taking the time to complete the application for the Food Pantry to become a 501(3)(C). This will allow the pantry to apply for grant opportunities.

Chairman Stiles – he reminded the community that the Library Board is need of two North Yarmouth representatives. If anyone knows of a North Yarmouth resident who would be interested in serving on the Library Board, they can contact someone at Town Hall in North Yarmouth.

The Library has a lot of activities going on. Everyone should check out the activities so they don't miss something that would interest them. Last Thursday, he attended a program at the Library where community members read pieces of Cumberland history. He learned that the boat building industry was in Cumberland. He didn't realize that boats were built inland and hauled to the sea. There are fascinating programs that go on at the Library all the time.

Councilor Edes – he wished everyone a Happy Thanksgiving and reminded them to drive safe, drive sober, and enjoy the holiday.

Councilor Copp – his two grandsons would like to thank the Town for the new playground in West Cumberland. One is 3, one is 5, they have been there often and they love it. It was a great idea that Peter Bingham of the Recreation Department had when he decided to have second graders vote for the playground that they liked best.

On November 7th our heavy rescue unit responded to a call on the back side of Forest Lake for a car accident in Windham. The rescue unit was slightly damaged due to the condition of the road, but if something is not done, our vehicles can incur major damage or be totaled. We are supplying emergency services to the Town of Windham and a small portion of the Town of Gray. In his opinion, we are being taken advantage of. The roads are so bad that they are damaging our emergency vehicles. He urged the Council to ride down these roads if they have the opportunity. He, the Manager, and the Public Works Director checked out the roads in the fall, and they are atrocious. There are over 200 homes on these roads and the roads are not built to any standards whatsoever. The conditions are even worse in the winter. The roads are like horse paths.

Town Manager Shane said that after Councilor Copp first made him aware of this problem, he met with our Public Works Director and Fire Chief, and the Fire Chief, Public Works Director, and Town Manager from Windham. They rode down every road in that area. The Windham staff clearly had not been in that area of Forest Lake for quite some time, since they were surprised by the number homes that had been built. These are homes valued at \$200,000 to \$300,000. Town Manager Shane said that he put Windham on notice that we need a plan to implement safe turnarounds, road maintenance and brush cutting. Cumberland is taking all the risk by responding to emergencies and not getting any help in return. At a minimum, we need a place to turn emergency vehicles around so they don't have to back down these roads to get out. Manager Shane said that the Council can meet with the Windham Council to discuss this, if they so desire.

Town Manager Shane – last week, he attended a bike/pedestrian meeting in Falmouth. The Towns of North Yarmouth and Freeport put together a grant for PACTS to look at the region north of Portland and their public trails for biking and/or hiking for connectivity. They hired a consultant back in September, and the consultant put together a plan that shows the connections. The purpose is to get communities to work together. More information to come on this at the beginning of the year.

He had a great meeting with the Town Manager of Gray last week to discuss similar issues between the two Towns. Gray is also very interested in trying to expand natural gas to their Town, as well as the potential water main with Portland Water District that goes out Route 100 and ends just below the Board Barn. He will be speaking to the Gray Town Council at a meeting in December about all these topics.

VI. ADJOURNMENT

Motion by Councilor Edes, seconded by Councilor Gruber, to adjourn.

VOTE: 6-0

TIME: 8:37 p.m.

Respectfully submitted by,

Brenda L. Moore
Council Secretary